

**MINUTES OF 23rd MEETING OF THE JOINT COMMITTEE OF
REPRESENTATIVES OF THE TWO HUMAN RIGHTS
COMMISSIONS ON THE ISLAND OF IRELAND (THE JOINT
COMMITTEE)**

**Held on Tuesday 29 January 2008 at 10.45am in the
premises of the
Irish Human Rights Commission, Jervis House, Jervis Street,
Dublin 1**

NIHRC Commissioners

Present:

Monica McWilliams, Chief Commissioner
Jonathan Bell
Alan Henry
Ann Hope
Colin Harvey
Colm Larkin
Daphne Trimble
Eamonn O'Neill

Staff:

Peter O'Neill, Chief Executive
Nazia Latif, Head of Policy - Investigations and Research

Apologies:

Thomas Duncan
Geraldine Rice

IHRC Commissioners

Present:

Maurice Manning, President (Chair)
William Binchy
Olive Braiden
Rosemary Byrne
Suzanne Egan
Michael Farrell
Alice Leahy
Lia O'Hegarty
Helen O'Neill
Gerard Quinn
Mervyn Taylor
Katherine Zappone

Staff:

Eamonn MacAodha, Chief Executive

Des Hogan, Director of Enquiries, Legal Services & Administration/
Deputy CE
Kirsten Roberts, Director of Research, Policy & Promotion

Apologies:

Robert Daly

Tom O'Higgins

Roger Sweetman

The President, welcomed Commissioners Colm Larkin and Daphne Trimble, who have replaced Commissioners Christine Eames and Kevin McLaughlin.

The President welcomed both new Chief Executives.

1. APOLOGIES

2. MINUTES OF 22ND MEETING OF JOINT COMMITTEE

These were approved and signed by both the Chief Commissioner and the President.

3. MATTERS ARISING

None.

4. SUB-COMMITTEE REPORTS

The President proposed that in future the sub-committees meet in advance of the main meeting.

Charter of Rights:

Colin Harvey gave the report. In relation to the Charter Conference, it was felt that, pending the outcome of the Northern Ireland Bill of Rights consultation process, it may be premature to hold the conference in autumn 2008. Rather it was suggested that a stakeholders' roundtable be organised by the end of year for discussion on current developments and a Bill of Rights. The Committee proposed that they revert to the next Joint Committee meeting on this issue and on the question of whether a document should be drawn up in advance.

It was noted that current research on the Charter of Rights is being carried out by Suzanne Egan and Professor Rachel Murray, University of Bristol.

Joint Racism Committee

Michael Farrell gave the report. It was suggested that the research report on the Migrant Workers Convention, commissioned by the IHRC and being compiled by Siobhan

Mullally of UCC, be circulated to the NIHRC when to hand. This would assist in progressing joint work on the issue.

The NIHRC report on the detention of asylum seekers in cross-border issues was noted. The NIHRC reported on pending Counter-Terrorism legislation with concerns of its impact on members of the Muslim community.

The IHRC reported on an anti-Trafficking consultation process commenced by the Department of Justice, Equality and Law Reform to which the IHRC had made a recent submission. The IHRC reported on proposed research which it was considering into the issue of religious/ cultural clothing. It was suggested that any such research on international standards could be shared with the NIHRC.

The IHRC reported on a Habitual Residence Condition Roundtable which took place in the IHRC on 2 November 2007 and plans for future follow up. The IHRC reported on proposed research on the cultural rights of Travellers and work on a draft Traveller Law Reform Bill.

The Chief Commissioner proposed that, prior to publication, IHRC research be shared with NIHRC where possible. This was agreed.

5. UPDATE ON ACTIVITIES OF THE TWO COMMISSIONS

NIHRC:

Peter O'Neill welcomed Colm Larkin and Daphne Trimble, new Commissioners who replaced Christine Eames and Kevin McLaughlin with effect from 1 December 2007.

Other changes in personnel included the appointment of the new Chief Executive. Other staff appointments include Nazia Latif as Head of Policy, Investigations & Research and Virginia McVea as Head of Legal Services. These two latter positions cover the role of Ciarán O Maoláin, Head of Legal Services, Research & Policy, who has taken a one-year career break. A new Head of Communications and Education will be confirmed shortly. Other staff appointments for an Executive Officer, Finance Manager and Investigations Officer have also taken place recently.

The Chief Executive gave a comprehensive update on the work of the NIHRC. Highlights included:

- A meeting with Minister Paul Goggins to discuss the issue of human trafficking and women in prison.
- A meeting with the Policing Board's Human Rights Committee.
- A meeting with the NI Affairs Committee on the review of the prison service.
- A meeting with the Ad Hoc Committee on Criminal Justice.
- The Commonwealth Forum of Human Rights Institutions in Kampala and a Roundtable on the role of NHRIs in Cape Town.
- A symposium in Boston, which looked at Truth Commissions in post-conflict situations.
- A meeting with MPs, Peers, members of the EHRC and the Joint Committee on Human Rights in London.
- A meeting with the Chief Constable and Senior officers to discuss the introduction of Tasers in Northern Ireland.
- A number of conferences/ events held or planned included:
 - The Commission's Annual Conference on 21 September 2007;
 - The 'Rights and Righteousness' conference held in November 2007;
 - A Seminar on Communications and European national institutions held in October and
 - Human Rights Week held on 10-14 December.
 - A staff residential 2-day event took place in January to help develop the Commission's Business Plan 2008-2009.
 - A Conference on health and human rights is to take place in February 2008 and
 - A joint Equality Commission/NI Women's European Platform is planned for 5 March 2008.

The Chief Executive reported that Commissioners had examined the Bill of Rights in November/December, ahead of the Bill of Rights Forum's expected conclusions to the Commission in March 2008.

Submissions have included:

- To DHSSPS on a draft Code of Practice;
- To the UN Human Rights Committee on issues for the UK's 6th report under ICCPR;
- Consultation paper on the IPCC Independent Police Complaints Commission;
- Review of the Police Ombudsman for NI;

- Revised PSNI Code of Ethics;
- To the Human Rights Council regarding the UK's examination under the Universal Periodic Review;
- The Criminal Justice & Immigration Bill;
- NI Assembly's Programme of Government.
- Briefings prepared on devolution of policing and justice matters.

On the international front, the Council of Europe office in Ankara arranged for a delegation Turkish sub-governors to be briefed by Commission staff. The OSCE sponsored a visit by officials from Macedonia to the Commission; the Chief Commissioner and Commissioner Ann Hope met with Iraq's Minister for Human Rights in October and staff met the Project Director of INSYDE, an NGO in Mexico. Further, the Commission met with a delegation from Iraq to discuss potential for an NHRI.

On the Corporate side, the Commission's Business Plan was developed. The Annual Report and Accounts were presented to Parliament in December and the magazine, NIHRC Review, continues to develop and a range of literature has been produced as well as pages on social networking websites such as Bebo, Facebook, MySpace, YouTube.

In Education, a series of training events on the role of the HR Act was delivered in the autumn and the launch of the Commission's new exhibition resource took place in November and a new online training manual on human rights, has been developed.

There is now a new stakeholder management system in place and Commissioners recently approved a new Memoranda of Understanding with the NI Court Service and the Prisoner Ombudsman for NI.

IHRC:

Éamonn MacAodha highlighted key developments within the Commission, following his appointment on 3 December 2007:

In Human Resources, in addition to the appointment of the new Chief Executive, two new Director posts had been established with Des Hogan appointed Director of Enquiry and Legal Services and Kirsten Roberts, appointed Director of Research and Policy. In addition, four new Fellows have been appointed. Róisín Hennessy has been appointed Senior Research and Policy Officer, replacing Liam Herrick who left

the Commission in October. The Senior Enquiry and Legal Officer is due to commence in March 2008 and the new Librarian has been appointed.

With additional staff, the Enquiry & Legal section had moved to the second floor, Jervis House with the Library, with the Commissioners' room now housed in the former Library on the fourth floor, Jervis House.

The Chief Executive gave an update on some aspects of the IHRC's work. These included:

- The IHRC Business Plan;
- A EU Migration and Asylum Conference in Berlin (January);
- A OPCAT conference in Paris (January);
- A Conference in Wilton Park which addressed the 60th anniversary of Human Rights Declaration (January);
- The IHRC Annual Human Rights Lecture (November 2007) and given by Thomas Hammarberg, Commissioner for Human Rights, Council of Europe;
- A Roundtable with the Fundamental Rights Agency and statutory bodies, hosted by the IHRC in September 2007;
- Media coverage around the IHRC's 'Extraordinary Rendition' Review report, (December 2007);
- A joint research project on Travellers' Cultural Rights
- Commissioned research on Prostitution;
- An ICCPR Shadow Report due to be published in March 2008;
- A submission in relation to the CERD report (May 2008);
- A possible submission on the Children's Referendum;
- Observations on the Immigration Bill (due shortly);
- Consideration of the question of the DPP's recent announcement regarding providing information to the public;
- Recent invitations by the High Court for the Commission to act as *amicus curiae* in a variety of cases.

In discussion, the issue of prison conditions arose and it was suggested that this was one joint issue which could be looked at again in the future.

6. UPDATE ON THE LIFT-OFF EDUCATION PROJECT

The next conference will take place in Belfast. Further discussion is to take place with a view to arriving at a joint view on the project's long term future.

7. WORK WITH THE OMAGH SUPPORT AND SELF-HELP GROUP

Michael Farrell absented himself from the meeting at this point.

The Chief Commissioner reported that an approach was made to the NIHRC by the Group. It was agreed that both commissions would publicly call on both the British and Irish governments to establish a review into the Omagh bombing and surrounding events, involving the appointment of a serving or retired judge of international standing to examine all available material to determine whether it is appropriate to institute an independent, cross-border, public inquiry into the atrocity.

It was reported that the Secretary of State had written to the Chief Commissioner advising that he would be meeting with the families soon. The NIHRC would keep a watching brief on the matter.

Michael Farrell returned to the meeting.

8. INTERNATIONAL WORK INCLUDING THE ICC AND THE EG

The President attended this meeting in December 2007. He reported on the central element concerning strengthening national institutions and the further meeting to take place in April 2008. The emphasis was on the strengthening of international human rights commissions. The IHRC will keep the European Group and the Committee up to date.

The President reported on the roles of both the new Scottish Human Rights Commission and the England & Wales Equality and Human Rights Commission. The President had met with Alan Miller, Chief Commissioner, Scottish HRC in the IHRC offices recently to discuss the relationships between the four Commissions. The President suggested that the Committee considers that a conference would be hosted by each Commission every four years.

The President reported that the IHRC/European Meeting of NHRIs with the Council of Europe is to take place in Dublin in September 2008.

He reported on his visit to Lesotho, with Commissioner Helen O'Neill in 2007, where a new Human Rights Commission might be set up.

The President referred to the IHRC's work with the EU Fundamental Rights Agency.

The Chief Commissioner expressed solidarity with Kenya's Human Rights Commissioner, who is currently in hiding and the President reported that other EU national institutions also wrote in support.

9. UPDATE ON RESOURCING OF JOINT COMMITTEE'S WORK

The two Chief Executives will soon advertise for the new Joint Committee resource person to the Joint Committee.

10. DATE AND LOCATION OF NEXT MEETING

Date: Tuesday 8 April 2008

Location: Belfast.

11. ANY OTHER BUSINESS

There was none.