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ORAL STATEMENT

Item 3: Inter-active dialogue with the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence

UK GOVERNMENT MOVES TO LEGISLATE FOR DE FACTO AMNESTY FOR GRAVE HUMAN RIGHTS VIOLATIONS COMMITTEED DURING THE NORTHERN IRELAND CONFLICT

UN Human Rights Council
Forty-eighth regular session
13 September – 8 October 2021

Madame President,

Amnesty International welcomes the follow-up report by the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence.

Mr. Special Rapporteur,

We are deeply concerned by the UK government's plans to legislate for a de facto amnesty for grave human rights violations committed during the Northern Ireland conflict and concur with the recent special procedures statement¹. The recently published government command paper² indicates legislation will end all Northern Ireland conflict-related 'judicial activity' - i.e., current and future prosecutions, inquests, civil actions, and investigations. These proposals breach the UK's international and domestic human rights obligations, unduly interfere in the justice system, undermine the rule of law and dismiss victims' suffering.

We stand with all victims fighting for truth, justice and accountability including Francis McGuigan³ and others who suffered state sanctioned torture, and the families of Majella O'Hare⁴ and Aidan McAnespie⁵ who were arbitrarily killed by British soldiers. We stand with the families of Tom Oliver⁶ who was killed by the IRA, and of John Martin and Brian and Anthony Reavey⁷ who were killed by the 'Glenanne Gang'. These victims of violations and abuses by both state and non-state actors are unequivocal in their rejection of these proposals which will deny them and all victims an effective remedy. Amnesty International⁸, the Irish Government⁹, Northern Ireland political parties¹⁰ and many others concur with them.

¹ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27371&LangID=E>

² 'Addressing the legacy of NI's past'

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1002140/CP_498_Addressing_the_Legacy_of_Northern_Ireland_s_Past.pdf

³ <https://www.amnesty.ie/northern-ireland-hooded-men/>

⁴ <https://www.amnesty.org.uk/press-releases/northern-ireland-call-independent-investigation-death-schoolgirl-shot-dead-during>

⁵ <https://www.bbc.co.uk/news/uk-northern-ireland-58281782>

⁶ <https://www.kenova.co.uk/tom-oliver-family-appeal-for-information-on-30th-anniversary>

⁷ <https://www.thebarnardreview.co.uk/>

⁸ <https://www.amnesty.org.uk/press-releases/northern-ireland-statute-limitations-unacceptable-betrayal-victims>

⁹ <https://www.dfa.ie/news-and-media/press-releases/press-release-archive/2021/july/statement-by-minister-for-foreign-affairs-on-uk-government-legacy-proposals.php>

¹⁰ <https://www.bbc.co.uk/news/uk-northern-ireland-57837622>

Amnesty International and the families of the victims named in this statement collectively call on the UK Government to abandon plans to legislate for an amnesty that would put perpetrators of human rights violations and abuses above the law and beyond accountability. We urge the UK government to revert to the Stormont House Agreement and urgently institute mechanisms capable of discharging the UK's human rights obligations.

We call on the Council to closely monitor the UK's actions and remind it of its human rights obligations.

Thank you.