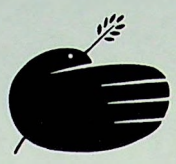


FORUM FOR PEACE
AND RECONCILIATION



FÓRAM UM SHÍOCHÁIN
AGUS ATHMHUINTEARAS

Introductory Remarks by the Chairperson of the Forum for Peace and Reconciliation, Judge Catherine McGuinness, S.C., at Media Briefing on the Forum's Consultancy Study No 2, 'The Protection of Human Rights in the Context of Peace and Reconciliation in Ireland' by Professor Kevin Boyle, Dr Colm Campbell and Professor Tom Hadden, at Dublin Castle, on Wednesday, 12 June 1996

I am very happy indeed to be here this evening on the occasion of the publication of the Forum's Consultancy Study Number Two, 'The Protection of Human Rights in the Context of Peace and Reconciliation in Ireland' and to introduce to you two of the three authors of this very valuable study, Dr Colm Campbell and Professor Tom Hadden. The third member of our team, Professor Kevin Boyle is unable to be with us this evening but he has told us that he is delighted that the study is being published at this time.

Dr Colm Campbell is Director of the Centre for International and Comparative Human Rights Law at Queen's University Belfast, and a senior lecturer in the Law Faculty. A former chairperson of the Belfast-based Committee on the Administration of Justice, he qualified as a solicitor in the Republic prior to completing his doctorate at Queen's. He has written widely on human rights issues; recent works include Emergency Law in Ireland, 1918-1925 (1994), and Nationalism, Minorities and Diasporas: Identities and Rights in the Middle East (1996), of which he is joint editor.

Tom Hadden is a part-time Professor of Law at Queen's University, Belfast. From 1985 to 1990 he was a member of the Standing Advisory Commission on Human Rights for Northern Ireland. Since then he has been involved in developing a postgraduate course on

Human Rights, Emergency Law and Discrimination. With Kevin Boyle he has written a number of influential books on Northern Ireland, including *Ten Years on in Northern Ireland* (1980), *Ireland - A Positive Proposal* (1985) and *Northern Ireland - The Choice* (1994). He was the founding editor of *Fortnight Magazine*.

Kevin Boyle is Professor of Law at the University of Essex. He is also the director of the University Human Rights Centre. He was formerly a lecturer at Queen's University Belfast and then Professor of Law at University College Galway from 1978 to 1986. He was the first director of the London based Article 19, the International Centre Against Censorship from 1986 to 1989. He has wide experience of human rights work in different parts of the world and is currently preparing a *World Report on Freedom of Religion and Belief*. He has collaborated over many years with Tom Hadden in research and publications related to the search for a peaceful resolution of the conflict in Northern Ireland. He is also a barrister at law in London, Dublin and Belfast with extensive experience in pleading cases under the European Convention on Human Rights in Strasbourg.

From these, I assure you, extremely abbreviated summaries of our co-authors' backgrounds and accomplishments, it will, I hope, be clear that the Forum was lucky enough to secure the services of a superbly qualified team, a team, moreover, of high international repute, in order to undertake this study for us on this most important subject, the protection of human rights.

At the very outset of the Forum's deliberations, the themes of parity of esteem, equality of treatment and protection of human rights, both of individuals and of groups or communities, were identified as matters that should be tackled seriously by the Forum. In the papers submitted by the participating delegations early on about the Nature of the Problem and Principles for its Resolution, there was a very wide measure of agreement about the need for entrenched protection of human rights in Ireland, North and South, in circumstances of peace and reconciliation. Such protection was also seen as very much helping to facilitate and consolidate peace and reconciliation.

Accordingly, following an initial debate in plenary session on the theme of Parity of Esteem, the Forum commissioned our three distinguished authors to undertake the study now published today. The consultants met our Co-ordinating Committee early on and also consulted widely with political parties, both those that participate in the Forum and others that do not. The Forum also established a Sub-Committee on Fundamental Rights which included in its membership quite a number of members with legal qualifications and with extensive political and legal experience of human rights issues. There were a number of consultations between this Committee and the authors of our study. The consultants also made a public presentation of the study at a plenary session of the Forum on 10 November last.

The Forum had decided, after publication of its first consultancy study on the economic and social "peace dividend", that subsequent studies should be published with an accompanying commentary, setting out the Forum's own conclusions arising from the studies. Publication of this study on that basis was authorised by the Forum's Co-ordinating Committee on 15 December last, subject to final clearance by the Sub-Committee on Fundamental Rights. That Committee agreed the text of a Forum commentary early in February, 1996. Subsequently, however, when Forum meetings were deferred, it was not possible to secure the agreement of all delegations to publication of the study with the Forum commentary.

The fact that meetings of the Forum's Co-ordinating Committee were also deferred, in line with the predominant view among delegations, pending the restoration of circumstances in which the Forum could meet in a fully inclusive format, made it difficult to resolve the matter. I was concerned that, with all-party negotiations commencing on 10 June, this valuable study, so pertinent to the issues to be dealt with in the negotiations, should not be publicly available. I have therefore decided, on my own authority as Chairperson of the Forum, that the study should now be published, without the Forum commentary, in order to ensure that its valuable information and insights will be available at this important time. I am confident that all Forum delegations will be supportive of my decision in this respect.

I would hope that upon a resumption of Forum activity, once delegations decide that the basis for this has been re-established, it will be possible to publish the Forum commentary.

The study by Professors Boyle and Hadden and Dr Campbell will be given the usual wide circulation to the media, Forum delegations, political parties and representatives and all circles, in all the relevant jurisdictions, concerned with human rights issues. In addition, we will be sending it to all the negotiating teams involved in the negotiations now under way. In this way, we hope to achieve one of the objectives we have had throughout the Forum's activity, i.e. to make a serious contribution, in terms of concrete inputs, to the negotiations to take place in another arena.

The study we publish today ranges widely over the full field of human rights, as Professor Hadden and Dr Campbell will outline in a moment, but it concentrates on the protection of individual human rights. A complementary study, on best international practice as to group accommodation and the protection of communal rights, by Dr Asbjorn Eide, Director of the Norwegian Institute of Human Rights, will be coming from the printer very soon.

So, again, finally, may I say how glad I am that an absolutely excellent study is being published by the Forum this evening. I may, indeed, mention that we have received correspondence from human rights and civil liberties bodies throughout these islands urging its timely publication. I am also particularly happy that we have Professor Hadden and Dr Campbell with us today to brief you on the study and I now invite them to do so, following which they will be able to respond to any questions you may have.

Dublin Castle
Wednesday
12 June 1996