



NORTHERN
IRELAND
HUMAN
RIGHTS
COMMISSION

**Submission by the Northern Ireland Human
Rights Commission to the UN Human Rights
Council's Universal Periodic Review of the
United Kingdom
Mid-term Report
4th cycle**

December 2025

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1.0 Introduction

- 1.1 The Northern Ireland Human Rights Commission (NIHRC) is a statutory public body established by section 69 of the Northern Ireland Act 1998 to promote and protect human rights in Northern Ireland (NI).
- 1.2 The NIHRC is one of three A-status National Human Rights Institutions of the United Kingdom (UK). In accordance with the Paris Principles, the NIHRC reviews the adequacy and effectiveness of measures undertaken by the UK Government and NI Executive to promote and protect human rights, specifically within NI.
- 1.3 The NIHRC is also required, under section 78A(1), to monitor the implementation of the UK Government commitment under Article 2(1) of the Windsor Framework to ensure there is no diminution of rights, safeguards and equality of opportunity contained in the relevant chapter of the Belfast (Good Friday) Agreement 1998 as a result of the UK's withdrawal from the EU.¹ In addition, Articles 2 and 13 of the Windsor Framework require NI law to dynamically align with any improvements to EU minimum standards of equality protection enshrined in the six equality directives listed in Annex 1² after 1 January 2021.³
- 1.4 Following the publication of the UK Government's Mid-Term Report for the 4th cycle of the Universal Periodic Review (UPR), this is the

¹ The Windsor Framework was formerly known as the Protocol on Ireland/Northern Ireland to the to the Agreement on the Withdrawal of the UK of Great Britain and NI from the EU and the EAEC, 24 January 2020 (UK-EU Withdrawal Agreement). All references to the Protocol in this document have been updated to reflect this change (see Decision No 1/2023 of the Joint Committee established by the Agreement on the Withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community of 24 March 2023 laying down arrangements relating to the Windsor Framework). This is given effect in UK law by section 7A of the EU (Withdrawal) Act 2018.

² These are the Racial Equality Directive (Directive 2000/43/EC, 'Council Directive on Implementing the Principle of Equal Treatment between Persons Irrespective of Racial or Ethnic Origin', 29 June 2000); the Employment Equality (Framework) Directive (Directive 2000/78/EC, 'Council Directive on Establishing a General Framework for Equal Treatment in Employment and Occupation', 27 November 2000); the Gender Goods and Services Directive (Directive 2004/113/EC, 'Council Directive on Implementing the Principle of Equal Treatment between Men and Women in the access to and supply of goods and services', 13 December 2004); Gender Equality (Employment) Directive (Directive 2006/54/EC, 'Directive of European Parliament and of the Council on the Implementation of the Principle of Equal Opportunities and Equal Treatment of Men and Women in Matters of Employment and Occupation (Recast)', 5 July 2006); the Self-Employment Equality Directive (Directive 2010/41/EU, 'Directive of the European Parliament and of the Council on the Application of the Principle of Equal Treatment between Men and Women Engaged in an Activity in a Self-employed Capacity', 7 July 2010); and the Equality in Social Security Directive (Directive 79/7/EEC, 'Council Directive on the Progressive Implementation of the Principle of Equal Treatment for Men and Women in Matters of Social Security', 19 December 1978).

³ Article 13, Windsor Framework to the UK-EU Withdrawal Agreement.

NIHRC's independent assessment of the UK's progress on meeting the UPR recommendations for the UK during the 4th UPR cycle.

- 1.5 In this submission, the NIHRC wishes to focus on five key issues that are particularly urgent: (i) commitment to the ECHR; (ii) dealing with the legacy of the past, (iii) hate crime, (iv) immigration and asylum, refugees and migrants; and (v) anti-poverty strategy. The NIHRC monitors the full range of human rights issues in NI through its Annual Statement.⁴

2.0 Constitutional framework (Commitment to the ECHR)

- 2.1. 4th cycle recommendations: 43.19; 43.20; 43.21; 43.23; 43.24; 43.25; 43.29; 43.30; 43.31; 43.32; 43.34; 43.40; 43.42; 43.43; 43.44; 43.45; 43.46; 43.48; 43.49; 43.50; 43.114.
- 2.2. Between 2019 and 2025, several human rights bodies recommended that the UK Government should ensure that there is no regression of human rights in any potential reform of the Human Rights Act 1998.⁵ Specific to NI, the UK Government committed, through the Belfast (Good Friday) Agreement, to the full incorporation of ECHR rights, including direct access to courts. The NI Court of Appeal found that the Rights, Safeguards and Equality of Opportunity chapter of the Belfast (Good Friday) Agreement consists of a 'broad suite of rights'.⁶ Under Windsor Framework Article 2, there can be no diminution of the rights and safeguards in that chapter, which were underpinned by EU law prior to 1 January 2021. These include ECHR rights.⁷ The NIHRC has advised the UK

⁴ NI Human Rights Commission, 'Annual Statement'. Available at: [Publications - Annual statements | Northern Ireland Human Rights Commission](#).

⁵ E/C.12/GBR/CO/7, 'UN ICESCR Committee Concluding Observations on the Seventh Periodic Report of the UK of Great Britain and NI', 28 February 2025, at para 6(b); CERD/C/GBR/CO/24-26, 'UN CERD Committee Concluding Observations on the Combined Twenty-fourth to Twenty-sixth Periodic Reports of the UK of Great Britain and NI', 23 August 2024, at para 12; CCPR/C/GBR/CO/8, 'UN Human Rights Committee Concluding Observations on the Eighth Periodic Report of UK of Great Britain and NI', 28 March 2024; A/HRC/52/10, 'Report of the Working Group on the Universal Periodic Review: UK of Great Britain and NI', 9 January 2023, at paras 43.21; 43.23; 43.29; 43.30; 43.31; 43.32; 43.34; 43.40; 43.42; 43.44; 43.46; 43.48; 43.49 and 43.50; CAT/C/GBR/CO/6, 'UN CAT Committee Concluding Observations on the Sixth Periodic Report of the UK of Great Britain and NI', 7 June 2019, at para 11; CoE Commissioner for Human Rights, 'Press Release: UK - backsliding on human rights must be prevented', 4 July 2022.

⁶ *Dillon & Ors v SSNI* [2024] NICA 59 at para 115.

⁷ *Martina Dillon and Others v Secretary of State for NI* [2024] NICA 59, at para 117; NI Human Rights Commission, 'Advice on the Bill of Rights Bill', (NIHRC, 2022); NI Human Rights Commission, 'Response to the Consultation on Human Rights Act Reform: A Modern Bill of Rights' (NIHRC, 2022).

Government that, where required by Windsor Framework Article 2, the EU Charter of Fundamental Rights continues to have relevance in NI and highlighted that the link between rights in the EU Charter and the ECHR is well established.⁸ The NIHRC continues to advise that the protections in Windsor Framework Article 2, while an important safeguard against the diminution of rights following the UK's withdrawal from the EU, are not a substitute for the comprehensive framework of human rights protections under the Human Rights Act 1998.

- 2.3. The NIHRC welcomes the UK Government's change in position in its Response Mid-Term Report 2025 ('Mid-Term Report') to not proceed with a UK Bill of Rights and maintain the Human Rights Act 1998 as an important part of the UK legal system.⁹ The NIHRC welcomes the UK Government's declaration that the "United Kingdom is unequivocally committed to the European Convention on Human Rights",¹⁰ and that "The UK Government is committed to the Good Friday Agreement".¹¹
- 2.4. However, the NIHRC is concerned about a recent shift in the new UK Government's publicly stated positions on upholding the provisions of the European Convention on Human Rights (ECHR) and Human Rights Act 1998. For example, when speaking to the Council of Europe (CoE), the Lord Chancellor, Shabana Mahmood MP, focused on the need to reform the ECHR.¹² The UK Government was also actively exploring options for reform to the Human Rights Act 1998 to address immigration concerns, with a focus on limiting the application of Articles 3 and 8 of the ECHR.¹³ It has also been reported that the UK Government supports reforming the ECHR to

⁸ *Martina Dillon and Others v Secretary of State for NI* [2024] NICA 59, at paras 117, 120 and 126. See also *Secretary of State for Work and Pensions v AT* [2023] EW CA Civ 1307, at para 92; Tobias Lock et al, 'The Interaction Between the EU Charter of Fundamental Rights and General Principles with the Windsor Framework' (NIHRC, 2024); NI Human Rights Commission, 'Advice on the Bill of Rights Bill', (NIHRC, 2022); NI Human Rights Commission, 'Response to the Consultation on Human Rights Act Reform: A Modern Bill of Rights' (NIHRC, 2022).

⁹ United Kingdom, British Overseas Territories and Crown Dependencies, 'Universal Periodic Review: UK Response Mid-Term Report 2025' (GOV.UK, 2025), at 10-11.

¹⁰ United Kingdom, British Overseas Territories and Crown Dependencies, 'Universal Periodic Review: UK Response Mid-Term Report 2025' (GOV.UK, 2025), at 10.

¹¹ United Kingdom, British Overseas Territories and Crown Dependencies, 'Universal Periodic Review: UK Response Mid-Term Report 2025' (GOV.UK, 2025), at 11 and 13.

¹² Government/Speeches, 'Lord Chancellor speech at the Council of Europe', 18 June 2025; Matt Dathan, 'ECHR erodes public trust because it protects criminals, say Labour', *The Times*, 18 June 2025; Max Kendix, Matt Dathan, 'Foreign criminals must prove torture threat to avoid deportation', *The Times*, 13 June 2025.

¹³ Home Office, 'Restoring Control Over the Immigration System White Paper' (HO, 2025).

ease deportations.¹⁴ Additionally, there is growing pressure from political parties, such as the Conservative Party and Reform UK, to leave the ECHR.¹⁵ Several civil society organisations in NI have raised concerns regarding the UK leaving the ECHR.¹⁶

- 2.5. **The NIHRC recommends that the UK Government ensure its stated commitment to the ECHR and the Human Rights Act 1998 is effectively reflected in the legal system. The UK Government should actively emphasise the importance of the ECHR and the Human Rights Act 1998 to the Rule of Law in the UK, particularly in relation to the Belfast (Good Friday) Agreement and the peace process in NI.**

3.0 Dealing with the legacy of the past

- 3.1. 4th cycle recommendations: 43.27; 43.106; 43.107; 43.108; 43.112.
- 3.2. Between 2021 and 2025, several human rights bodies recommended that the UK Government repeal and replace the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023. They emphasised the need for a human rights-compliant mechanism to address the legacy of the past in NI. This mechanism should guarantee independence, transparency, and genuine investigative power to deliver truth, justice, and effective remedies, including reparations for victims.¹⁷

¹⁴ Daisy Eastlake, 'More than a dozen countries back UK on reforming ECHR to ease deportations', *The Times*, October 2025.

¹⁵ Conservatives, 'Press Release: Kemi Badenoch exposes the laws and treaties holding Britain back', 6 June 2025; David Lynch, 'Badenoch lays out 'tests' for Britain to leave ECHR in new Tory probe', *The Independent*, 6 June 2025; Reform UK, 'Our Contract With You', 2024, at pages 8, 13, 21; Matt Dathan, 'Watch—in the Channel with Nigel Farage: "We're witnessing a crime"', *The Times*, 10 July 2025.

¹⁶ Committee on the Administration of Justice et al, 'Press Release: Joint Statement by the Committee on the Administration of Justice, Participation and Practice of Rights, and Human Rights Consortium on the Proposal for the UK to Withdraw from the ECHR', 1 September 2025.

¹⁷ E/C.12/GBR/CO/7, 'UN ICESCR Committee Concluding Observations on the Concluding Observations on the Seventh Periodic Report of the UK of Great Britain and NI', 28 February 2025, at para 61; CCPR/C/GBR/CO/8, 'UN Human Rights Committee Concluding Observations on the Eighth Periodic Report of the UK of Great Britain and NI', 3 May 2024, at para 11; CM/Del/Dec(2024)1501/H46-40, 'CoE Committee of Ministers McKerr Group v UK (Application No 28883/95)', 14 June 2024, at para 5; Office of the UN High Commissioner for Human Rights, 'Press Release: UN experts voice concern at proposed blanket immunity to address the legacy of "the Troubles" in NI', 10 August 2021; Letter from CoE Commissioner for Human Rights, Dunja Mijatovic, to Secretary of State for NI, Brandon Lewis, 13 September 2021; CoE, 'Submission by the CoE Commissioner for Human Rights Under Rule 9.4 of the Rules of the CoE Committee of Ministers for the Supervision of the Execution of Judgments and of the Terms of Friendly Settlements in the Cases of McKerr v UK, Finucane v UK, Kelly and Others v UK, Shanaghan v UK, McCaughy and Others v UK' (CoE, 2022), at para 28; CM/Notes/1443H46-32, 'CoE Committee of Ministers McKerr Group v UK (Application No 28883/95)

- 3.3. The NIHRC welcomes the UK Government's change in position, as reflected in its Mid-Term Report, which includes a commitment to repeal and replace the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023.¹⁸ Particularly welcomed is the UK Government statement that it "is committed to an approach to Northern Ireland legacy issues that complies with the United Kingdom's human rights obligations".¹⁹
- 3.4. Following legal challenges against the Northern Ireland Troubles (Legacy and Reconciliation) 2023 Act,²⁰ in September 2025, the UK Government and the Government of Ireland published a Joint Framework Agreement with a new package of measures addressing legacy issues.²¹ The NIHRC welcomed the framework, recognising that clear progress had been made.²²
- 3.5. In October 2025, the UK Government introduced the Northern Ireland Troubles Bill in the House of Commons. The Bill amends most provisions of the NI Troubles (Legacy and Reconciliation) Act 2023, transforming the Independent Commission for Reconciliation and Information Recovery into the new 'Legacy Commission'.²³ Additionally, the UK Government presented the Northern Ireland

Supervision of the Execution of the ECtHR's Judgments', 22 September 2022, at para 8; CoE Parliamentary Assembly, 'Resolution 2464(2002) – The Impact of Brexit on Human Rights on the Island of Ireland', 31 October 2022, at paras 8 and 9; CommDH(2022)27, 'CoE Commissioner for Human Rights, Dunja Mijatovic: Report Following Visit to UK From 27 June to 1 July 2022', 18 November 2022, at 37-40; A/HRC/52/10, 'Report of the UN Working Group on the Universal Periodic Review: UK of Great Britain and NI', 9 January 2023, at paras 43.27, 43.106 and 43.112; CM/Del/Dec(2023)1459/H46-35, 'McKerr Group v UK (Application No 28883/95 Supervision of the Execution of the European Court's Judgments)', 9 March 2023, at para 5; CM/ResDH(2023)148, 'CoE Committee of Ministers Interim Resolution: McKerr and Four Cases Against the UK', 7 June 2023.

¹⁸ United Kingdom, British Overseas Territories and Crown Dependencies, 'Universal Periodic Review: UK Response Mid-Term Report 2025' (GOV.UK, 2025), at 14.

¹⁹ United Kingdom, British Overseas Territories and Crown Dependencies, 'Universal Periodic Review: UK Response Mid-Term Report 2025' (GOV.UK, 2025), at 43.

²⁰ Between 2023 and 2025, the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023 faced legal challenges before the NI Courts, which found several human rights violations that led to declarations of incompatibility with the ECHR and the disapplication of certain provisions of the 2023 Act in respect of NI pursuant to breaches of Windsor Framework Article 2. In particular, the NI Courts found that the conditional immunity scheme of the 2023 Act breached Articles 2 and 3 of the ECHR. The NI Court of Appeal ruled that the participation of next of kin and the Secretary of State's role in disclosure were incompatible with the ECHR. Furthermore, the Court determined that the 2023 Act restricts civil actions in violation of the ECHR and removes the possibility of prosecution, breaching the EU Victims' Directive and Article 2 of the Windsor Framework. See: In the Matter of an Application by Martina Dillon and Others for Judicial Review [2024] NIKB 11; In the Matter of an Application by Martina Dillon and Others [2024] NICA 59. This judgment is subject to appeal to the UK Supreme Court. In October 2025, the hearing took place before the UK Supreme Court, which included an intervention from the NIHRC. The UK Supreme Court's judgment is awaited.

²¹ UK Government and Government of Ireland, 'The Legacy of the Troubles: A Joint Framework Between the Government of the UK of Great Britain and NI and the Government of Ireland' (NIO, 2025).

²² NIHRC, 'Press release: Human Rights Commission Responds to Joint Legacy Framework', 19 September 2025.

²³ UK Parliament, 'Northern Ireland Troubles Bill'. Available at: <https://bills.parliament.uk/bills/4022>.

Troubles (Legacy and Reconciliation) Act 2023 (Remedial) Order 2025 to Parliament, which aims to repeal the conditional immunity scheme and reinstate civil actions related to the Troubles.²⁴

- 3.6. The Northern Ireland Troubles Bill proposes reforms to improve the structure and governance of the Legacy Commission, the body established to investigate legacy cases.²⁵ It also seeks to implement a procedure for investigating conflict-related deaths and to restore inquests that had been initiated but were halted by the Northern Ireland Troubles (Legacy and Reconciliation) 2023 Act. Furthermore, the Bill proposes the establishment of the Independent Commission on Information Retrieval, a new body created in collaboration with the Government of Ireland, designed to provide families with additional means to retrieve information about the deaths of their loved ones.²⁶
- 3.7. In 2024, the Government of Ireland filed an inter-state application against the UK with the European Court of Human Rights (ECtHR).²⁷ In July 2025, the ECtHR adjourned the inter-State case while awaiting the decision in the domestic case of *Dillon and Others*.²⁸ In September 2025, the Government of Ireland expressed its intention to drop the inter-State case once it was satisfied that the Northern Ireland Troubles Bill adhered to the Joint Framework Agreement.²⁹
- 3.8. **The NIHRC recommends that the UK Government ensures that the Northern Ireland Troubles Bill is victim-centred. It should ensure effective investigations and prosecutions of alleged unlawful killings and serious injuries. Additionally, the Bill must comply with Articles 2 (right to life) and 3 (freedom from torture) of the ECHR. Compliance with Windsor Framework Article 2, taking into account the**

²⁴ Northern Ireland Office, 'The Government Response to the first report from the Joint Committee on Human Rights, Session 2024-25 (HC 569, HL paper 88): Proposal for a Draft Northern Ireland Troubles (Legacy and Reconciliation) Act 2023 (Remedial) Order 2024' (NIO, 2025).

²⁵ UK Parliament, 'Northern Ireland Troubles Bill Explanatory Notes'. Available at:

<https://publications.parliament.uk/pa/bills/cbill/59-01/0310/NITroublesECHRMemorandum.pdf>.

²⁶ UK Parliament, 'Northern Ireland Troubles Bill'. Available at: <https://bills.parliament.uk/bills/4022>.

²⁷ European Court of Human Rights, 'Press Release: New inter-State application brought by Ireland against the UK', 19 January 2024.

²⁸ Letter from the ECtHR to NI Human Rights Commission, 11 July 2025.

²⁹ 'Dropping interstate case against UK 'on the agenda', Taoiseach says', *The Irish Times*, 17 October 2025; Press Conference Announcing the Joint Framework Between the Government of the UK of Great Britain and NI and the Government of Ireland, Hillsborough Castle, 19 September 2025.

minimum standards in the EU Victims' Directive should also be ensured.

4.0 Hate crime

- 4.1. 4th cycle recommendations: 43.51, 43.53, 43.54, 43.55, 43.56, 43.57, 43.58, 43.59, 43.60, 43.61, 43.62, 43.63, 43.64, 43.65, 43.66, 43.67, 43.68, 43.69, 43.70, 43.71, 43.73, 43.74, 43.75, 43.76, 43.77, 43.78, 43.79, 43.80, 43.81, 43.82, 43.83, 43.84, 43.85, 43.95, 43.96, 43.113, 43.116, 43.166, 43.272
- 4.2. Between 2021 and 2025, several human rights bodies recommended that the UK Government strengthen efforts to prevent and combat hate crime and hate speech, including by adopting a comprehensive legal framework covering all protected groups, enhancing training for law enforcement and judicial actors, collecting disaggregated data, and ensure effective investigation, prosecution and remedies for victims.³⁰ The NI Court of Appeal has confirmed that the rights of victims of crime are within the scope of the relevant chapter in the Belfast (Good Friday) Agreement; are underpinned by the EU Victims' Directive;³¹ and are therefore protected by Windsor Framework Article 2.³² The EU Victims' Directive recognises that victims of hate crime are at a high risk of secondary and repeat victimisation and, as such, there should be a strong presumption that victims will benefit from special protection measures during criminal proceedings.³³

³⁰ E/C.12/GBR/CO/7, 'UN ICESCR Committee Concluding Observations on the Seventh Periodic Report of the UK of Great Britain and NI', 28 February 2025, at para 25c; CERD/C/GBR/CO/24-26, 'UN CERD Committee Concluding Observations on the Combined Twenty-fourth to Twenty-sixth Periodic Reports of the UK of Great Britain and NI', 23 August 2024, at paras 20(a)-20(h); CCRP/C/GBR/CO/8, 'UN Human Rights Committee Concluding Observations on the Eighth Periodic Report of the UK of Great Britain and NI', 3 May 2024, at para 17; CRC/C/GBR/CO/6-7, 'Concluding Observations on the Combined Sixth and Seventh Reports of the UK of Great Britain and NI', 2 June 2023, at para 20(d); A/HRC/56/49/Add.1, 'Report of the Independent Expert on Protection against Violence and Discrimination Based on Sexual Orientation and Gender Identity: Visit to the UK of Great Britain and NI', 11 April 2024, at para 90(a); CoE European Commission Against Racism and Intolerance, 'Report on the UK (Sixth Monitoring Cycle)' (ECRI, 2024), at para 62; CoE European Commission Against Racism and Intolerance, 'Report on the UK (Sixth Monitoring Cycle)' (ECRI, 2024), at para 69; CoE European Commission Against Racism and Intolerance, 'Report on the UK (Sixth Monitoring Cycle)' (ECRI, 2024), at para 73; ACFC/OP/V, 'CoE Advisory Committee on the Framework Convention for the Protection of National Minorities: Fifth Opinion on the UK', 25 May 2023, at para 25; ACFC/OP/V, 'CoE Advisory Committee on the Framework Convention for the Protection of National Minorities: Fifth Opinion on the UK', 25 May 2023, at para 25.

³¹ Directive 2012/29/EU, 'EU Directive of the European Parliament and of the Council Establishing Minimum Standards on the Rights, Support and Protection of Victims of Crime', 25 October 2012.

³² *In the Matter of an Application by Martina Dillon and Others for Judicial Review* [2024] NICA 59, at para 117.

³³ Article 8 and Recitals 56-58, Directive 2012/29/EU, 'European Parliament and of the Council Establishing Minimum Standards on the Rights, Support and Protection of Victims of Crime', 25 October 2012.

- 4.3. Hate crime remains a persistent issue in NI. In 2025, there was an overall rise in reported hate-motivated incidents, particularly racially motivated offences, reaching their highest level since the recording of these motivations began in 2004/2005.³⁴ Reports in 2025 highlighted continued presence of organised hate crime, and the growing impact of online hate, disinformation and algorithmic bias in spreading racist narratives.³⁵
- 4.4. In 2021, an independent review of hate crime legislation in NI (the Marrinan Review) set out recommendations to modernise hate crime law, in the absence of stand-alone hate crime legislation in NI.³⁶ The Department of Justice established a dedicated Hate Crime Branch to take forward the Independent Review's recommendations, however due to the lack of functioning NI Assembly between February 2022 and February 2024 and a general lack of resources, this has affected implementation.³⁷ The Department of Justice intended to bring forward a stand-alone Hate Crime Bill for NI, however due to the prolonged suspension of the NI Assembly,³⁸ it instead plans to introduce a statutory aggravation model for hate crime offences in a Sentencing Bill and provisions to address the impact of hate crime on victims through a Victims Bill.³⁹ The introduction of both the Sentencing Bill and the Victims Bill to the NI Assembly is still awaited.
- 4.5. The NIHRC recommends that the NI Executive, prioritises the introduction of comprehensive and consolidated hate crime legislation, in line with the Marrinan Review recommendations and ongoing consultation outcomes. The legislation should ensure full compliance with Windsor Framework Article 2 and relevant international obligations, including the EU Victims' Directive,⁴⁰ and adopt a victim-centred, rights-based approach to addressing hate crime.**

³⁴ Police Service of NI, 'Incidents and Crimes with a Hate Motivation Recorded by the Police in NI. Update to 31 March 2025' (PSNI, 2025).

³⁵ Amnesty International UK, 'UK: Technical Explainer on X's Recommender System and the 2024 Racist Riots' (AI, 2025).

³⁶ Desmond Marrinan, 'Hate Crime Legislation in NI: An Independent Review - Consultation Paper' (IHCRT, 2020).

³⁷ The NIHRC submitted a response to phase one of this consultation process highlighting the importance of carefully considering the provisions of the EU Victims' Directive within the context of Windsor Framework Article 2 in the development of hate crime legislation. NI Human Rights Commission, 'Response to Public Consultation on Improving the Effectiveness of Hate Crime Legislation in NI' (NIHRC, 2022), at para 5.18.

³⁸ Email correspondence from the Department of Justice to the NI Human Rights Commission, 10 July 2024.

³⁹ Email correspondence from the Department of Justice to the NI Human Rights Commission, 10 July 2024.

⁴⁰ *In the Matter of an Application by Martina Dillon and Others for Judicial Review* [2024] NICA 59, at para 117, the NI Court of Appeal confirmed that the rights of victims of crime are within the scope of the relevant chapter

5.0 Immigration and asylum, refugees and migrants

- 5.1. 4th cycle recommendations: 43.1; 43.50; 43.226; 43.273; 43.274; 43.275; 43.277; 43.278; 43.280; 43.281; 43.282; 43.284; 43.285; 43.286; 43.287; 43.288; 43.289; 43.290; 43.291; 43.292; 43.293; 43.294; 43.295; 43.296; 43.297; 43.298; 43.299; 43.300; 43.301; 43.302.

UK Migration and Asylum Framework

- 5.2. Several human rights bodies have raised concerns about the UK Migration and Asylum Framework in recent years.⁴¹ In addition to the protections afforded to migrants, asylum seekers, and refugees by the international human rights treaties ratified by the UK, the NI High Court considered the personal scope of Windsor Framework Article 2 and confirmed that people seeking asylum and victims of human trafficking, as individuals, are included in the “wide compass of ‘everyone in the community’” and are therefore protected by Windsor Framework Article 2.⁴² The UK Government recognises that Windsor Framework Article 2 applies to “everyone who is subject to [Northern Ireland]... law”.⁴³ The NI High Court further found that the rights related to asylum fall within the definition of ‘civil rights’ in

in the Belfast (Good Friday) Agreement; are underpinned by the EU Victims’ Directive; and are therefore protected by Windsor Framework Article 2. The NI Court of Appeal also confirmed that the EU Victims’ Directive is to be “interpreted in accordance with the EU Charter of Fundamental Rights and general principles of EU law”. The EU Victims’ Directive recognises that victims of hate crime are at a high risk of secondary and repeat victimisation and, as such, there should be a strong presumption that victims will benefit from special protection measures during criminal proceedings.

⁴¹ E/C.12/GBR/CO/7, ‘UN ICESCR Committee Concluding Observations on the Seventh Periodic Report of the UK of Great Britain and NI’, 28 February 2025, at paras 27(a) and 27(b); CERD/C/GBR/CO/24-26, ‘UN CERD Committee Concluding Observations on the Combined Twenty-fourth to Twenty-sixth Periodic Reports of the UK of Great Britain and NI’, 23 August 2024, at para 48; CCPR/C/GBR/CO/8, ‘UN Human Rights Committee Concluding Observations on the Eighth Periodic Report of the UK of Great Britain and NI’, 3 May 2024, at para 41; CRC/C/GBR/CO/6-7, ‘UN CRC Committee Concluding Observations on the Sixth and Seventh Periodic Reports of the UK of Great Britain and NI’, 2 June 2023, at paras 50(a)-50(h); A/HRC/59/47/Add.1, ‘Report of the UN Special Rapporteur on Violence Against Women and Girls, Its Causes and Consequences, Reem Alsalem’, 20 June 2025, at para 88(d); UN Refugee Agency, ‘Press Release: UK Illegal Migration Bill: UN Refugee Agency and UN Human Rights Office warn of profound impact on human rights and international refugee protection system’, 18 July 2023; CoE Group of Experts on Action Against Violence Against Women and Domestic Violence, ‘Baseline Evaluation Report on Legislative and Other Measures Giving Effect to the Provisions of the CoE Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention): UK’ (CoE, 2025), at para 463.

⁴² *In the Matter of an Application by the NI Human Rights Commission for Judicial Review* [2024] NIKB 35, at para 68-69; *In the Matter of an Application by the NI Human Rights Commission for Judicial Review* [2024] NIKB 35, at para 70; *In the Matter of an Application by the NI Human Rights Commission for Judicial Review* [2024] NIKB 35, at para 175. See also *In the Matter of an Application by Aman Angsom for Judicial Review* [2023] NIKB 102, at para 94.

⁴³ NI Office, ‘UK Government Commitment To “No Diminution of Rights, Safeguards and Equality of Opportunity” In NI: What Does It Mean and How Will It Be Implemented?’ (NIO, 2020), at para 8.

the 1998 Agreement.⁴⁴ The Court also found that a number of EU measures, including the EU Procedures Directive, EU Reception Directive, EU Qualification Directive and the Dublin III Regulation,⁴⁵ continue to set minimum standards in NI and must be interpreted in line with the EU Charter of Fundamental Rights.⁴⁶

- 5.3. The NIHRC welcomes the UK Government's decision to end the Migration and Economic Development Partnership with Rwanda,⁴⁷ as well as to repeal the Safety of Rwanda (Asylum and Immigration) Act 2024 and most provisions of the Illegal Migration Act 2023 through the Border Security, Asylum, and Immigration Bill.⁴⁸ However, the NIHRC remains concerned about the compliance of the UK Migration and Asylum Framework with its human rights obligations, particularly regarding the retention of provisions from the Nationality and Borders Act 2022 and parts of the Illegal Migration Act 2023.
- 5.4. People seeking to come to the UK for humanitarian protection have few safe and regular routes available. There is no 'asylum visa' to the UK, and access must be granted prior to arrival.⁴⁹
- 5.5. In 2024, ruling on a judicial review issued by the NIHRC and an unaccompanied minor seeking asylum, the NI High Court found that the Illegal Migration Act 2023 violated Articles 3 (freedom from torture), 4 (freedom from slavery and forced labour) and 8 (right to respect for family and private life) of the ECHR. Consequently, a declaration of incompatibility was made regarding the Illegal Migration Act 2023's provisions relevant to the ECHR, awaiting

⁴⁴ *In the Matter of an Application by the NI Human Rights Commission for Judicial Review* [2024] NIKB 35, at para 70.

⁴⁵ Regulation 2013/604/EU, 'EU Parliament and Council Regulation Establishing the Criteria and Mechanisms for Determining the Member State Responsible for Examining an Application for International Protection Lodged in One of the Member States by a Third-country National or a Stateless Person', 26 June 2013.

⁴⁶ *In the Matter of an Application by the NI Human Rights Commission for Judicial Review* [2024] NIKB 35, at para 175. See also *In the Matter of an Application by Aman Angsom for Judicial Review* [2023] NIKB 102, at para 94. *In the Matter of an Application by Martina Dillon and Others for Judicial Review* [2024] NICA 59, at para 126. See also *Secretary of State for Work and Pensions v AT* [2023] EW CA Civ 1307, at para 92; Tobias Lock et al, 'The Interaction Between the EU Charter of Fundamental Rights and General Principles with the Windsor Framework' (NIHRC, 2024).

⁴⁷ United Kingdom, British Overseas Territories and Crown Dependencies, 'Universal Periodic Review: UK Response Mid-Term Report 2025' (GOV.UK, 2025), at 115.

⁴⁸ UK Parliament, 'House of Commons: Border Security, Asylum and Immigration Bill - Bill 173 2024-25' (UK Parliament, 2025).

⁴⁹ UN Refugee Agency, 'Fact Sheet on Safe and Regular Routes to the UK for Refugees and Asylum-Seekers'. Available at: UK Asylum and Policy and the Illegal Migration Bill | UNHCR UK

further action from the UK Parliament.⁵⁰ In addition, the NI High Court found that several provisions of the Illegal Migration Act 2023 breached Windsor Framework Article 2 by diminishing rights below EU minimum standards on effective examination of an asylum claim,⁵¹ lack of an effective remedy,⁵² removal,⁵³ non-refoulement,⁵⁴ detention,⁵⁵ trafficking,⁵⁶ and children.⁵⁷ Those provisions of the 2023 Act were disapplied in respect of NI.⁵⁸ In 2025, the UK Government sought to appeal the decision. However, the NI Court of Appeal stayed the appeal.⁵⁹ This was due to developments such as the introduction of the Border Security, Asylum and Immigration Bill.⁶⁰

- 5.6. Throughout its passage through Parliament, the NIHRC raised concerns about the Illegal Migration Act 2023's compliance with human rights obligations and Windsor Framework Article 2. Key issues include limitations on judicial oversight, the removal of support for victims of modern slavery and human trafficking and weakened child protection.⁶¹

⁵⁰ *Re NI Human Rights Commission and Illegal Migration Act* [2024] NIKB 35, at para 206.

⁵¹ Article 8(2), Directive 2005/85/EC, 'Council of the EU Directive on Minimum Standards on Procedures in Member States for Granting and Withdrawing Refugee Status', 1 December 2005; Articles 4(3), 13 and 18, Directive 2004/83/EC, 'EU Council Directive on Minimum Standards for the Qualification and Status of Third Country Nationals or Stateless Persons as Refugees or as Persons who Otherwise Need International Protection and the Content of the Protection Granted', 29 April 2004.

⁵² Article 39, Directive 2005/85/EC, 'Council of the EU Directive on Minimum Standards on Procedures in Member States for Granting and Withdrawing Refugee Status', 1 December 2005; Article 47, EU Charter of Fundamental Rights.

⁵³ Article 7(1), Directive 2005/85/EC, 'Council of the EU Directive on Minimum Standards on Procedures in Member States for Granting and Withdrawing Refugee Status', 1 December 2005.

⁵⁴ Article 21, Directive 2004/83/EC, 'EU Council Directive on Minimum Standards for the Qualification and Status of Third Country Nationals or Stateless Persons as Refugees or as Persons who Otherwise Need International Protection and the Content of the Protection Granted', 29 April 2004.

⁵⁵ *Ibid*, at Article 18.

⁵⁶ Article 11, Directive 2011/36/EU, 'Council Directive on Preventing and Combating Trafficking in Human Beings and Protecting its Victims', 5 April 2011.

⁵⁷ Article 20, Directive 2004/83/EC, 'EU Council Directive on Minimum Standards for the Qualification and Status of Third Country Nationals or Stateless Persons as Refugees or as Persons who Otherwise Need International Protection and the Content of the Protection Granted', 29 April 2004; Article 24 of the EU Charter of Fundamental Rights; Articles 6 and 8, Regulation 2013/604/EU, 'EU Parliament and Council Regulation Establishing the Criteria and Mechanisms for Determining the Member State Responsible for Examining an Application for International Protection Lodged in One of the Member States by a Third-country National or a Stateless Person', 26 June 2013.

⁵⁸ *In the Matter of an Application by the NI Human Rights Commission for Judicial Review* [2024] NIKB 35, at para 182.

⁵⁹ In July 2025, the UK Supreme Court refused the UK Government permission to appeal the stay of the Court of Appeal in NI. *In the Matter of an Application by JR295 for Judicial Review* [2025] UKSC 84.

⁶⁰ *In the Matter of an Application by JR295 for Judicial Review* [2025] NICA, 18 February 2025.

⁶¹ NI Human Rights Commission, 'Submission to the House of Lords on the Illegal Migration Bill' (NIHRC, 2023).

- 5.7. In January 2025, the UK Government introduced the Border Security, Asylum, and Immigration Bill in Parliament.⁶² The Bill repeals the Safety of Rwanda (Asylum and Immigration) Act 2024 and most provisions of the Illegal Migration Act 2023, a step welcomed by the NIHRC.⁶³ However, the Bill introduces new criminal offences and expands the Home Secretary's powers to impose strict restrictions on migrants who have entered the UK irregularly.⁶⁴
- 5.8. The NIHRC raised concerns over these provisions, particularly regarding the lack of safeguards for victims of modern slavery, human trafficking, and children.⁶⁵ Particularly worrying are the retained sections of the Illegal Migration Act 2023 that may lead to arbitrary detention of refugees, limit access to protections for modern slavery victims, and increase the risk of refoulement for individuals from countries deemed 'safe' without proper assessments.⁶⁶ Additionally, the NIHRC is concerned about the proposed retention of related elements of the Nationality and Borders Act 2022, which continue to undermine the UK's human rights obligations, including EU standards under the Windsor Framework Article 2, as well as its humanitarian responsibilities.⁶⁷
- 5.9. Regarding unaccompanied children seeking asylum, UK immigration law normally allows refugees to sponsor family members for reunification. However, in September 2025, the UK Government

⁶² UK Parliament, 'House of Commons: Border Security, Asylum and Immigration Bill - Bill 173 2024-25' (UK Parliament, 2025).

⁶³ NI Human Rights Commission, 'Submission to House of Lords on the Border Security, Asylum and Immigration Bill' (NIHRC, 2025).

⁶⁴ UK Parliament, 'House of Commons: Border Security, Asylum and Immigration Bill - Bill 173 2024-25' (UK Parliament, 2025).

⁶⁵ NI Human Rights Commission, 'Submission to House of Lords on the Border Security, Asylum and Immigration Bill' (NIHRC, 2025).

⁶⁶ Sections 12, 29 and 59 of the Illegal Migration Act 2023. Section 12 of the Illegal Migration Act 2023 diverts certain powers to authorise detention from Judges to the Secretary of State for the Home Department. Section 29 of the Illegal Migration Act 2023 prevents some people from accessing modern slavery protections. Section 59 of the Illegal Migration Act 2023 renders asylum and human rights claims inadmissible if they are made from certain countries. See NI Human Rights Commission, 'Submission to House of Lords on the Border Security, Asylum and Immigration Bill' (NIHRC, 2025).

⁶⁷ UN Refugee Agency, 'UN High Commission for Refugees Updated Observations on the Nationality and Borders Bill' (UNHCR, 2021); UN Refugee Agency, 'UN High Commission for Refugees Legal Observations on the Illegal Migration Bill' (UNHCR, 2023); CCPR/C/GBR/CO/8, 'UN Human Rights Committee Concluding Observations on the Eighth Periodic Report of the UK of Great Britain and NI', 3 May 2024, at para 39 and 41; CRC/C/GBR/CO/6-7, 'UN CRC Committee Concluding Observations on the Combined Sixth and Seventh Reports of the UK of Great Britain and NI', 2 June 2023, at para 24(b); CRC/C/GBR/CO/6-7, 'UN CRC Committee Concluding Observations on the Sixth and Seventh Periodic Reports of the UK of Great Britain and NI', 2 June 2023, at paras 50(a)-50(c); Letter from the UN Special Rapporteur on trafficking in persons, especially women and children, Siobhán Mullally; UN Special Rapporteur on the human rights of migrants, Felipe González Morales; UN Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Tomoya Obokata; and UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Fionnuala Ní Aoláin to the UK Government, 5 November 2021.

suspended new applications for this program. Unaccompanied children cannot sponsor family members to join them in the UK.⁶⁸

5.10. The Nationality and Borders Act 2022 introduced provisions to allow the Home Office to conduct age assessments through “scientific methods”.⁶⁹ The Illegal Migration Act 2023 removed the right to appeal an age assessment decision.⁷⁰ In 2024, the NI High Court ruled that the removal of a fact-based judicial review challenge to age assessment in the Illegal Migration Act 2023 would be a diminution of rights contrary to Windsor Framework Article 2, and therefore the relevant provision is now disapplied in NI.⁷¹ The NIHRC has raised concerns about the compliance of these provisions with human rights obligations.⁷² The Border Security, Asylum and Immigration Bill aimed to repeal the age assessment provisions in the Illegal Migration Act 2023; however, the foundational provisions in the Nationality and Borders Act 2022 would be retained.⁷³ The Home Office started testing artificial intelligence-driven Facial Age Estimation technology for assessing the age of people seeking asylum.⁷⁴

5.11. In August 2025, a UK-France agreement aimed at preventing dangerous sea journeys for asylum seekers came into effect.⁷⁵ Under this agreement, any adult arriving in the UK on a small boat can be detained and returned to France if their asylum claim is deemed inadmissible.⁷⁶ The UK Government confirmed that “returns to other countries and immigration enforcement work will continue alongside the [agreement]”.⁷⁷

⁶⁸ Sam Francis, ‘UK suspends refugee family reunion applications’, *BBC News*, 1 September 2025.

⁶⁹ Sections 50 and 51, Nationality and Borders Act 2022.

⁷⁰ Section 57, Illegal Migration Act 2023.

⁷¹ *Re NI Human Rights Commission and Illegal Migration Act* [2024] NIKB 35, at paras 169-176 and 182.

⁷² NI Human Rights Commission, ‘Submission to the House of Lords on the Illegal Migration Bill’ (NIHRC, 2023).

⁷³ UK Parliament, ‘House of Commons: Border Security, Asylum and Immigration Bill - Bill 173 2024-25’ (UK Parliament, 2025).

⁷⁴ UK Parliament Hansard, ‘Written Statement by the Minister of State for Border Security and Asylum, Dame Angela Eagle MP - Age Assessment Checks – Independent Chief Inspector of Borders and Immigration Report’, 22 July 2025.

⁷⁵ Home Office, ‘Press Release: UK-France treaty targeting illegal crossings comes into force’, 4 August 2025.

⁷⁶ Home Office, ‘Press Release: UK-France treaty targeting illegal crossings comes into force’, 4 August 2025. In September 2025, deportation flights under the new policy began, but at least three individuals had their flights to France cancelled due to legal actions. The High Court of England and Wales ruled that they needed more time to provide evidence for their claims of being victims of human trafficking or being under 18 years old. Diane Taylor, ‘First person removed to France under “one in, one out” asylum deal, says UK’, *The Guardian*, 18 September 2025.

⁷⁷ Home Office, ‘Press Release: UK-France treaty targeting illegal crossings comes into force’, 4 August 2025.

5.12. The NIHRC recommends that the UK Government repeal all legal provisions that discriminate against migrants and limit the rights of asylum seekers, refugees, and migrants, specifically those in the Illegal Migration Act 2023 and the Nationality and Borders Act 2022. All asylum applications in the UK, including NI, should be processed in compliance with international human rights and Windsor Framework Article 2 standards, particularly considering the trauma many asylum seekers face before arriving in the UK.

5.13. The NIHRC recommends that the NI Executive quickly introduce regulations to ensure these laws do not weaken protections for refugees and asylum seekers in NI in areas such as child welfare, age assessments, and support for unaccompanied children and victims of modern slavery.

5.14. Furthermore, the NIHRC recommends that the UK Government ensures that any proposed reform of the UK Migration and Asylum Framework, through the Border Security, Asylum and Immigration Bill, complies with the UK's international human rights obligations and Windsor Framework Article 2, and there is no diminution of protections for refugees and people seeking asylum in NI.

5.15. The NIHRC recommends that the UK Government amends the UK Migration and Asylum Framework to ensure that asylum applications are considered using a consistent, expeditious and child rights-based approach, including that the best interests of the child are a primary consideration, and that unaccompanied children have an unqualified right to apply for family reunification.

5.16. The UK has international human rights obligations to prevent and combat discrimination, racism, stereotypes and inequalities towards migrants, refugees and asylum-seekers.⁷⁸ The NIHRC is concerned

⁷⁸ E/C.12/GBR/CO/7, 'UN ICESCR Committee Concluding Observations on the Seventh Periodic Report of the UK of Great Britain and NI', 28 February 2025, at para 25(c); CERD/C/GBR/CO/24-26, 'UN CERD Committee Concluding Observations on the Combined Twenty-fourth to Twenty-sixth Periodic Reports of the UK of Great Britain and NI', 23 August 2024, at para 48; CCPR/C/GBR/CO/8, 'UN Human Rights Committee Concluding Observations on the Eighth Periodic Report of the UK of Great Britain and NI', 3 May 2024, at para 41; CoE European Commission Against Racism and Intolerance, 'Report on the UK (Sixth Monitoring Cycle)' (ECRI, 2024), at para 62; CoE European Commission Against Racism and Intolerance, 'Report on the UK (Sixth

about the growing anti-migrant rhetoric in the UK, increasing the risk of racial abuse, intimidation, and threats towards ethnic minority communities.⁷⁹ Charities in the UK report that the spread of inflammatory political and social media rhetoric around immigrants and 'small boats' has fuelled threats and abuse that has become 'more extreme and uninhibited in the way it is expressed or enacted, both on and offline'.⁸⁰ The NIHRC has raised concerns that online misinformation and disinformation threaten the human rights of racial and ethnic minorities in NI. Urgent, coordinated action is needed to address these harms.⁸¹

5.17. The NIHRC calls on the UK Government to engage in evidence-based dialogue on immigration, actively promote a climate of mutual respect and intercultural dialogue, and publicly condemn instances of hate speech in public and political discourse, including online. The NIHRC also calls for the development and implementation of awareness campaigns that highlight the benefits of migration, as well as the challenges faced by refugees and asylum seekers. These efforts aim to address fear, stigma, and discrimination, ensuring that all individuals can fully enjoy their human rights without facing discrimination based on national origin, race, or nationality.

Working conditions and access to healthcare for migrants

5.18. In 2025, migrant workers in NI continue to be at high risk of exploitation, including by being unaware of their employment rights.⁸² It has been reported that individuals who rely on sponsorship visas are at particular risk, including being charged by their employer if they try to leave before their contract is finished.⁸³

Monitoring Cycle)' (ECRI, 2024), at para 69; ACFC/OP/V, 'CoE Advisory Committee on the Framework Convention for the Protection of National Minorities: Fifth Opinion on the UK', 25 May 2023, at para 25.

⁷⁹ Patrick Butler, 'UK charities say toxic immigration rhetoric leading to threats against staff', *The Guardian*, 13 October 2025; Geneva Abdul, 'UK lawyers warn of 'race to the bottom' after Tory MP issues deportation threat', *The Guardian*, 4 November 2025.

⁸⁰ Patrick Butler, 'UK charities say toxic immigration rhetoric leading to threats against staff', *The Guardian*, 13 October 2025.

⁸¹ NI Human Rights Commission, 'Briefing Paper: Racial and Ethnic Minority Rights and Online Misinformation and Disinformation' (NIHRC, 2025).

⁸² Irish Congress of Trade Union, 'Migrant Workers and Their Families in NI: A Trade Union Response' (ICTU, 2023), at 46; Law Centre NI, 'Law Centre NI publishes 'Guide to Employment Rights for Migrant Workers in the Health and Social Care Sector' (LCNI, 2025).

⁸³ Jane Starling, "'If you want a reference, pay up': How UK care homes are exploiting overseas nurses", *UNISON Magazine*, 24 February 2022; NI Human Rights Commission, 'Submission to the UN ICESCR

This is a particular issue regarding non-unionised sectors, agriculture, the care home sector, and zero-hour contract employers.⁸⁴ The NIHRC is disappointed with the UK Government's continued position of not ratifying the UN Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, as stated in their Mid-Term Report.⁸⁵

5.19. The NIHRC recommends that the UK Government ratifies the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.

5.20. The NIHRC recommends that the NI Executive take steps to protect migrant workers from exploitation and abuse. This includes ensuring they have the same rights as other workers in NI, access to complaint mechanisms with interpretation services, and legal assistance. Migrant workers should also be able to seek remedies without fear of reprisal, deportation, or detention. Additionally, the Department should regularly monitor the conditions of migrant workers by collecting and sharing relevant, disaggregated data.

5.21. Migrants in NI face several barriers to accessing healthcare. There is a lack of accurate information and insufficient translation services,⁸⁶ along with delays in receiving asylum registration cards and HC2 certificates.⁸⁷ Individuals in temporary hotel accommodations often lack access to healthcare information, and there are inadequate provisions for addressing medical needs and conducting health

Committee: Parallel Report for the List of Issues in Relation to the Seventh Periodic Report of the UK' (NIHRC, 2022).

⁸⁴ NI Human Rights Commission, 'Submission to the UN ICESCR Committee: Parallel Report for the List of Issues in Relation to the Seventh Periodic Report of the UK' (NIHRC, 2022).

⁸⁵ United Kingdom, British Overseas Territories and Crown Dependencies, 'Universal Periodic Review: UK Response Mid-Term Report 2025' (GOV.UK, 2025), at 2-3.

⁸⁶ NI Human Rights Commission, 'Submission to the House of Commons NI Affairs Committee Inquiry into the Experience of Minority Ethnic and Migrant People in NI' (NIHRC, 2021); Equality Commissions for NI, 'Shadow Report from the Equality Commission for NI to the CoE Advisory Committee for the Framework Convention for the Protection of National Minorities on the Fifth Monitoring Report of the UK' (ECNI, 2022); Law Centre NI, 'Safeguarding Migrant Survivors of Domestic Abuse Through Healthcare - Recommendations for Reform in NI' (LCNI, 2024).

⁸⁷ HC2 certificates provide full help with health costs and are issued to successful applicants to the National Health Service Low Income Scheme. See House of Commons NI Affairs Committee, 'Inquiry into the Experience of Minority Ethnic and Migrant People in NI - Oral Evidence', 8 September 2021, at Question 22; Home Office, 'Guidance to Support HC2 Applications for Asylum Seekers' (HO, 2022).

assessments.⁸⁸ Migrants with trauma or complex needs struggle to find appropriate care,⁸⁹ and mental health services are also difficult to access, leading to declining mental health among d/Deaf and disabled migrants.⁹⁰ Additionally, some migrants have been questioned about their immigration status when seeking health services.⁹¹

5.22. The NIHRC recommends that the NI Executive implement measures to address inequalities and discrimination affecting migrants' access to healthcare in NI. This includes training healthcare professionals to provide accessible, culturally appropriate, and non-discriminatory care for all, including refugees and asylum seekers.

6.0 Anti-poverty strategy

- 6.1. 4th cycle recommendations: 43.143, 43.144, 43.147, 43.214, 43.218, 43.237.
- 6.2. Between 2023 and 2025, several human rights bodies have recommended that the UK Government take urgent and coordinated action to address child poverty, including through increased budget allocations, fiscal reforms, and strengthened social protection systems, while ensuring that all measures follow a child rights-based approach.⁹²
- 6.3. The NIHRC notes that the UK Government has reaffirmed its commitment to tackling child poverty across the UK as reflected in its Mid-Term Report⁹³, including its plans to publish a Child Poverty Strategy and the establishment of a Ministerial Child Poverty

⁸⁸ Children's Law Centre and South Tyrone Empowerment Programme, 'Joint Submission to CoE Framework Convention for the Protection of National Minorities Advisory Committee: Rights of Asylum Seeker Children Living in Contingency Accommodation (Hotel Buildings) in NI, Run by Mears Group PLC' (CLC and STEP, 2022).

⁸⁹ House of Commons NI Affairs Committee, 'Inquiry into the Experience of Minority Ethnic and Migrant People in NI - Oral Evidence', 8 September 2021, at Question 19; Law Centre NI, 'Safeguarding Migrant Survivors of Domestic Abuse Through Healthcare - Recommendations for Reform in NI' (LCNI, 2024).

⁹⁰ Independent Mechanism in NI Disability Forum Meeting, 2 August 2022.

⁹¹ Roundtable on Access to Healthcare and Protocol Article 2 hosted by the NI Human Rights Commission, 6 June 2022; Law Centre NI, 'Safeguarding Migrant Survivors of Domestic Abuse Through Healthcare - Recommendations for Reform in NI' (LCNI, 2024).

⁹² E/C.12/GBR/CO/7, 'UN ICESCR Committee Concluding Observations on the Seventh Periodic Report of the UK of Great Britain and NI', 28 February 2025; CRC/C/GBR/CO/6-7, 'UN CRC Committee on the Sixth and Seventh Reports of the UK of Great Britain and NI', 2 June 2023.

⁹³ United Kingdom, British Overseas Territories and Crown Dependencies, 'Universal Periodic Review: UK Response Mid-Term Report 2025' (GOV.UK, 2025), at page 107.

Taskforce.⁹⁴ Despite ongoing commitments at the national level, there remains no dedicated anti-poverty strategy for NI.

- 6.4. The NIHRC notes that while the NI Executive previously committed to publishing a new Child Poverty Strategy, it has been replaced by plans to address child poverty through a broader Anti-Poverty Strategy.⁹⁵ The 2024 NI Audit Office report highlighted limited progress on key poverty indicators on outcomes for children in NI, identifying gaps in accountability, coordination and delivery.⁹⁶
- 6.5. The proposed Anti-Poverty Strategy consulted on in 2025 was heavily criticised for lacking a human-rights based approach, failing to reflect the outcomes of the co-design process and omitting actions to address child poverty. Civil Society Organisations called for the Strategy's withdrawal.⁹⁷
- 6.6. The NIHRC remains concerned that the continued absence of a comprehensive, human-rights based anti-poverty strategy undermines efforts to address child poverty and related inequalities in NI contrary to the UK's obligations under the International Covenant on Economic, Social and Cultural Rights.⁹⁸
- 6.7. **The NIHRC reiterates its call for the NI Executive, to adopt and implement a comprehensive, rights based anti-poverty strategy for NI, with clear targets, indicators and monitoring mechanisms.**

7.0 Conclusion

Constitutional framework (Commitment to the ECHR)

- 7.1. The NIHRC recommends that the UK Government ensure its stated commitment to the ECHR and the Human Rights Act 1998 is

⁹⁴ United Kingdom, British Overseas Territories and Crown Dependencies, 'Universal Periodic Review: UK Response Mid-Term Report 2025' (GOV.UK, 2025), at page 61.

⁹⁵ NI Assembly Hansard, 'Written Question: New Child Poverty Strategy – Nick Mathison MLA – AQW 9773/22-27', 22 April 2024.

⁹⁶ NI Audit Office, 'Child Poverty in NI' (NIAO, 2024).

⁹⁷ Jayne McCormack, 'Charities call for executive to drop harmful anti-poverty strategy', *BBC News*, 30 June 2025; NI Human Rights Commission, 'Submission to the Department for Communities' Consultation on the NI Executive's Anti-Poverty Strategy' (NIHRC, 2025).

⁹⁸ NI Human Rights Commission, 'Submission to the Department for Communities' Consultation on the NI Executive's Anti-Poverty Strategy' (NIHRC, 2025).

effectively reflected in the legal system. The UK Government should actively emphasise the importance of the ECHR and the Human Rights Act 1998 to the Rule of Law in the UK, particularly in relation to the Belfast (Good Friday) Agreement and the peace process in NI.

Dealing with the legacy of the past

- 7.2. The NIHRC recommends that the UK Government ensures that the Northern Ireland Troubles Bill is victim-centred. It should ensure effective investigations and prosecutions of alleged unlawful killings and serious injuries. Additionally, the Bill must comply with Articles 2 (right to life) and 3 (freedom from torture) of the ECHR. Compliance with Windsor Framework Article 2, taking into account the minimum standards in the EU Victims' Directive should also be ensured.

Hate crime

- 7.3. The NIHRC recommends that the NI Executive, prioritises the introduction of comprehensive and consolidated hate crime legislation, in line with the Marrinan Review recommendations and ongoing consultation outcomes. The legislation should ensure full compliance with Windsor Framework Article 2 and relevant international obligations, including the EU Victims' Directive, and adopt a victim-centred, rights-based approach to addressing hate crime.

Immigration and asylum, refugees and migrants

- 7.4. The NIHRC recommends that the UK Government repeal all legal provisions that discriminate against migrants and limit the rights of asylum seekers, refugees, and migrants, specifically those in the Illegal Migration Act 2023 and the Nationality and Borders Act 2022. All asylum applications in the UK, including NI, should be processed in compliance with international human rights and Windsor Framework Article 2 standards, particularly considering the trauma many asylum seekers face before arriving in the UK.

- 7.5. The NIHRC recommends that the NI Executive quickly introduce regulations to ensure these laws do not weaken protections for refugees and asylum seekers in NI in areas such as child welfare, age assessments, and support for unaccompanied children and victims of modern slavery.
- 7.6. Furthermore, the NIHRC recommends that the UK Government ensures that any proposed reform of the UK Migration and Asylum Framework, through the Border Security, Asylum and Immigration Bill, complies with the UK's international human rights obligations and Windsor Framework Article 2, and there is no diminution of protections for refugees and people seeking asylum in NI.
- 7.7. The NIHRC recommends that the UK Government amends the UK Migration and Asylum Framework to ensure that asylum applications are considered using a consistent, expeditious and child rights-based approach, including that the best interests of the child are a primary consideration, and that unaccompanied children have an unqualified right to apply for family reunification.
- 7.8. The NIHRC calls on the UK Government to engage in evidence-based dialogue on immigration, actively promote a climate of mutual respect and intercultural dialogue, and publicly condemn instances of hate speech in public and political discourse, including online. The NIHRC also calls for the development and implementation of awareness campaigns that highlight the benefits of migration, as well as the challenges faced by refugees and asylum seekers. These efforts aim to address fear, stigma, and discrimination, ensuring that all individuals can fully enjoy their human rights without facing discrimination based on national origin, race, or nationality.
- 7.9. The NIHRC recommends that the UK Government ratifies the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.
- 7.10. The NIHRC recommends that the NI Executive take steps to protect migrant workers from exploitation and abuse. This includes ensuring they have the same rights as other workers in NI, access to complaint mechanisms with interpretation services, and legal assistance. Migrant workers should also be able to seek remedies

without fear of reprisal, deportation, or detention. Additionally, the Department should regularly monitor the conditions of migrant workers by collecting and sharing relevant, disaggregated data.

- 7.11. The NIHRC recommends that the NI Executive implement measures to address inequalities and discrimination affecting migrants' access to healthcare in NI. This includes training healthcare professionals to provide accessible, culturally appropriate, and non-discriminatory care for all, including refugees and asylum seekers.

Anti-poverty strategy

- 7.12. The NIHRC reiterates its call for the NI Executive, to adopt and implement a comprehensive, rights based anti-poverty strategy for NI, with clear targets, indicators and monitoring mechanisms.

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