

Visit of the Eminent Jurists Panel

What is the impact of terrorism and counter-terrorism measures on human rights and the rule of law? The International Commission of Jurists (ICJ), based in Geneva, has established an independent panel of eminent jurists to conduct a global inquiry into this topic. The Panel is chaired by Justice Arthur Chaskalson, former Chief Justice of the South African Constitutional Court.

Justice Chaskalson and Justice Raul Zafferoni of the Argentinean Supreme Court visited Northern Ireland on 19-21 April 2006 to evaluate the experiences in this jurisdiction. The Northern Ireland visit (for which CAJ acted as local host) was one of a number of visits that the Panel is undertaking over the course of the year in all regions of the world, to gather information on the legal and policy responses adopted or likely to be adopted in response to conflict and/or terrorism and their impact on human rights. The Northern Ireland hearing provided an opportunity to examine the measures that were taken in the past, and their success or otherwise in ending political violence and in ensuring human rights protection.



As well as receiving written submissions, those from whom the Panel members heard directly from academics, legal practitioners, non-governmental organisations, the NI Human Rights Commission and political parties. They also heard directly from members of the public, including victims of terrorist and counter-terrorist operations and their family members. The Panel heard the views of delegations from the Police Service of Northern Ireland, the Courts Service, the judiciary, the Public Prosecution Service, the Law Society and the Bar Council.

Various persons who made representations to the Panelists stressed that:

- a) The intensity of the violence which marked the conflict placed Northern Ireland society under great stress;
- b) It is necessary to confront and address the causes of terrorism in addition to taking measures to prevent and curtail it;
- c) Security forces with wide and discretionary powers which are not subject to strict control can easily lead to abuse, and this occurred in Northern Ireland;

- d) The misuse of exceptional powers is counter-productive, causes resentment within suspect communities and is likely to exacerbate grievances that fuel the conflict;
- e) It is important that there should be an institutional culture of respect for human rights within the security forces and that independent bodies with appropriate powers should be established to review the efficacy of, and manner in which the exceptional powers are exercised and to receive and investigate complaints;
- f) Abuses by security forces should be dealt with promptly and transparently, if this is not done a culture of impunity is likely to develop, and this can have serious adverse consequences bringing the administration of justice into disrepute;
- g) Measures which have been introduced in recent years including the use of video and audio recording when taking statements, the appointment of a police ombudsman, a policy of transforming the police service into a body representative of the community as a whole, and encouraging greater transparency in the functioning of the service have had a beneficial impact;
- h) Concern was expressed about the absence of legal provisions for full and transparent investigations of deaths where there are suspicions of state involvement.

In this regard the recently enacted Inquiries Act, 2005 was criticised as adversely affecting the independence of inquiries that may be carried out under its provisions.

contd on page 3

Contents	
Visit of the Eminent Jurists Panel	1
Justice or Peace? Justice and Peace?	2
Focusing on Outcomes: <i>Reviewing the Effectiveness of Section 75</i>	3
Terrorism, Counter-terrorism and human rights – lessons from Northern Ireland	4/5
UN Convention on the Rights & Dignity of Persons with Disabilities	6
Human Rights North & South	7
Civil Liberties Diary	8

Justice or Peace? Justice and Peace?

The tension between “justice” and “peace” is an issue occupying the minds of many at the moment. Can human rights be built into peace agreements or would an overt focus on human rights discourage abusers and make peace agreement harder to achieve, or even impossible to secure? This topic was the focus of a conference held in April in the presence of the King of Norway and the President of Switzerland - two countries that have worked tirelessly behind the scenes in many peace processes around the world.

The conference launched a major report authored by Professor Christine Bell (Transitional Justice Institute, UU, former chair of CAJ). This report, entitled “**Negotiating Justice? Human Rights and Peace Agreements**” provides an excellent and vitally important handbook for peace mediators and human rights activists. The report addresses issues both at an abstract and conceptual level, and provides a wealth of practical and constructive proposals of the approaches pursued by a range of mediators and human rights groups. Case-studies are drawn from Cambodia, Guatemala, El Salvador, Bosnia Herzegovina, Guatemala, Sierra Leone, Burundi, Mozambique and Northern Ireland.

Maggie Beirne, as CAJ’s Director, was asked to join the Advisory Group that oversaw the research project and, in that capacity, was invited to attend and speak at the conference. CAJ was one of the very few domestic non-governmental groups present at the event and was able to draw extensively on its own experience of the mainstreaming of human rights and equality provisions into the negotiation of a Northern Ireland peace agreement. Others involved in this one-day seminar included the Red Cross, the UN Rapporteur on Internally Displaced Persons, and the new Liberian Minister of Labour, along with many senior representatives from the UN, and from the Swiss and Norwegian governments. The attendance of Louise Arbour, as UN High Commissioner for Human Rights, indicated the importance accorded to the topic within the UN.

It is difficult to briefly sum up the key findings of the report and conference, but it may give a flavour of the exchanges to quote directly from the executive summary:

“Tensions do arise in relation to human rights in the course of negotiating peace agreements. The report concludes, however, that there is no intrinsic incompatibility between those who seek ‘justice’ and those who seek ‘peace’. The challenge is not to eliminate discordance, but to reconcile long and short-term objectives of peace process, and to promote understanding

between different approaches. The case-studies suggest that the approaches of specialists in human rights and in conflict resolution are often mutually supportive. The latter often find human rights standards help them to identify basic needs and understand the causes of conflict. Human rights activists are often skilled in processes of problem solving and negotiation. While differences of approaches should be acknowledged, their interaction extends the range of skills and techniques that can be applied in peace processes”

The report makes many recommendations, but a few will give a flavour of the debate and the key findings:

1. Human rights monitoring should be a priority during periods of nascent conflict or when conflict escalates.
2. Human rights provisions in peace agreements should be consistent with international human rights standards and should provide appropriate mechanisms to implement and enforce them. However, there remains some room within which to negotiate, given the need to apply these standards domestically and the possibility of sequencing their implementation.
3. Negotiators should have access to human rights advice (in particular, on gender equality and the rights of minorities).
4. Those engaged in negotiation should engage with civil society, particularly for the purpose of identifying and monitoring human rights abuses, and defining and implementing institutional reforms.
5. International donors should actively support peace processes, and institutional reforms to which they give rise and should encourage the parties involved to engage with civil society. International actors should devolve to national authorities any direct responsibility they undertake, as soon as possible.

CAJ’s presentation to the conference focused on the implementation of peace agreements and made a point of emphasising the valuable role that external actors can play in maintaining momentum. While true that primary responsibility must be placed on local politicians and civil society, the continued interest and scrutiny of outsiders can prove of great benefit. In the words of Kofi Annan at Magee Campus in October 2004 “*Hard won agreements on human rights and the reform of justice are often eroded once domestic and international attention diminishes*”.

For further information on the report “Negotiating Justice? Human Rights and Peace Agreements” published by the International Council on Human Rights Policy please email to info@ichrp.org.

Focusing on Outcomes: Reviewing the Effectiveness of Section 75

Following six years of implementing Section 75 of the Northern Ireland Act 1998, the time is right to take stock of how effective the legislation has been and learn lessons for the future.

Section 75 of the Northern Ireland Act 1998 placed a duty on all designated public authorities to have due regard to the promotion of equality of opportunity and regard to the need to promote good relations. It provided a statutory framework which has underpinned mainstreaming of equality of opportunity and represented a strategic, 'preventive' and proactive approach to addressing inequality.

Six years on, the time is right to look at the impact that the legislation has had on the lives of people in Northern Ireland. The Act itself places a duty on the Commission to keep the effectiveness of the duties imposed by Section 75 under review. This has been done in a range of ways including an analysis of public authorities' annual progress reporting, good relations audits and ongoing monitoring and advice to public authorities. We have used this information to assist in keeping the effectiveness of Section 75 under review, and to annually report on progress.

The challenge of ensuring that equality considerations are at the heart of public policy making and implementation was never going to be easy. But the third report on progress in implementing section 75 statutory duties for 2003 - 2004 showed that there was a genuinely positive commitment to making the process work.

The forthcoming review, however, will be the most systematic analysis of the effectiveness of Section 75 to date. It will give us a greater understanding of how Section 75 has met its policy intentions. It will show us the impact the legislation has had on the lives of those people directly affected by it and the associated outcomes. This is an important point: - the review will shift the emphasis of

implementation away from processes towards outcomes, allowing us to maximise the potential of Section 75 in the future. It will examine the role of the key players and stakeholders in implementing Section 75 through a number of projects including:

- an audit of compliance by public authorities;
- consideration of the role of the voluntary sector in representing the views of persons likely to be affected by the duties;
- the role of OFMDFM in promoting and securing implementation of section 75; and
- the Commission's role at all stages of implementation.

Effectiveness will be measured in terms of the impact Section 75 has had on the lives of individuals and the development and implementation of public policy.

The review began in earnest at the beginning of April with the initiation of two projects, the first looking at public authorities' compliance with the legislation and the second examining the

Commission's own role in ensuring the effectiveness of the legislation. Both projects are independent pieces of research and are being carried out by external contractors. The Commission is contracting six pieces of research in total, the findings of which will inform recommendations to be made in early 2007.

The engagement of all Section 75 stakeholders is critical to the success of the review. Commission staff have met with a number of organisations to present the terms of reference for the review, and discuss the research projects in more detail. Over the coming months researchers will be seeking the views of public authorities, the voluntary and community sector, individuals and many other organisations in developing the research.

The Commission's website (www.equalityni.org) will contain all the information you need on the review; what it will cover, when it will take place and how you can get involved.

Grainia Long, Equality Commission



contd from page one:

The Panelists met family members of persons who have lost relatives as a result of unlawful killings and who have been struggling for many years to have full and transparent investigations of the circumstances in which those deaths occurred. In the press statement issued at the end of the hearings, the Panelists urged the authorities to address this real and substantial grievance.

The Panel will study these and other issues brought to its attention in more detail. It will conduct similar hearings in other parts of the world and complete its report when the hearings process is completed. However, CAJ intends to compile a report specifically on the Northern Ireland hearings, and in doing so provide further analysis on the lessons to be learned from Northern Ireland for this important and timely debate. (See centre pages for details of CAJ's written submission to the Panel).

As an organisation concerned with the administration of justice since its inception, CAJ is in a unique position to contribute to the debate on the impact of counter-terrorism measures on the protection of human rights. Indeed, this has been the focus of our work from a very early stage, and as such we have been involved over the last twenty five years in campaigning against and lobbying for an end to the “emergency” legislation that has existed throughout the period of Northern Ireland’s conflict. Such campaigning has been based on our observation and experience of the human rights abuses that emerged from the operation and implementation of this legislation. It has always been our contention that these abuses fed and fuelled the conflict.

In a preliminary submission to the Eminent Jurists Panel (see page 1), CAJ tracked the development of emergency legislation in Northern Ireland and examined its impact on the criminal justice system. The experiences in Northern Ireland are directly and immediately relevant to many of the current debates about the “war on terror”. Internment, proscription, surveillance, ill-treatment (indeed the very same forms of ill-treatment - the 5 techniques used in Northern Ireland in the past and in Abu Ghraib recently), creation of suspect communities, special courts, lower standards of proof, etc. have all been tried previously, and success can certainly not be claimed. In addition – somewhat differently to many other conflict zones – Northern Ireland had many of the safeguards that are commonly expected to protect citizens during periods of violent upheaval (free press, vibrant civil society, independent judiciary) and yet those safeguards failed in many instances.

Northern Ireland is steadily moving out of conflict, and as such, has been undergoing a process of change to its policing and criminal justice systems, much of which is to be welcomed and praised. As a result, many of the problems identified in our submission have either been addressed over time or are currently being addressed. This makes a study of Northern Ireland all the more relevant to current international debates since there is much experience as to how to – or not to as the case may be – respond to the “war on terror”.

Development of emergency legislation

An extensive literature review clearly highlighted that the draconian nature of the powers contained in the

emergency legislation and the restrictions on fundamental human rights that they generated were and remain unwarranted and counter-productive. It has been convincingly argued that the overall impact of emergency legislation was its pollutant effect on the legal system, destroying the moral standing of the government and severely undermining public respect and confidence in the administration of justice and the rule of law. It is striking to note that emergency laws have been in operation in Northern Ireland in various forms since 1922. If emergency laws are meant to contain temporary powers that are deemed necessary and proportionate to address the “exigencies of the situation,” questions arise as to how the international and other scrutiny mechanisms did not succeed in challenging the longevity and apparent routinisation of these powers.

In comparison to ordinary criminal law, the emergency legislation provided wide-ranging arbitrary powers of stop, search and arrest for both the army and police, which had serious implications for the pre-trial stage of the criminal justice system. These tactics were a great source of public concern due to the persistent allegations of security force harassment, intimidation and brutality of a sectarian nature and the absence of effective accountability mechanisms. Commentators have agreed that the use and abuse of these widely drawn powers caused widespread individual and community resentment which made policing by consent an even remoter prospect. Indeed, the legislation can be seen to have curtailed the most basic human rights and significantly contributed towards the validation of the alienation, distrust and discontentment of many within the Catholic community with the forces of law and order, and subsequently the rule of law.

There is widespread agreement that internment was a fateful decision, it fuelled and deepened the existing tensions, failed in its intentions to arrest members of the IRA due to the inadequate information of the security forces, and was one of the most serious assaults on human rights and civil liberties.

In addition, a combination of the facilities at the holding centres, interrogation techniques and a lack of safeguards for detainees created an intimidating atmosphere and left the system open to abuse, thereby failing to provide adequate protection against ill-treatment. Importantly, due to the centrality of interrogation in the administration of justice in Northern

Security Versus Human Rights?

Ireland, these abuses significantly affected public perception of the rule of law resulting in further alienation of the communities affected. It has often been suggested that, instead of preventing paramilitary activity, this direction produced another reason for some within these communities to support and join such organisations, which in turn resulted in more violence.

Impact on trial procedures

The impact of emergency legislation on trial procedures without question significantly reduced the rights of suspects to a fair trial:

- The establishment of Diplock Courts sitting without a jury;
 - the wide ranging nature of scheduled offences and the practice of offences automatically being scheduled in;
 - the restrictive rules on bail applications and subsequent lengthy remand periods;
 - the departure from the common law test of voluntariness in relation to the admissibility of confessions;
 - the heavy reliance on confessions for convictions;
 - the use of uncorroborated evidence of an accomplice;
 - the abrogation of the right to silence;
- the lack of immediate access to legal advice for suspects; and
- the lack of audio and video recording of interviews

all had the cumulative effect of seriously undermining fundamental human rights and thereby public confidence in the rule of law and the administration of justice.

Lethal force

The most controversial use of emergency legislation relates to charges of the excessive use of force combined with allegations of a shoot-to-kill policy adopted by the security forces. Combined with the inadequacy of subsequent investigations and lack of successful prosecutions, and the evidence of collusion between security forces and paramilitaries, this policy represented arguably the most serious violation of human rights during the period of the conflict. The lack of resolution to outstanding cases to the present day seriously undermines any attempts to rebuild confidence in the rule of law and administration of justice.

Whilst there is sometimes an understandable and even genuine tension between protecting the security of all and the liberties of the individual, these should not be considered to be contradictory goals. On the contrary, the experience of Northern Ireland in adopting a 'security-first' approach demonstrates that the freedoms that are claimed to be defended are those very freedoms that are removed by ever increasing demands for more and more draconian powers. In fact human rights standards guarantee security. It may be blindingly obvious, but it is important to articulate it - in order to defend the rule of law it is necessary to defend the rule of law. Human rights standards, in their focus on the demands of accountability and safeguards, actually underpin the rule of law and thereby contribute directly to everyone's security.

As the material in our submission demonstrates, a number of key mistakes were made in Northern Ireland – the use of internment, the use of lethal force, wide powers in relation to stop, search and arrest, the undermining of due process, the lack of effective accountability mechanisms, inadequate investigations and the cumulative effective of these in creating of an "us and them" mentality – all fed and fuelled the conflict and led to alienation from and distrust of the rule of law. A key learning point from Northern Ireland for the international debates is the need for effective accountability mechanisms to be in place, both at a formal institutional level (e.g. truly independent complaints mechanisms against the police and army and other criminal justice institutions, independent and civic oversight of police forces etc) and other practices (e.g. codes of conduct, guidelines and regulations for the use of force, access to lawyers, training etc). In addition, the experience in Northern Ireland shows that it is highly questionable whether emergency powers actually help in any "war against terror". If they are to be introduced, it is clear that they must comply with international human rights standards, be short-term in nature, and be necessary and proportionate to the "exigencies of the situation."

In Northern Ireland, some of the security tactics that were tried failed ignominiously and were in due course withdrawn. Others arguably extended the conflict rather than resolving it. Despite the many international reports and judgments expressing concern at UK security policy as it operated in Northern Ireland, the state has persistently dismissed concerns about the law and policies it chose to adopt. Some of the experiences of Northern Ireland may prove of interest to those seeking to avoid a repeat of the same mistakes, particularly in the febrile atmosphere engendered by the current 'war on terror'.

For copies of CAJ's submission, see www.caj.org.uk

UN Convention on the Rights and Dignity of Persons with Disabilities

People with disabilities have argued that disability is a human rights, not a social welfare issue. For a long time these arguments were ignored but the development of a global disability lobby finally ensured that they were accepted. Thus, in 2001, the UN agreed to set up an Ad Hoc Committee to consider proposals for a new human rights convention to address the rights of people with disabilities. After a series of regional consultations, the Ad Hoc Committee appointed a Working Group to prepare a first draft of the Convention. This was produced in January 2004., and since then, the Ad Hoc Committee has been meeting in New York twice a year to review the draft and finalise the text. It is anticipated that there will be one more meeting – in August 2006 – to complete the process.

All the rights embodied in the existing human rights treaties apply equally to people with disabilities, but the problem is that they are not appropriately or universally implemented. People with disabilities, for example, are generally denied equal civil rights, rights to family life, recognition of their legal capacity and are disproportionately vulnerable to both physical and sexual violence. Yet any review of reports on the implementation of the international covenants reveals a virtual absence of reference to how the rights of people with disabilities being ignored. Furthermore, those violations are not being challenged by the monitoring bodies. Such lack of action ensures that people with disabilities are rendered invisible. The aim of the new Convention therefore is to oblige governments to implement existing human rights for people with disabilities on an equal basis with non-disabled people.

Apart from state delegations as parties to the discussions about the draft Convention, a key stakeholder is the International Disability Caucus (the IDC) a grouping of over 50 organisations of disabled people and NGO's.

Governments continue in the 21st century to segregate disabled people and the services provided for them. The generally agreed way forward on this is the abandonment of the medical model (based on treatment and rehabilitation to lessen the effects

of an impairment) to an acceptance of the social model, developed by disabled people themselves which argues that factors within our communities and society generally continue to impact upon our lives unless they are addressed by social remedies. Greatest of all those factors is the attitude of others towards disabled people which continues to lead to separation and segregation and which remove us from the mainstream.

Key issues discussed at the recent meeting of the Ad Hoc Committee included:

Purpose

There was lengthy debate on the title and purpose of the Convention but a general consensus has now been reached with the title now being International Convention on the Rights of Persons with Disabilities with a purpose *“to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities and to promote respect for their dignity”*.

Definitions

This is one of the most contentious and complex elements particularly the discussion on “discrimination on the basis of disability”. There was division on whether or not to include “reasonable accommodation” (adjustment in the

UK) in the definition and at this point it has been retained. Discussions on terms such as “disproportionate burden” and the thresholds to trigger disability discrimination were difficult and are as yet unresolved but it has been decided to include a definition of disability and/or persons with disabilities.

General Obligations

Debate on this article has pointed to inconsistencies with the language of other international conventions. The issue of mainstreaming disability into economic and social development policies is causing difficulty to some states and the EU has proposed a form of words, supported by many to generalise the language on this item. This will obviously weaken its effects as, for example, the EU currently does not insist that its Structural Funds be spent in ways which automatically include disabled people (eg buildings and information can still be inaccessible).

This Convention has the potential to challenge the systemic discrimination faced by disabled people throughout the world. However the key issue of multiple identity has now been raised and disabled activists are concerned that a number of states are now working to remove references such as those concerning sexual orientation and gender from the Draft Convention. Such a move would be extremely counter-productive and we would urge all the readers of Just News to follow the progress of the drafting and support our work to ensure as comprehensive a Convention as possible.

Monica Wilson
Disability Action

Human Rights North & South

The development of a human rights culture on the island of Ireland is a priority for many human rights advocates in Northern Ireland and the Republic of Ireland. Cross-border issues such as the rights of migrant workers, trafficking, immigration and racism have been the subject of much scrutiny and concern and are likely to figure prominently in future human rights discourse.

The incorporation of the European Convention on Human Rights (ECHR) through the (UK) Human Rights Act 1998 and the (Irish) European Convention on Human Rights Act 2003 resulted in the main provisions of the ECHR applying in domestic law in both Northern Ireland and the Republic of Ireland. Both states are party to a range of international treaties which bring common obligations on a number of human rights issues. It is therefore not surprising that many human rights concerns and interests are shared by both the Northern Ireland Human Rights Commission (NIHRC) and the Irish Human Rights Commission (IHRC).

Background

Under section 69 (10) of the Northern Ireland Act 1998, and as described in the Human Rights section of the Belfast (Good Friday) Agreement 1998, a Joint Committee was created of representatives of the two Human Rights Commissions on the island of Ireland.

The Committee was formally established in late 2001 and has generally met on a bi-monthly basis with alternate meetings taking place in Belfast and Dublin. The Committee has to date comprised all Commissioners of both the IHRC and the NIHRC and provides an opportunity for the two Commissions to consider important cross-border issues such as migration and racism and to have common cause in securing internationally agreed human rights standards throughout the island.

Activities

The Joint Committee currently operates through three working sub-committees with convenors and representation from each of the Commissions. These committees are:

- Joint Committee sub-committee on racism;
- Joint Committee sub-committee on a Charter of Rights for the island of Ireland;
- Joint Committee sub-committee on research and international work.

In 2003, the two Commissions jointly published *A User's Guide to the International Convention on the Elimination of Racial Discrimination*. This publication indicates the shared view of both Commissions that racism and racial

discrimination are among the most pressing human rights problems in both parts of the island. Its purpose is to help non-governmental organisations, black and minority ethnic groups, community organisations and others to use the CERD reporting mechanisms to challenge racism in both jurisdictions. The experience of the UK in reporting since 1978 helps inform the Irish NGOs whose Government did not ratify the treaty until 2000. This has proved to be a welcome and useful working document in both jurisdictions.

In 2003 the Joint Committee also produced a Pre-consultation paper on a Charter of Rights for the Island of Ireland. This document was circulated to many organisations and all political parties north and south, for comment. The document describes a range of options for the protection of rights on the island of Ireland through development of a Charter. Limited but useful feedback was received which has helped inform the recently re-convened sub-committee's work.

Although the Belfast (Good Friday) Agreement does not clearly say that the Joint Committee must produce the draft of such a charter, nor even that the Joint Committee must conclude that such a charter is possible in the first place, nevertheless the Joint Committee has chosen to interpret the phraseology of the Agreement in just those ways. The assumption is that the framers of the Agreement believed that a charter of rights would contribute to enhancing the protection of rights in both Northern Ireland and the Republic of Ireland. Various pieces of relevant research are currently proposed to inform the sub-committee's work, which is also giving due consideration to progress on a Bill of Rights for Northern Ireland.

In addition, numerous joint position papers have been developed through the European network of National Human Rights Institutions (NHRIs). The two Commissions have worked closely on the development of the draft United Nations Convention on the Rights of Persons with Disabilities.

Conclusion

Human rights NGOs and various interest groups with key sectors of civil society north and south, have an important relationship with the Joint Committee, as do the two Government administrations and political parties.

In the coming months, the Joint Committee will review the scope of its work and in particular the potential of drafting a Charter of Rights for the Island of Ireland. Dr Maurice Manning, the President of the IHRC, and I look forward to working with our stakeholders in the promotion of a human rights culture throughout the island.

Professor Monica McWilliams
Northern Ireland Human Rights Commission

Civil Liberties Diary

April 4 Chief Constable reveals that intelligence gathered by MI5 before the 1998 Omagh bomb was only passed to the PSNI earlier this year.

Citing waiting lists, Andrew Dougal of the Chest Heart Stroke foundation claims NHS patients in Northern Ireland are treated unfavourably when compared to Britain.

April 5 Aid and Finance package from Minister David Hanson aimed at working class loyalist areas of Belfast is criticised as neglecting both deprived nationalist areas and rural communities.

Amnesty International calls for independent public inquiry into all aspects of British involvement in secret CIA extraordinary rendition flights.

April 6 Equality Commission confirms it is to carry out an official investigation into allegations of discriminatory practices by Lisburn City Council.

April 7 Sir Desmond Rea re-elected to serve as Northern Ireland Policing Board Chairman for another four years.

A judge turns down first adoption application by an unmarried couple in Northern Ireland though it involved the natural mother of an 8 year old girl and her male partner. Under current laws only single people or married couples can apply to adopt.

April 10 Around 170,000 children are living in poverty in Northern Ireland claims a study launched by the Equality and Social Inclusion Project and Save the Children group.

The PSNI Historical Enquires Team reviewing murders from the Troubles has identified up to 78 murders in which RUC officers are suspected of wrongdoing which may amount to police misconduct.

April 11 Police report suggests that the number of homophobic attacks in Derry has been cut by a third over the last year.

April 16 PSNI officers shoot dead Steven Colwell at checkpoint in Ballynahinch, Co. Down. The Office of the Police Ombudsman is to investigate.

April 19 SDLP put forward amendments to legislation at Westminster aimed at ending the discriminatory ban on Irish nationals holding top civil service posts in the north. Currently only 30% of top rank public jobs are occupied by Catholics.

April 20 The Eminent Jurists Panel, an initiative of the Geneva based group International Commission of Jurists are in Belfast, hosted by the CAJ, to assess measures that have been taken in the past to combat terrorist violence.

British Home Secretary Charles Clarke announces new measures under which compensation will be substantially cut for victims of miscarriages of justice.

April 21 High Court grants judicial review of the ban on the wearing of Easter lilies in Northern Ireland prisons.

SDLP allege that MI5's expanded role under the Miscellaneous Provisions Bill at Westminster is a "dangerous move" which will diminish the roles of the police service, the Police Ombudsman and the Policing Board.

Amendment tabled by Peter Robinson aimed at ending 50:50 recruitment in policing is defeated in the House of Commons.

April 25 Electoral Commission survey suggests that only 20% of people from ethnic minorities turn out to vote in elections in Northern Ireland.

Immigration Tribunal in Belfast ruling leaves open the possibility of parents (of Irish born children) who face deportation from the Republic of working in the UK. Under EU law, a child born in one member state has the right to live in another as long as the child does not rely on benefits and has arrangements for medical care

April 26 It has emerged that a number of PSNI members involved in an operation which resulted in unarmed civilian being shot dead have taken early retirement. Neil McConville died near Lisburn on April 29th 2003.

CAJ report suggests having two separate ministers for justice and policing when powers are eventually devolved could be a way of overcoming fears that one political tradition could control both departments.

April 27 NIO fails in attempt to delay judicial review into the appointment of two Orangemen to the Parades Commission.

Derry youth worker warns that the use of ASBOs to combat teenage social problems will criminalise young people and should only be used as a last resort.

Compiled by Mark Bassett from various newspapers.



Just News welcomes readers' news, views and comments.

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The views expressed in Just News are not necessarily those of CAJ.

Title to be put on page 4/5:

***Terrorism, Counter-terrorism and human rights
– lessons from Northern Ireland***