

103^D CONGRESS
1ST SESSION

H. CON. RES. 61

Calling for the adoption of a Bill of Rights for Northern Ireland.

IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 1993

Mr. KENNEDY (for himself, Mrs. MALONEY, Mr. BLUTE, Mr. TOWNS, Mr. McHUGH, and Mr. KING) submitted the following concurrent resolution; which was referred to the Committee on Foreign Affairs

CONCURRENT RESOLUTION

Calling for the adoption of a Bill of Rights for Northern Ireland.

Whereas the people of the United States have long held dear their personal rights and freedoms, and have historically promoted such rights worldwide as being both “self-evident” and “inalienable” for all peoples of all nations;

Whereas it is an ongoing concern of the residents of the United States that the residents of Northern Ireland do not enjoy the same fundamental human rights and civil liberties which are eloquently articulated in the American Declaration of Independence and which are enshrined in the United States Bill of Rights, including freedom of speech, freedom of the press, protections against self-incrimination, the right to trial by jury, and guarantees of due process of law;

Whereas despite the fact that the Government of the United Kingdom has had, since the partition of the island of Ireland in 1920, the responsibility of ensuring fundamental human rights and civil liberties for the people of Northern Ireland, that government instead has contributed greatly to the systematic denial of these rights through a perennial renewal and reinforcement of “emergency” legislation;

Whereas this “emergency” legislation, which lodges extraordinary arbitrary power with the British Government, has been in effect since the formation of Northern Ireland and, at present, there is no plan for, nor any foreseeable likelihood of, its repeal;

Whereas this failure on the part of the Government of the United Kingdom can be seen to be that much more flagrant because that government has been a signatory to the European Convention on Human Rights since 1950 and because it has consistently ignored the recommendations of the Standing Advisory Commission on Human Rights, established by the Northern Ireland Constitution Act of 1973;

Whereas the situation in Northern Ireland still exists where too many of the residents of Northern Ireland are denied basic human liberties and rights, and the denial of these basic liberties and rights not only exacerbates, but works to perpetuate, many of the fundamental problems of Northern Ireland;

Whereas the people of the United States are troubled and perplexed by the abrogation in Northern Ireland of what they had thought had been the fundamental constitutional right to a trial by jury and by the recent abroga-

tion of the right of an accused to remain silent, which, again, had long been believed to be a constitutional right;

Whereas the people of the United States, in light of the shared commitment of the United States and the United Kingdom to the rule of law, are concerned that the fundamental constitutional rights of the citizens of the United Kingdom are rapidly and tragically being eroded because of two parallel and contributing conditions: first, the United Kingdom appears to be unable to effect with sufficient speed a repair of the damage it allowed to develop in Northern Ireland; and second, the constitutional rights of citizens of the United Kingdom have proven to be fragile and vulnerable when allowed to remain “unwritten” as the governments of the day in Northern Ireland have shifted from one course to another to try to cope with a divided society of their own creation;

Whereas the fondest hope of the people of the United States is that, as the European community moves toward greater unity and cooperation, the people and the government of Northern Ireland may likewise embark upon a course of reform, reconciliation, and unification;

Whereas steps toward peace, reconciliation, and unification would be greatly enhanced by the declaration, entrenchment, and constitutional incorporation of a written promulgation of human and civil rights, similar to the United States Bill of Rights or the European Convention on Human Rights, for this troubled corner of Europe;

Whereas recognizing the value of a Bill of Rights, every political party in Northern Ireland has formally and publicly endorsed some sort of constitutional declaration of inalienable rights to be enshrined as being inherent with

the people, to be expressly recognized and respected by the current government;

Whereas the constituent political parties in Northern Ireland would be strengthened and seen to be fashioning and fostering a more humane society for all residents in Northern Ireland, if given the opportunity and mandate to come together in constitutional convention to draft a Bill of Rights;

Whereas the need for action toward reconciliation in Northern Ireland is rendered that much more urgent by the trend toward European unification and the increasing speed by which democratic freedoms have been spreading throughout the entire continent; and

Whereas these positive trends have made the civil strife in Northern Ireland more acutely apparent and have accentuated the inability of the current British judicial and constitutional system to protect fully the rights of all citizens of the United Kingdom, most significantly the citizens of Northern Ireland: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
 2 *concurring)*, That the Congress strongly urges the Presi-
 3 dent—

4 (1) to urge the Government of the United King-
 5 dom to take prompt steps toward the realization of
 6 reconciliation in Northern Ireland by the initiation
 7 of a process for the declaration and constitutional
 8 incorporation of human rights and civil liberties,
 9 similar to the United States Bill of Rights and Eu-

1 European Convention on Human Rights, for these peo-
2 ple who are so acutely affected; and

3 (2) to urge the European Community to under-
4 take such action as may be necessary to ensure that
5 the Government of the United Kingdom is brought
6 up to par with the rest of the Community's member
7 nations in the oversight and protection of human
8 rights and civil liberties with respect to rights of in-
9 dividuals in Northern Ireland.

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