

Dear Mr Salvioli,

The three UK National Human Rights Institutions have each submitted individual reports to the UN Human Rights Committee covering a range of matters to do with the implementation of the International Covenant on Civil and Political Rights in the UK, while reflecting our differing mandates and devolved contexts. In this correspondence the Commissions collectively would like to draw the Committee's attention to potential changes to the human rights framework in the UK.

By way of the Queen's Speech to Parliament, the UK Government has set out its intentions for legislative change over the next year. The UK Government has stated that it:

“will bring forward proposals for a Bill of Rights to replace the Human Rights Act.

This would reform and modernise our human rights legal framework and restore common sense to the application of human rights laws. It would also protect existing rights, which are an essential part of a modern, democratic society, and better protect against abuse of the system and misuse of human rights laws.”¹

The Human Rights Act 1998 (HRA) gives domestic effect to the European Convention on Human Rights (ECHR). The HRA is also an important mechanism whereby key rights protected by the ICCPR are incorporated into domestic law in the UK.

The Commissions believe that the HRA has provided essential protection to everyone in the UK, enabling fundamental rights to be enforced in our domestic courts. We believe that the HRA is well-crafted and both reflects and is embedded in the constitutional arrangements for the UK. In particular, it maintains parliamentary

¹ Prime Minister's Office, Queen's Speech 2015, 27th May 2015, available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/430149/QS_lobby_pack_FINAL_NEW_2.pdf

sovereignty, a primary role for domestic courts in the interpretation of the ECHR and is central to the arrangements for devolution in Northern Ireland, Wales and Scotland.

Changing our human rights laws would have significant constitutional and social consequences and should only be considered as part of a broad and participative public process. The Commissions will examine any legislative proposals in detail, and we consider that any changes to our human rights laws must pass a simple test: do they take us forwards or back? We would not support a reversal of the leading global role the UK has long played in protecting and promoting human rights at home and abroad.

Representatives of the three national human rights institutions will be present throughout the Committee's examination of the UK and will be more than happy to provide briefings to and answer any questions the Committee members may have in regard to this issue or the many other issues which the Commissions have raised in their submissions.

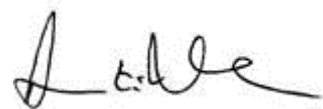
Yours sincerely,



Onora O'Neill
Chair
EHRC



Les Allamby
Chief Commissioner
NIHRC



Alan Miller
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