



Генеральная Ассамблея

Distr.: General
14 May 2010
Russian
Original: English

Совет по правам человека

Четырнадцатая сессия

Пункт 3 повестки дня

Поощрение и защита всех прав человека, гражданских, политических, экономических, социальных и культурных прав, включая право на развитие

Информация, представленная Североирландской комиссией по правам человека*

Записка секретариата

Секретариат Совета по правам человека настоящим препровождает сообщение, представленное Североирландской комиссией по правам человека** и воспроизводимое ниже в соответствии с правилом 7 b) правил процедуры, содержащихся в приложении к резолюции 5/1 Совета, согласно которому участие национальных правозащитных учреждений основывается на процедурах и практике, согласованных Комиссией по правам человека, включая резолюцию 2005/74 от 20 апреля 2005 года.

* Национальное правозащитное учреждение с аккредитационным статусом категории "А", присвоенным Международным координационным комитетом национальных учреждений, занимающихся поощрением и защитой прав человека.

** Воспроизводится в приложении в полученном виде только на том языке, на котором оно было представлено.

Annex

Statement of the Northern Ireland Human Rights Commission on the Bill of Rights for Northern Ireland

The Northern Ireland Human Rights Commission's role on a Bill of Rights for Northern Ireland

The peace process in Northern Ireland has reached a significant moment with many of the proposals from the Belfast (Good Friday) Peace Agreement (1998) having been implemented. However, one of the proposals, for a Bill of Rights for Northern Ireland, remains outstanding. It was agreed that the Northern Ireland Human Rights Commission, an independent, statutory body established in 1999 under the terms of the Belfast (Good Friday) Agreement, would provide the advice on such a Bill of Rights. On 10 December 2008 the Northern Ireland Human Rights Commission fulfilled its mandate to do so and submitted its advice to the Secretary of State for Northern Ireland. Both the UK and Irish Governments agree that this proposal for a separate Bill of Rights for Northern Ireland remains an outstanding issue from the Belfast (Good Friday) Agreement.

The Commission's Advice

Following eight years of consultation and a wide-ranging societal debate from 1 March 2000 until 10 December 2008, the Commission concluded that:

- Existing provisions of the European Convention on Human Rights could be supplemented.
- The Bill of Rights for Northern Ireland should respect the internationally recognised principle of indivisibility through the inclusion of justiciable social and economic rights.
- A Bill of Rights for Northern Ireland should not undermine existing guarantees and protections.
- A Bill of Rights for Northern Ireland should build on, and not undermine, the UK Human Rights Act 1998.

The UK Government's response was published on 30 November 2009. It is the Commission's view that the government response demonstrates a lack of understanding of the purpose and functions of a Bill of Rights; fails to take appropriate account of international human rights standards; appears to suggest the lowering of existing human rights protections; and misrepresents the advice given by the Commission on human rights protections.

Next Steps

The people of Northern Ireland supported the proposal for a Bill of Rights in a referendum, regarding this foundational document as an important transitional justice mechanism that would leave a lasting and credible legacy for future generations. There is some concern now that this constitutional project that has spanned decades may now be abandoned. The UK Government should now provide a clear and public commitment to embark on the next steps in order to create a Bill of Rights for Northern Ireland, taking into account the advice given to it by the Northern Ireland Human Rights Commission in December, 2008.