

Equality and Human Rights on the Island of Ireland after Brexit: Annual joint report of IHREC, ECNI and NIHRC on the implementation of Article 2 of the Windsor Framework

October 2023– September 2024

Irish Human Rights and Equality Commission
Northern Ireland Human Rights Commission
Equality Commission for Northern Ireland

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Coimisiún na hÉireann um Chearta
an Duine agus Comhionannas
Irish Human Rights and Equality Commission



NORTHERN IRELAND
HUMAN RIGHTS
COMMISSION



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Foreword

This is the third activity report on our three Commissions' joint work to ensure the implementation of Article 2 of the Windsor Framework from an Island of Ireland perspective. The report covers the work of our Commissions in this regard from October 2023 to September 2024.

During this period, the three Commissions have continued to work well with one another and build on the groundwork laid over recent years as we discharge our respective mandates in relation to Article 2 of the Windsor Framework.

We have worked to progress research and policy recommendations on core issues, such as the evolving risk of divergence of rights on the island of Ireland. On this and related issues, we have engaged with key stakeholders including elected representatives and senior officials in the EU. We continue to plan further engagement with these important stakeholders. These strands of work are of the utmost importance as we continue to ensure that the Article 2 commitment on equality and human rights in Northern Ireland is upheld.

Looking forward, our Commissions remain steadfast in our commitment to discharge our mandates to promote and protect human rights and equality for everyone on the island of Ireland.



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Chief Commissioner
Equality Commissioner for
NI



Alyson Kilpatrick

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Introduction

In January 2020 the UK signed the UK-EU Withdrawal Agreement, and the Protocol on Ireland/Northern Ireland (now referred to as the Windsor Framework), which is part of the treaty, took effect from 1 January 2021.¹

Windsor Framework Article 2 states:

1. The United Kingdom shall ensure that no diminution of rights, safeguards or equality of opportunity, as set out in that part of the 1998 Agreement entitled Rights, Safeguards and Equality of Opportunity results from its withdrawal from the Union, including in the area of protection against discrimination, as enshrined in the provisions of Union law listed in Annex 1 to this Protocol, and shall implement this paragraph through dedicated mechanisms.
2. The United Kingdom shall continue to facilitate the related work of the institutions and bodies set up pursuant to the 1998 Agreement, including the Northern Ireland Human Rights Commission, the Equality Commission for Northern Ireland and the Joint Committee of representatives of the Human Rights Commissions of Northern Ireland and Ireland, in upholding human rights and equality standards.²

Article 2 is a commitment by the UK Government to ensuring that certain rights, safeguards and equality of opportunity protections are not diminished as a result of the UK leaving the EU. Therefore, to fall within scope of Article 2 the

¹ Agreement on the Withdrawal of the UK of Great Britain and NI from the EU and the European Atomic Energy Community 2020 (UK-EU Withdrawal Agreement).

² Article 2(1), Windsor Framework (formerly Ireland/Northern Ireland Protocol) to the UK-EU Withdrawal Agreement.

human right or equality protection being relied on must be covered by the relevant chapter of the Belfast (Good Friday) Agreement and have been underpinned by EU law including EU treaties, directives and regulations, in place on or before 31 December 2020.³

In addition to this non-diminution commitment, Article 2 also contains a commitment that Northern Ireland equality law will dynamically align or ‘keep pace’ with any enhancements made by the EU to rights provided for under the six main Equality Directives listed in Annex 1 to the Windsor Framework.

The ECNI and the NIHRC are mandated to act as dedicated mechanisms to oversee the UK Government’s implementation of these Article 2 commitments. In addition, the NIHRC and ECNI are working together with IHREC to provide oversight of, and reporting on, rights and equalities issues falling within the scope of the Article 2 commitment that have an Island of Ireland dimension.

In March 2021, the three Commissions agreed a Memorandum of Understanding that sets out working arrangements for fulfilling this mandate.⁴ Included amongst these is the publication of an annual joint report documenting the work of the Commissions to provide oversight of, and reporting on, rights and equalities issues falling within the scope of Article 2 of the Windsor Framework that have an Island of Ireland dimension. The first such report, covering the period January 2021-September 2022, was published in November 2022, while

³ The ECNI and the NIHRC published a joint working paper on the scope of Article 2(1) of the Windsor Framework in December 2022. See Equality Commission for Northern Ireland and Northern Ireland Human Rights Commission, [Working Paper: The Scope of Article 2\(1\) of the Ireland/ Northern Ireland Protocol](#), (ECNI and NIHRC, December 2022).

⁴ Equality Commission for Northern Ireland, Irish Human Rights and Equality Commission, and Northern Ireland Human Rights Commission, [Ireland/Northern Ireland Protocol of the European Union \(EU\) Withdrawal Agreement, Article 2: island of Ireland dimension. Memorandum of Understanding](#). March 2021.

the second report covered the period October 2022-September 2023 and was published in November 2023.

This is the third such annual joint report by the three Commissions. This report covers the period October 2023–September 2024.

Activity report

Research and policy

EU Developments in Equality and Human Rights: Impact of Brexit on the Divergence of Rights and Best Practice on the Island of Ireland

The Commissions recognise that long term North-South equivalence of protection for equality and human rights is important. For example, it can help facilitate the enjoyment of certain rights on a cross-border basis, in keeping with the North-South rights dimension of the Belfast (Good Friday) Agreement. It would assist, for example, in the smooth functioning of North-South co-operation across a range of policy areas from all-island healthcare to North-South justice co-operation, many of which have a strong equality and rights dimension.⁵

Whilst EU membership facilitated broad alignment of many equality and human rights laws across the island of Ireland, and also between Northern Ireland and Great Britain, some significant areas of divergence existed prior to Brexit in areas not covered by EU law. Whilst the Windsor Framework requires that Northern Ireland equality law will keep pace with any enhancements made by the EU to rights provided for in the Annex 1 Equality Directives, post Brexit, further divergence between Ireland and Northern Ireland is likely in areas of EU equality and human rights law. In order to track this divergence, the ECNI, on behalf of the NIHRC and IHREC, published jointly commissioned research in 2023 on the

⁵ NI Human Rights Commission and Equality Commission for NI, '[Working Paper: The Scope of Article 2\(1\) of the Ireland/ Northern Ireland Protocol](#)' (NIHRC and ECNI, 2022).

impact of Brexit on the divergence of rights and best practice on the island of Ireland.⁶

This research highlighted EU developments (EU law, Court of Justice of the EU (CJEU) case law, policy and best practice) that relate to equality and human rights in Northern Ireland post Brexit and that have the potential to result in divergence of rights on the island of Ireland. The research report highlighted the important role of the Commissions in identifying pre-existing and potential areas for divergence to occur.

Based on this research the IHREC, ECNI, and NIHRC developed a number of key policy recommendations.⁷ The three Commissions jointly advocate the following two central recommendations:

- that North-South equivalence of rights and protections is ensured, by Northern Ireland law keeping pace with changes to EU equality and human rights law that enhance protections and reflect international human rights standards. This should include rights introduced as a result of EU laws that do not amend or replace the Windsor Framework Annex 1 directives.
- that the Irish Government, Northern Ireland Executive, and UK Government work to enhance and harmonise equality and human rights protections on the island of Ireland, aligned to their respective remits, and make a clear commitment to working towards ensuring North-South

⁶ Sarah Craig, Anurag Deb, Eleni Frantziou, Alexander Horne, Colin Murray, Clare Rice and Jane Rooney, [European Union developments in Equality and Human Rights: The Impact of Brexit on the divergence of rights and best practice on the island of Ireland](#), (ECNI, NIHRC, IHREC 2022)

⁷ Equality Commission for Northern Ireland, Northern Ireland Human Rights Commission and Irish Human Rights and Equality Commission, [Policy Recommendations: European Union developments in Equality and Human Rights: The Impact of Brexit on the divergence of rights and best practice on the island of Ireland](#), (ECNI, NIHRC and IHREC, 2023).

equivalence of rights on the island of Ireland so as to strengthen protections and reflect international human rights standards.

We have engaged with the UK Government, Northern Ireland Departments, and the Irish Government, on these and a number of other policy recommendations arising from this research.

Given that divergence of rights is likely to continue after the UK's exit from the EU, the ECNI, on behalf of the three Commissions, commissioned further research on divergence of rights in July 2023, to cover the period since the last report.

The analysis and recommendations in the latest research report were based on an extensive mapping exercise undertaken by the researchers in relation to EU law and policy covering the period between January 2022 and August 2023. This exercise covers EU measures that have been enacted or have been proposed during this time period that could have implications for Northern Ireland law given the WF Article 2 commitment and developments in CJEU case law relevant to this commitment in the same period. This updated research will be published in Autumn 2024 and some of the key findings are outlined below:

- › The report notes the researchers' concerns regarding the relative inattention paid to WF Article 2 by legislators and policymakers in Northern Ireland and at UK Government level in particular. They indicate that proposals for new UK legislation do not engage with the specific requirements of WF Article 2.

- › The report stresses the need for continued monitoring and tracking of CJEU case law by the UK Government, NI Executive and NI Departments to ensure compliance with the WF Annex 1 Directives.
- › The report highlights the Pay Transparency Directive and the EU Directives on Standards for Equality Bodies as EU measures which the researchers consider amend or replace WF Annex 1 Directives, and therefore contends that Northern Ireland law must dynamically align with the relevant parts of these Directives further to WF Articles 2 and 13.
- › It highlights significant EU law developments in relation to equality and rights which are closely related to the Annex 1 Directives, including in the areas of workers' rights, gender equality, and violence against women and domestic violence.
- › It also highlights emerging EU proposals to protect certain vulnerable groups including victims of trafficking and victims of child sexual abuse online, flagging that these initiatives are important in the context of the open border on the island of Ireland.
- › The report examines domestic case law interpreting WF Article 2 that has taken place over the period under review, for example, in relation to the Legacy Act. It highlights that the NIHRC and ECNI have played a significant role in publishing research, policy positions and consultation responses relating to WF Article 2 as well as intervening in cases.
- › Researchers were concerned that significant problems of divergence raised in the initial research report have not been addressed, e.g. no progress towards Northern Ireland voluntarily aligning with the European

Accessibility Act, and the continuing lack of protection against age discrimination outside employment in NI.

Following publication of this research report, the Commissions will work to develop policy recommendations taking into account the findings in the report.

Awareness and attitudes surveys

Ireland Survey

In May 2024, IHREC commissioned a survey on awareness of equality and human rights protections in Ireland following the UK's withdrawal from the EU. The aim of the survey was to inform the joint work of the three Commissions, and to build on the survey conducted on the same subject matter in 2023.⁸

Survey research was conducted by IPSOS from 10 to 20 May 2024 with over 1,000 (n=1,042) adults, aged 16+ and living in Ireland. The survey was quota controlled in terms of age, gender, socio-economic class, and region to reflect the profile of the adult population of the Republic of Ireland.

Key results from the survey were published in August 2024.⁹ These included as follows:

- › One in five (20%) overall believe their rights have reduced as a result of Brexit. There are differing opinions between younger and older generations, with those aged 25–34 years most likely to express a concern

⁸ IHREC, [81% Believe that Everyone on the Island of Ireland Should Have the Same Level of Human Rights and Equality Protections](#), press release, 6 December 2023.

⁹ IHREC, [Nearly three quarters agree on importance of equivalent equality and human rights protections across the island of Ireland](#), press release, 28/08/2024.

that their rights have been reduced, while those aged 65 years and over are most likely to think their rights have been unaffected.

- › Over one in three (34%) overall are concerned or very concerned their rights may be affected in the future as a result of Brexit.
- › Almost half of the respondents (46%) are aware (13%) or somewhat aware (33%) there is a risk of divergence in protections between Northern Ireland and Ireland as a result of Brexit. This is similar to last year's survey finding that 47% of respondents were aware of this.
- › Almost three in four (73%) respondents think it is important that there be equivalent equality and human rights protections between Northern Ireland and Ireland post-Brexit. Responses to this question differ significantly across age groups, with 80% of 55–64 year olds and 82% of those aged 65+ believing it is important to ensure the equivalence of human rights and equality on the island of Ireland, compared to 55% of 16–24 year olds and 67% of 25–34 year olds.
- › Two in three (67%) either agree (35%) or strongly agree (32%) that more needs to be done to harmonise equality and rights protections on the island of Ireland after Brexit and to ensure there is a North-South equivalence of rights going forward.

These findings, many of which echo those from last year's survey,¹⁰ highlight that a large majority of respondents continue to believe it is important that there is an equivalent level of equality and human rights protections on the Island of

¹⁰ IHREC, [81% Believe that Everyone on the Island of Ireland Should Have the Same Level of Human Rights and Equality Protections](#), press release, 6 December 2023.

Ireland, and agree that more needs to be done to harmonise protections and ensure equivalence of rights going forward. This emphasises the importance of the three Commissions' joint work in relation to Article 2.

The findings also underscore the continuing relevance of the three Commissions' joint recommendation that the Irish Government, NI Executive, and UK Government work to enhance and harmonise equality and human rights protections on the island of Ireland, aligned to their respective remits, and make a clear commitment to working towards ensuring North-South equivalence of rights on the island of Ireland so as to strengthen protections. IHREC highlighted this recommendation to political parties in Ireland in its *Key equality and human rights recommendations for the next Government* in July 2024.¹¹

Northern Ireland survey 2024

Since 2022 ECNI has commissioned an annual public awareness survey to ask a representative sample of the people of Northern Ireland about their awareness of their rights after Brexit, which are part of the Windsor Framework.¹² LucidTalk undertook the survey on behalf of ECNI via their online opinion panel between 26 and 29 April 2024 and there were 1,050 responses.¹³

Amongst the key findings were that:

- › Just under half of all respondents (47%) thought that their equality and human rights had already been reduced as a result of Brexit. Over half of

¹¹ IHREC, [Key equality and human rights recommendations for the next Government](#), July 2024.

¹² ECNI, Public Awareness Survey of equality and human rights protections in Northern Ireland after Brexit (2024).

¹³ There were 2,169 responses. These responses were audited and weighted, and the results are representative of the Northern Ireland population. This resulted in 1,050 full responses which were recorded and used for analysis

all respondents (55%) were concerned that their equality and human rights will be affected in the future as a result of Brexit.

- › There was an increase from 2023 in the proportion of respondents who are aware that equality and human rights are part of the UK Government's commitments under the Windsor Framework (78% compared to 70% in 2023 and 53% in 2022).
- › A substantial proportion of respondents (74%) once again indicated that the equality and human rights protections included in the Windsor Framework were important to them (75% in 2023 and 72% in 2022).
- › A new question in 2024 asked whether people felt it was important for Northern Ireland to "keep pace" with any EU law changes that strengthen equality and human rights and just under two-thirds of respondents agreed (64%).
- › Just over two in five respondents (42%) were aware that ECNI and NIHRC were working with IHREC in terms of the all-island dimension on rights and equality commitments under the Windsor Framework, and this is a slight increase from the 2023 survey (37% in 2023) and double the proportion from 2022 when one in five respondents (21%) were aware of this. Over half of all respondents thought that this oversight role was important to them (58%), which is similar to the results from the 2023 survey (61%).
- › The survey also looked at whether Brexit has changed social attitudes in Northern Ireland, particularly towards minority ethnic people, migrant workers, and refugees and asylum seekers. Almost half (48%) of respondents felt that attitudes towards minority ethnic people had

become worse as a result of Brexit, while 46% said the same about migrant workers, and 53% believed attitudes towards refugees and asylum seekers had deteriorated. These figures are consistent with the 2023 results, showing that Brexit's impact on social attitudes remains a concern.

The results show a further increase in levels of public awareness compared to results obtained in the previous two years across a number of key areas. This includes as regards awareness of their rights, and the roles of the Commissions, including the 3 Commissions' role, and the role of ECNI/NIHRC, with regard to Article 2. This is a positive indication of the effectiveness of the 3 Commissions' work to raise awareness in these areas over the last year. It is clear that a substantial proportion of respondents continue to consider that the equality and human rights protections included in the Windsor Framework are important to them, with many concerned that their rights have been or will be affected in the future as a result of Brexit.

Working group meetings

The Article 2 Working Group is comprised of representatives from across the three Commissions. It includes the Chief Commissioners of the three Commissions; Commission members Michael Finucane (IHREC), Professor Colin Harvey (IHREC), John McAllister (ECNI), and Jonathan Kearney (NIHRC), as well as the Chief Executives/Director and senior staff members from each Commission. ECNI Commission member Jarlath Kearney represented the ECNI for part of the period under review.

The Working Group met in April 2024 and continues to be an important and productive mechanism through which the Commissions share information and

plan joint work across various strands of activity, including stakeholder engagement, research, and policy advice.

Third annual board meeting of the three Commissions

The third annual joint board meeting of the three Commissions took place in IHREC's offices in Dublin on 6 December 2023. As with previous years, the annual joint board meeting allowed the Commissions to reflect on joint work undertaken, consider ongoing activities and discuss potential future work.

Dr. Sylvia de Mars of the University of Newcastle joined the meeting to present the findings of the research report *Frontier Workers and their Families: Rights after Brexit*. This research was commissioned to explore the effects of Brexit on the rights held by frontier workers on the Island of Ireland with a particular focus on those frontier workers who hold rights within the United Kingdom (by either working or residing there) that should be protected by the Windsor Framework. Following the expert presentation, Commission members discussed relevant issues arising including remote workers, Irish people retired in the UK, cross border service providers, and public awareness of rights post Brexit.



Third annual board meeting of the three Commissions 6 December 2023 in IHREC Offices, Dublin.

Engagement with European Union stakeholders

In October 2023, the Chief Commissioners visited Brussels. With the support of the Office of the NI Executive in Brussels, the Commissions hosted a reception for Members of the European Parliament, the European Commission, European Council officials and equality and human rights organisations.

The event highlighted the Commissions' work on how Brexit had impacted on North/ South rights including on cross-border issues. The event attracted some 40 external guests, including from across the institutions, and was addressed by the three Chief Commissioners after which an informative discussion ensued. Feedback from the event was very positive, and the discussion at the event will help shape the Commissions' work going forward. Parliamentary and EU Commission contacts have suggested the Commissions return to Brussels, for further in-person engagement.

The Chief Commissioners also held separate meetings with six Irish MEPs, spanning all main groups in the European Parliament. Following productive discussions, the MEPs wrote a joint letter to the EU Commission in February 2024.¹⁴ This letter emphasised the importance of the EU Commission’s role in supporting the effective implementation and oversight of the Article 2 no diminution commitment, as well as highlighting the importance of timely and meaningful stakeholder engagement and the risk of divergence of rights on the island of Ireland. During the visit, Commission staff also met European Commission officials to discuss implementation of the Windsor Framework Article 2 commitment and the role of the EU Commission in highlighting relevant EU legislative developments to the UK.



Chief Commissioners of IHREC, ECNI and NIHRC pictured with MEPs in Brussels in October 2023

¹⁴ Tony Connolly, ‘Irish MEPs write to Šefčovič over Windsor Framework agreement’, *RTE*, 20 February 2024



ECNI Chief Commissioner Geraldine McGahey OBE speaking at the Northern Ireland Executive Brussels Office



L-R: Chief Commissioners Geraldine McGahey (ENCI), Sinéad Gibney (IHREC) and Alyson Kilpatrick (NIHRC) in Brussels

Planned engagement

As part of the Commissions' commitment to continued civic engagement, the latest research report on EU legislative developments and the potential divergence of rights on the island will be launched at a stakeholder event in November 2024, ahead of the three Commissions' annual board meeting that day. The Commissions are currently developing their policy recommendations in response to the research, which will create a further opportunity for engagement once finalised.

In light of the positive response to engagement in 2023, and following European Parliamentary elections in May 2024 and the anticipated appointment of a new EU Commission, the Chief Commissioners are planning to return to Brussels in early 2025 to undertake further engagement on their work in this area.

The Commissions will engage with the Joint Oireachtas Committee on the Implementation of the Good Friday Agreement in early 2025. This will provide the Commissions with a platform to highlight the ongoing work being carried out and discuss research and policy recommendations relating to the risk of a divergence of rights across the Island of Ireland post Brexit.

Concluding comments

IHREC, ECNI and NIHRC continue to work well together to protect equality and human rights on the Island of Ireland following Brexit. The three Commissions have worked consistently over the last year to take forward joint work to raise awareness of, and ensure the UK Government is held to account on, the Article 2 commitment. This has included the continued development of research and policy recommendations pertaining to the risk of divergence of rights on the Island of Ireland, in relation to which there has also been targeted engagement with key stakeholders, including elected representatives and senior officials. Going forward, the Commissions remain resolute in our shared commitment to working together to protect equality and human rights on the island of Ireland.

Appendix 1: About the Commissions

Overview

The NIHRC and the ECNI are mandated in accordance with Article 2(1) of the Windsor Framework to oversee the UK Government’s commitment on rights and equality in Northern Ireland after EU withdrawal.

The Commissions’ functions for this purpose, set out in Sections 78A-78E of the Northern Ireland Act 1998, are:

- › monitoring the implementation of Article 2 (rights of individuals);
- › reporting to the Secretary of State for NI and the NI Executive Office on the implementation of Article 2;
- › advising the Secretary of State for NI and the NI Executive of legislative and other measures which ought to be taken to implement Article 2;
- › advising the NI Assembly (or a committee of the Assembly) whether a Bill is compatible with Article 2;
- › promoting understanding and awareness of the importance of Article 2, including undertaking, commissioning or providing financial or other assistance for research and educational activities;
- › bringing any appropriate matters of relevance to Article 2 to the attention of the Specialised Committee;
- › taking judicial review proceedings in respect of an alleged breach (or potential future breach) of Article 2;
- › assisting persons in legal proceedings or proposed proceedings in respect of an alleged breach (or potential future breach) of Article 2; and
- › intervening in legal proceedings in so far as they relate to an alleged breach (or potential future breach) of Article 2.

In addition, the IHREC, ECNI, and NIHRC will work together to provide oversight of, and report on, issues which engage Article 2 that have an island of Ireland dimension.

NIHRC

The Northern Ireland Human Rights Commission (NIHRC) was established as a result of the Belfast (Good Friday) Agreement 1998. The NIHRC's governing legislation is the Northern Ireland Act 1998, as amended by the Justice and Security (Northern Ireland) Act 2007 and the European Union (Withdrawal Agreement) Act 2020.

The NIHRC is a National Human Rights Institution with 'A status' accreditation from the United Nations. This recognition means that the organisation operates independently in full accordance with the UN General Assembly Resolution 48/134 (the Paris Principles) reporting to UN treaty bodies and exercising speaking rights before the UN Human Rights Council.

The Commission is also a non-departmental public body and receives grant-in-aid from the UK Government through the NI Office. We report to Parliament through the Secretary of State for NI.

The NIHRC also has additional functions, as set out in the Northern Ireland Act 1998, to:

- › keep under review the adequacy and effectiveness in NI of law and practice relating to the protection of human rights;
- › advise the Secretary of State for NI and the Executive Committee of the NI Assembly of legislative and other measures which ought to be taken to protect human rights;

- › advise the NI Assembly whether proposed legislation is compatible with human rights standards;
- › promote understanding and awareness of the importance of human rights in NI, for example, by undertaking or commissioning or otherwise assisting research and educational activities;
- › give assistance to individuals who apply to it for help in relation to proceedings involving law or practice concerning the protection of human rights;
- › bring proceedings involving law or practice concerning the protection of human rights;
- › intervene in legal proceedings concerning human rights where it need not be a victim or potential victim of the unlawful act to which the proceedings relate;
- › conduct investigations;
- › require a person to provide information and documents in their possession, and to give oral evidence, in respect of an investigation;
- › enter a specified place of detention in NI, in respect of an investigation; and
- › publish its advice and the outcome of its research and investigations.

ECNI

The Equality Commission for Northern Ireland (ECNI) is an executive non departmental public body sponsored by the Executive Office (TEO). The ECNI, established on 1 October 1999 under the Northern Ireland Act 1998, assumed, along with the responsibilities for statutory equality duties and new disability matters, the duties and responsibilities of four former organisations:

- › The Commission for Racial Equality for Northern Ireland;
- › The Equal Opportunities Commission for Northern Ireland;
- › The Fair Employment Commission for Northern Ireland; and
- › The Northern Ireland Disability Council.

Since October 1999, additional duties and responsibilities with respect to age, disability, sexual orientation and special educational needs have also been assumed.

During 2009, jointly with the NIHRC, the ECNI was designated as the independent mechanism for NI of the UN Convention on the Rights of Persons with Disabilities (UNCRPD) with the role of promoting, protecting and monitoring the implementation of the Convention.

The main pieces of legislation from which the Commission derives its duties and powers are:

- › Sex Discrimination (NI) Order 1976, as amended;
- › Disability Discrimination Act 1995, as amended;
- › Race Relations (NI) Order 1997, as amended;
- › Fair Employment and Treatment (NI) Order 1998, as amended;
- › Northern Ireland Act 1998, as amended;
- › Equality (Disability, etc.) (NI) Order 2000;
- › Employment Equality (Sexual Orientation) Regulations (NI) 2003, as amended;
- › Special Educational Needs and Disability (NI) Order 2005, as amended;
- › Disability Discrimination (NI) Order 2006;
- › Employment Equality (Age) Regulations (NI) 2006, as amended; and
- › Equality Act (Sexual Orientation) Regulations (NI) 2006, as amended.

IHREC

The Irish Human Rights and Equality Commission is Ireland's independent National Human Rights Institution and National Equality Body. We protect and promote human rights and equality in Ireland.

We are the Independent Monitoring Mechanism for Ireland under the United Nations Convention on the Rights of Persons with Disabilities; the independent National Rapporteur on the Trafficking of Human Beings; and will be assigned the role of the Co-ordinating National Preventive Mechanism under the Optional Protocol to the Convention against Torture, pending ratification. Alongside the Northern Ireland Human Rights and Equality bodies, we have a mandate to provide oversight and report on rights and equality issues falling within the scope of the Article 2 commitment of the Windsor Framework. We also have legal powers under the Gender Pay Gap Information Act 2021.

IHREC was established on 1 November 2014, as an independent public body under the Irish Human Rights and Equality Commission Act 2014.

IHREC Members are appointed by President Michael D. Higgins, following a resolution by both Houses of the Oireachtas. IHREC operates independently of Government, with its institutional independence guaranteed in its establishing legislation, which provides for accountability of the Commission for its statutory functions to the Oireachtas.

The overall statutory functions of IHREC provided for in section 10 of the legislation are:

- › to protect and promote human rights and equality;

- › to encourage the development of a culture of respect for human rights, equality, and intercultural understanding in the State;
- › to promote understanding and awareness of the importance of human rights and equality in the State;
- › to encourage good practice in intercultural relations, to promote tolerance and acceptance of diversity in the State and respect for the freedom and dignity of each person; and
- › to work towards the elimination of human rights abuses, discrimination and prohibited conduct.

In undertaking its mandate, IHREC is explicitly tasked with contributing to the development of a society in which:

- › there is respect for, and protection of, each person's human rights;
- › there is respect for the dignity and worth of each person;
- › a person's ability to achieve his or her potential is not limited by prejudice, discrimination, neglect or prohibited conduct;
- › each person has a fair and equal opportunity to participate in the economic, political, social or cultural life of the State; and
- › there is mutual respect between persons, including classes of persons, based on a shared understanding of the value of diversity within society and on a shared respect for equality and human rights.



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