

Northern Ireland: Triggering Article 16 puts Good Friday Agreement human rights guarantees at risk



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Amnesty has written to UK and EU negotiators to guarantee human rights protections secured under the Ireland/Northern Ireland Protocol

‘The rights of people in Northern Ireland cannot be allowed to become a casualty of any trade war’ – Patrick Corrigan

Amnesty International has written to UK and EU negotiators Lord Frost and Maroš Šefčovič asking them to safeguard the equality and human rights protections for people in Northern Ireland guaranteed under the Ireland/Northern Ireland Protocol.

Under the EU/UK Withdrawal Agreement, the UK Government has committed to ensuring that equality and human rights guarantees for people in Northern Ireland, as set out in the Belfast/Good Friday Agreement, will continue to be protected after Brexit.

EU law has underpinned many of the equality laws in Northern Ireland, strengthening protection for a wide range of groups - including women, disabled people, older people and people from a range of communities. Without the equality and rights guarantees underpinned in the Protocol, there could be an effective roll-back on rights in Northern Ireland, with citizens suffering progressively weaker equality laws and fewer rights.

“The commitment to the protection of rights and equality was central to the Belfast/Good Friday Agreement, which in turn has been essential to enduring peace in Northern Ireland. The

Protocol guarantees these rights for everyone in Northern Ireland. “Any triggering of Article 16, and the repercussions which may follow - such as the suspension of the Trade and Co-operation Agreement - put these equality and human rights protections at risk. “Both the UK and the EU have an obligation to make clear that these human rights and equality guarantees are not on the negotiating table. The rights of people in Northern Ireland cannot be allowed to become a casualty of any trade war.”

The Ireland/Northern Ireland Protocol has three main objectives, one of which is to protect the 1998 Belfast-Good Friday Agreement in “all its dimensions”.

As part of dealing with the protection of the 1998 Agreement, the Protocol aims to ensure that there is “no diminution of rights, safeguards, or equality of opportunity” as set out in the part of the 1998 Agreement that deals with these issues. For instance, any future decision by the UK to withdraw from the European Convention on Human Rights could be a violation of Protocol Article 2 given the human rights guarantees in the Belfast/Good Friday Agreement.

The Trade and Co-operation Agreement (TCA) governs future relations between the UK and EU. It includes ‘level playing field’ provisions dealing with labour and social rights, and provisions dealing with the role of the European Convention on Human Rights (ECHR).

Both these arrangements seek to preserve existing human rights and equality provisions in Northern Ireland.

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