

European Criminal Bar Association paper:  
Protecting human rights and equality after Brexit – the implications  
for Northern Ireland

The issues for protecting human rights and equality are significant and will have ramifications for both the preservation of existing rights and for the development of rights going forward. In effect, the Belfast (Good Friday Agreement) has been critical to the development of protections within the Withdrawal Agreement and will remain whether we leave the EU with or without a deal. The Northern Ireland Human Rights Commission and the Irish Human Rights and Equality Commission alongside the Equality Commission have been working diligently to ensure the best possible outcome in what are difficult circumstances. A number of human rights NGOs and academics have also been playing a vital role in ensuring ongoing rights protections remain on the agenda.<sup>1</sup>

Background

European Union law has provided significant rights protections for people living in Northern Ireland. Laws governing the maximum number of hours a person is required to work, statutory entitlement to four weeks paid leave, equal treatment in social security, an end to compulsory retirement age, additional maternity protection have all stemmed from or been enhanced by EU law.

Human rights and equality remains a contested space politically, in Northern Ireland more so, than in other parts of the United Kingdom for example, the continuing lack of a single Equality Act, the absence of equal marriage and restrictive laws on access to abortion.

---

<sup>1</sup> For example the Committee for the Administration of Justice, Queens University School of Law and Transitional Justice Institute collaborating as Brexit NI, the Human Rights Consortium and Children's Law Centre among others.

With regard to the last two of these there is potential for imminent reform.

The Northern Ireland Executive and Assembly has not sat since January 2017. As a result, decision making has been left in the hands of senior civil servants who have been reluctant to take decisions of any significance in the absence of ministers. Legislation has been put in place for forming an Executive and to allow certain decisions to be taken in the absence of government ministers. The legislation was due for renewal in July 2019. During the passage of the new Act a number of amendments were passed to the Bill as initially presented. In particular, Section 9 of the Northern Ireland (Executive Formations etc.) Act 2019 makes provision that if the Northern Ireland Executive is not restored by 21 October 2019 then, the Secretary of State for Northern Ireland must ensure that the recommendations of the Convention for Elimination of Discrimination of Women Committees inquiry into abortion law must be implemented by 31 March 2020<sup>2</sup>. In addition, no investigation may be carried out and no criminal proceedings brought or continued under Section 58 and 59 of the Offences against the Person Act 1861. This provision would apply from 22 October 2019 again unless the Northern Ireland Executive is restored. Section 8 of the Act also provides that in the absence of such restoration in October then same sex marriage and civil partnerships for opposite sex couples will be introduced by 13 January 2020.

### The negotiations to the Withdrawal Agreement and Northern Ireland/Ireland protocol

The United Kingdom government's legislative approach, in essence, has been to pave the way for the repeal of the European Communities Act 1972 – the legislation which currently provides for the supremacy of European Union law. European Union law as it stands at the moment of exit will then be converted into domestic law before leaving the European Union. Post exit, the UK government will then be free to decide what elements of European Union law it wishes to preserve or discard subject to any fetter put in place during the negotiations of the terms of leaving by the European Union. The passing of the European Union (Withdrawal) Act reflected this ambition. Alongside this aim are a number of UK

---

<sup>2</sup> Report of the Committee, CEDAW/C.OP.8/GBR/1 23 February 2018.

government red lines including no longer being beholden to the Court of Justice of the European Union. In addition, the UK government has announced that it will not consider any reform or repeal of the Human Rights Act until at least after the EU Exit.<sup>3</sup>

On 8 December 2017 the joint report from the negotiators of the EU and the UK government was published on progress towards the UK withdrawal from the European Union. The report contained two particularly important paragraphs in the section of Ireland and Northern Ireland. Paragraph 52 reaffirms the Belfast (Good Friday) Agreement (the 1998 Agreement) provision for people in Northern Ireland to choose to be Irish or British or both and be accepted as such while setting out that 'the people of Northern Ireland who are Irish citizens will continue to enjoy rights as EU citizens, including where they reside in Northern Ireland'. Moreover, at paragraph 53 the report acknowledges the important provision on Rights, Safeguards and Equality of Opportunity in the 1998 Agreement before stating 'the United Kingdom commits to ensuring that no diminution of rights is caused by the departure from the European Union including in the area of protection against forms of discrimination enshrined in EU Law'. On the surface, both of these paragraphs appear to provide important human rights and equality protections beyond those available elsewhere in the United Kingdom.

Within the Northern Ireland/Ireland protocol of the Withdrawal Agreement is the commitment to no diminution of rights, is made real by including ongoing protection against discrimination as enshrined in specific parts of EU law listed in a separate annex. The protocol also committed the United Kingdom government to setting up a dedicated monitoring mechanism to ensure the 'non-diminution' provision is implemented in practice. The dedicated mechanism proposed is the Northern Ireland Human Rights Commission, the Equality Commission for Northern Ireland and the Joint Committee of the Human Rights Commissions of Northern Ireland and Ireland - a committee established under the 1998 Agreement.

Article 4(1) and Annex 1 to the Northern Ireland/Ireland protocol sets out the provisions of EU law which will be preserved in Northern Ireland. These are:

---

<sup>3</sup> See Parliamentary answer from Sir Oliver Heald, Minister of State, Minister of Justice to David Nutall, Conservative MP Bury North, 24 January 2017

- Council Directive 2004/113/EC equal treatment between men and women in access to supply of good and services
- Directive 2006/54/EC equal treatment of men and women in matters of employment and occupation
- Directive 2006/54/EC equal treatment between persons regardless of racial or ethnic origin
- Council Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation
- Directive 2000/41/EU equal treatment between men and women engaged in self-employment
- Council Directive 79/7/EC equal treatment for men and women in social security

In addition, it is clear that preservation of EU directives on the treatment of victims, parental leave and maternity rights should also fall within the non-diminution of rights under the rights, safeguard and equality of opportunity section of the Belfast (Good Friday) Agreement. There may well be arguments for further EU laws to be preserved under the UK government's non-diminution commitment. Of course, all this could fall away in the event of the UK government leaving without a deal. Nonetheless, in those circumstances, the joint committee commitment has been making the case that given the statements made by the UK and Irish governments and EU27 the 'non-diminution of rights' commitment and arrangements made in the Withdrawal Agreement should be implemented in UK domestic law.

#### The work of the joint committee

The joint committee of the NIHRC and IHREC has actively sought to ensure the strongest possible human rights and equality protections. The joint committee published a policy statement in March 2018 setting out six key principles namely:

- Ensuring the commitment to 'no diminution of rights' is evident and enforceable in the final Withdrawal Agreement
- Safeguarding North-South equivalence of rights on an ongoing basis
- Guaranteeing equality of citizenship in Northern Ireland
- Protecting border communities and migrant workers
- Ensuring evolving justice arrangements comply with the commitment to non-diminution of rights

- Ensuring the continued right to participate in public life for EU citizens in Northern Ireland<sup>4</sup>

The joint committee also commissioned a discussion paper on Brexit assessing the human right implications of the EU (Withdrawal) Bill, the jettisoning of the EU Charter of Fundamental Rights, citizenship rights, the value of the Common Travel Area against EU law protections, justice and security arrangements and the maintenance of equivalence of rights North and South as envisaged in the 1998 Agreement.<sup>5</sup>

The joint committee has also met with Michel Barnier and his Article 50 taskforce team in Dundalk and Brussels, the Irish and UK governments at ministerial level and the Irish and UK Ambassadors to the European Union and the United Nations.

The joint committee commissioned a further detailed paper on the Common Travel Area to examine its practical scope and operation alongside, most importantly, what falls outside the Common Travel Area (CTA). In particular, the paper also examined how to strengthen the legal underpinnings of the CTA. A further paper examining the cross border civil and criminal justice implications was also published. Further papers on how to make UK immigration and nationality law consonant with the Belfast (Good Friday) Agreement and how the commitment to provide those who identify as Irish citizens with additional EU Law rights can be made compatible with the Belfast (Good Friday) Agreement will be published shortly. This fine grained analysis of the potential rights implication of Brexit is vital as 'the devil is always in the detail' as the negotiations come to fruition.

### An analysis of the rights implications

There are a number of key issues which will have a significant impact as a result of the UK government's decision to leave the European Union. In particular, many lead back to the 1998 Agreement.

---

<sup>4</sup> Joint Committee of the Irish Human Rights and Equality Commission and Northern Ireland Human Rights Commission: policy statement on the UK withdrawal from the European Union, March 2018

<sup>5</sup> Discussion paper on Brexit – Colin Murray, Aoife O'Donoghue and Ben Warwick

(a) The loss of the Charter of Fundamental Rights of the European Union (the Charter)

The Charter came into force in December 2009 through the Treaty of Lisbon. The Charter incorporates rights contained in the European Convention on Human Rights but, goes further including specific provision on protection of personal data, the right to engage in work and to conduct a business, the right to asylum and protection in the event of removal, expulsion or extradition, cultural, religious and linguistic diversity rights, children's and older people's rights, integration of persons with disabilities, environmental and consumer protection, health care and social security rights, the right to good administration and to access documents, to fair and just working conditions and freedom of movement and residence and the right to an effective remedy and to a fair trial. The rights contained in the Charter can only be exercised in conjunction with European Union law.

The UK government has long argued that the Charter strengthened existing legal principles, rather than creating new rights enforceable in court. Moreover, they have stated that the rights contained in the Charter are all available within domestic legislation and judge made common law and as a result no loss of rights will occur and that the EU (Withdrawal) Bill will preserve EU law at the point of leaving the European Union. One might dryly observe that if this is the case why the need to get rid of the Charter?

A legal opinion for the Equality and Human Rights Commission in Britain strongly refutes the UK government's assessment noting the Charter creates additional valuable rights, sustains and ensures no compromise on retaining existing human rights protection, that common law and current UK legislation does not comprehensively cover the Charter rights and that retention of the Charter creates legal certainty.<sup>6</sup> In addition, placing all the rights within a single Charter provides a more accessible way of promoting the rights available to citizens.

While the difference of opinion may keep lawyers in work, the loss of the Charter has particular resonances for Northern Ireland. In effect, there is a Northern Ireland rationale for retaining the Charter alongside a wider UK argument. The 1998 Agreement still has two

---

<sup>6</sup> Legal opinion by Jason Coppel QC, January 2018 available on the EHRC website at <https://www.equalityhumanrights.com/en>

pieces missing from its original provision. First, is the absence of a civic forum to provide an institutional link between wider civic society and political institutions. Secondly, a Bill of Rights for Northern Ireland was to be introduced through Westminster legislation. The Bill of Rights was to provide rights supplementary to the European Convention of Human Rights (ECHR) drawing on appropriate international instruments and experience and reflecting the particular circumstances of Northern Ireland. In practice, the Bill of Rights was to take an 'ECHR plus' approach. The Charter is the nearest thing we have to filling the gap albeit without directly referencing the circumstances of Northern Ireland. Retention of the essentials of the Charter either until a Bill of Rights is enacted or alternatively, utilising it as a basis for a Bill of Rights would provide important and durable human rights guarantees extending beyond the period the UK leaves the EU. The Charter has been in place for almost ten years so arguably it provides those sceptical of rights protection with succour that no-one is plunging into the unknown. Moreover, a Bill of Rights whether based on the Charter or otherwise, comes into its own at times of economic and political instability and few would argue that we are not about to enter into a period of turbulence, economically and politically post Brexit. There are issues to be ironed out within the Charter as a foundation stone for a Bill of Rights including its restriction to being applied only alongside EU law and how it would be enforced legally in practice. Nonetheless, there remains a compelling argument for the UK government looking again at the need for a Bill of Rights.

In addition, there is already a body of work to build on including the Commission's advice on a Bill of Rights for Northern Ireland published in December 2008 and more recently, research done on a Bill of Rights for Northern Ireland including a model bill by Anne Smith and Colin Harvey.<sup>7 8</sup>

(b) An equivalency of rights across the island of Ireland

The 1998 Agreement tasked the Irish government with strengthening its own human rights protections including incorporating the European Convention on Human Rights into its domestic law. This was to mirror the UK government's commitment to do the same with the planned introduction of the Human Rights

---

<sup>7</sup> A Bill of Rights for Northern Ireland: advice to the Secretary of State, 10 December 2008, NIHRC

<sup>8</sup> Where next for a Bill of Rights for Northern Ireland and a draft model bill, Anne Smith and Colin Harvey, UU Transitional Justice Institute and QUB School of Law (2017)

Act. The measures in the Agreement “would ensure at least an equivalent level of protection of human rights as will pertain in Northern Ireland”. The idea of equivalent (though not the same) rights across Ireland has come into sharp focus as rights have developed at a different pace North and South. Ireland now has equal marriage legislation and legislation to permit abortion placing it within the mainstream of laws in Europe on women’s reproductive rights. Northern Ireland has remained in the slow lane with no extension of same sex marriage beyond civil partnerships, the continuing criminalisation of women, clinicians, and others who seek or assist abortions locally and the absence of a single Equality Act to enhance equality and non-discrimination laws. This may change shortly as outlined earlier.

The joint committee has argued strongly that the equivalency of rights across the island of Ireland envisaged in the 1998 Agreement could be promoted, for example, through the retention of the EU Charter and a Bill of Rights. With the UK leaving the European Union, any additional rights created after leaving the EU and the transitional period will no longer automatically be adopted by the UK and its devolved administrations. Moreover, under domestic law, the development of rights protections in areas of devolved competence will fall to the Northern Ireland Executive and Assembly. Based on recent experience, as equality and human rights protections develop in domestic law elsewhere in the UK and (through European Union and domestic law) in Ireland the prospect of the current gap widening is not a fanciful one. Such a scenario is good for neither Northern Ireland nor the United Kingdom as a whole. The UK government seeks to promote human rights, equality and non-discrimination on a global stage while experiencing significant problems in its own backyard. From first-hand experience as Chair of the Commonwealth Forum of National Human Rights Institutions (from 2015-2018) seeking to promote LGBTI rights in a number of African countries is not aided by the perception of Northern Ireland’s human rights and equality record. Moreover, attracting international economic investment is not enhanced by political instability or a reputation for illiberalism or intolerance.

Despite these arguments, the UK government maintains that the 1998 Agreement does not create any ongoing equivalence of rights, merely, instead reflecting the context at the time. The rejection of the equivalence of rights approach squanders an opportunity to



ensure human rights and equality protections are maintained beyond leaving the European Union.

(c) Citizenship rights

The joint report's agreement that the people of Northern Ireland who are Irish citizens will retain EU rights raises a conundrum. The 1998 Agreement recognises an individual's right to identify as British, Irish or both without adverse consequences. The retention of European Union legal rights for Irish citizens in Northern Ireland appears to run counter-intuitively to the 1998 Agreement. There are considerable political and practical implications of offering more rights to people in Northern Ireland who identify as Irish than their next-door neighbour who sees him or herself as British. The degree of significance will be magnified by what this actually means in practice. To date, the joint committee has not been able to gain clarity from either the European Union or the UK government. The European Union emphasises that the rights retained or developed going forward will be around accessing services and rights elsewhere in the European Union without providing the details as to which rights will be accessed and in what circumstances. In a European Commission fact sheet it was highlighted that the additional rights would include freedom of movement and freedom from discrimination and access to EU institutions such as the European Civil Service and EU Ombudsman. Details on how freedom of movement and freedom from discrimination will be retained in practice have not been provided. The UK government initially appeared relaxed in accepting that an asymmetry of rights will occur while noting that on this issue the ball is in the court of the European Union. More recently, the government has become more engaged with the issue. Moreover, the UK government continues to hope that many of the rights in play will be retained for all UK citizens as an outcome of the final negotiations for example, continued access to the European Health Insurance Card and Erasmus programmes. .

The practical outworkings are also important. By way of illustration, a person in Northern Ireland who has to wait an undue length of time for health care treatment can travel elsewhere in the European Union, pay for treatment and then bill the NHS who must then refund the person.<sup>9</sup> For the Irish government, post the EU exit, the

---

<sup>9</sup> See *Yvonne Watts v Bedford Primary Care Trust and Secretary of State for Health*, Case C372/04 Judgement of Grand Chamber 16 May 2006

prospect of an Irish citizen living in Northern Ireland exercising this right and charging the Irish government for the failings of a Northern Ireland NHS is an unattractive one. Further, will an Irish citizen in Northern Ireland who after the EU exit, exercises his or her freedom of movement as a worker elsewhere in the European Union, meets a partner and wants to return home with that person be able to do so without restriction? In addition, how will any additional rights be exercised remains to be determined. Will it be based on holding an Irish passport or some other assertion of identity or residence? The joint committee has commissioned a paper to explore how such provision can be made in the tune with the Belfast (Good Friday) Agreement and how such administrative arrangements can be applied in practice.

A further dimension to the citizenship rights is the provision of UK immigration and nationality law which assumes many of those lawfully residing in the UK are automatically British citizens regardless of how those individuals identify themselves. This is particularly contentious in Northern Ireland where many people identify themselves to be Irish. This has been thrown into even sharper relief by the prospect of the UK leaving the European Union. In a legal challenge, currently awaiting a decision on appeal from the Home Office at an Immigration Upper Tribunal Emma de Souza successfully argued her right to family reunification based on having rights emanating from the Belfast (Good Friday) Agreement.

#### (d) The Common Travel Area and Cross-border Issues

The Common Travel Area (CTA) allows for easy travel and reciprocal advantages including access to social security, healthcare and education for people lawfully resident in the UK, Ireland, Channel Islands and Isle of Man. It predates the UK and Ireland joining the European Union with freedom to travel going back to partition. Following the Second World War, the United Kingdom enacted the Ireland Act 1949 paving the way for the introduction of the Common Travel Area from 1952. The Common Travel Area is a collection of legal provisions across its members which ensure Irish and UK citizens can be treated almost identically within both countries. European Union law recognises the Common Travel Area within Article 20 of the Treaty on the Functioning of the European Union. In practice, the Common Travel Area provides additional rights and advantages to its beneficiaries over and above those offered to European Union citizens from outside the UK and Ireland.

This has particular importance for Irish citizens in accessing key means-tested social security benefits in the UK as residence in the CTA provides an exemption to the increasingly restrictive residence clauses attached to entitlement to those benefits. The combination of the CTA and EU freedom of movement has contributed to relatively seamless cross-border arrangements, for example, in healthcare. In effect, the Co-operation and Working Together (CAWT) partnership between the NHS in Northern Ireland and Irish Health Service in border counties allows a variety of healthcare schemes and initiatives to be run based on bilateral arrangements utilising the CTA and the 1998 Agreement underpinned by European Union law. Such schemes include the sharing of Ear, Nose and Throat surgeons between hospitals in Craigavon, Newry and Monaghan.<sup>10</sup> The question of accessing emergency services across the border was also highlighted in a Westminster Parliamentary Inquiry into healthcare which reported that though the numbers benefitting were small, the need where it applied was critical.

The December report and Withdrawal Agreement both emphasise the continuance of the Common Travel Area. It is clear that both the UK and Irish governments are keen to continue to apply CTA arrangements. Nonetheless, the relative flexibility and informality that characterises the CTA will no longer be guaranteed by the underpinning of European law. In practice, there is a strong case for placing the Common Travel Area on a much stronger legislative footing for example, through an international treaty. An international treaty could still allow the CTA to develop further arrangements after the UK's EU exit while guaranteeing the reach of existing bi-lateral agreements. It would also provide certainty in the event of future relations between the UK and Irish governments ever deteriorating.

The UK and Irish government entered into a memorandum of understanding on the reciprocal rights and privileges covered by the Common Travel Area in May 2019. It covered areas including the right to reside, right to work, healthcare, social security rights, housing, education and voting though these provisions are not underpinned by legislative force.

---

<sup>10</sup> For more details see Brexit : reciprocal healthcare, Chapter 7 : House of Lords EU Committee 13<sup>th</sup> Report of Session 2017-2019, March 2018

A second outstanding issue is that without EU law, some of the key rights derived from the CTA will depend on Irish citizens entering the UK from Ireland, the Isle of Man or the Channel Islands and not from elsewhere in the European Union.<sup>11</sup>

(e) Security and Justice Co-Operation

The UK government ideally wishes to retain the current information and data sharing arrangements, retention of the European Arrest Warrant alongside other policing and prosecution operational arrangements. Moreover, the UK government would like to retain a seat in as effective and influential form as possible on EU wider security and justice bodies developing policies for the future. For more details of the data sharing mechanisms and key agencies see Box 1.

Box 1:

Key Organisations and Data Sharing Mechanisms for EU wide Law Enforcement Co-operation

Schengen Information System (SISII)	A database containing 35,000 people wanted under European Arrest Warrants and alerts on suspected foreign fighters, missing people and objects of interest to EU law enforcement agencies.
European Criminal Records Information System (ECRIS)	A secure electronic system for exchange of information on convictions between EU member states. ECRIS is also used for employment vetting and immigration purposes.
Passenger Name Records (PNR)	A scheme regulated by EU law to ensure airlines and other travel carriers submit name, date of birth, nationality and passport numbers and other information to border agencies.

---

<sup>11</sup> For more detailed discussion of the implications see Brexit and Irish citizens in the UK : How to Safeguard the rights of Irish citizens in an uncertain future : The Traveller Movement, December 2017

Prüm Treaty	Allows for reciprocal database searches for DNA profiles, vehicle registration and fingerprints.
Europol Information System	Central criminal information and intelligence database (no access by local force holds information on accused not just those convicted).

Cross-border policing relationships between the Police Service of Northern Ireland and An Garda Síochána remains strong yet, memories of how toxic the issue became during the political conflict also remain fresh.

The UK government remain acutely aware of the importance of EU wide criminal justice and security issues. Following the Lisbon Treaty the UK government exercised a block opt out to 130 pre-Lisbon treaty police and criminal justice measures only to opt back in to 35 measures simultaneously accepting that the enforcement powers of the European Commission and full Court of Justice of the European Union legal jurisdiction would apply from December 2014. Without a deal, the UK would once again be leaving those arrangements including the European Arrest Warrant.

The European Arrest Warrant was adopted by the EU to enable the extradition of individuals between member states facing prosecution for a crime or to serve a prison sentence for an outstanding conviction. The (then) Chief Constable of the Police Service for Northern Ireland, George Hamilton, has regularly proclaimed the importance of the European Arrest Warrant, outlining it is 'essential in tackling terrorism, organised and volume crime across the island of Ireland'.<sup>12</sup> His successor as Chief Constable Simon Byrne has also gone public with his concerns around Brexit for policing, crime prevention, detention and enforcement. The UK government's position is that enforcement and dispute resolution within the European Arrest Warrant are two distinct issues. This would pave the way for an alternative judicial oversight mechanism to the Court of Justice of the European Union to be developed by the UK – a bespoke arrangement for dispute resolution. There appears little appetite within the European Union to facilitate this approach.

---

<sup>12</sup> See for example evidence to Northern Ireland Affairs Committee on implications of Brexit for cross-border policing and criminal justice, 13 December 2016

In an early sign of judicial concern about the state of future protection the Irish Supreme Court and Irish High Court referred cases to the Court of Justice of the EU (CJEU) seeking clarity as to whether it was appropriate to continue to agree to European Arrest Warrant requests from the UK given the uncertainty surrounding the rights and safeguards that will apply after exit. The CJEU ruled that notification of the intention to leave the EU is not of itself grounds to postpone or refuse to execute a request under the European Arrest Warrant unless substantial grounds exist that rights under the European Arrest Warrant and the Charter of Fundamental Rights will not be applied. This leaves open the question of what might happen in circumstances where the Charter and the CJEU is no longer recognised by the UK government.<sup>13</sup>

The importance of existing safeguards and rights will sorely test the UK government's red line of leaving the CJEU altogether. It is difficult to see how the scope of the safeguards can be easily replicated in UK bespoke alternative arrangements.

The joint committee commissioned research entitled Evolving Justice Arrangement post Brexit which was published in August 2019<sup>14</sup>. The research analysed the current arrangements and conducted interviews with senior police officers, security and criminal justice practitioners and academics. The Irish government has ensured arrangements have been put in place for extradition to cover Northern Ireland. Nonetheless the Irish government senior police officers were candid in interviews for the project that the alternative arrangements would not be as seamless as the European Arrest Warrant and lead to additional complexity, legal challenges and inevitable delays in both securing extradition and implementing prosecutorial procedures. This will, in turn, have knock on consequences for witnesses and victims of crimes.

## Conclusion

There are significant ramifications for human rights and equality across the UK as a result of the decision to leave the European Union following the result of the referendum in June 2016. Northern Ireland however, has two additional dimensions, namely

---

<sup>13</sup> See RO judgement of CJEU case 327/18PPU, 19 September 2018

<sup>14</sup> Evolving Justice Arrangements Post Brexit- Amanda Kramer, Rachel Dickson and Anni Pues, August 2019.

being the only part of the United Kingdom having a land border with another member state and its position as a post-conflict society following the Belfast (Good Friday) Agreement with its human rights and equality provisions some of which have still not been implemented. These dimensions and the contested nature of human rights and equality issues within the Northern Ireland Executive and Assembly mean that the preservation and development of human rights and equality protections through EU law have been particularly important and any loss will, in turn, also be especially keenly felt.

For more details of the work of the Commission on these issues see the Commission's website [www.nihrc.org](http://www.nihrc.org).

**Les Allamby**  
**Chief Commissioner**  
**Northern Ireland Human Rights Commission**  
**October 2019**