

CIVIL AND POLITICAL RIGHTS WORKING GROUP PROPOSED PROVISIONS FOR INCLUSION IN A BILL OF RIGHTS

This document represents the outcome of the six meetings of the Working Group on Civil and Political Rights. Meetings were held every fortnight in October and November at which the Group went through the European Convention on Human Rights, noting that this standard could not be fallen below, but that there may be additional protection that could be added. Where necessary, certain provisions have been passed to the other working groups for their consideration. In addition, some issues have been sent to us from other Working Groups for our consideration and inclusion and we have endeavoured to address these in the course of our discussions. The legal advisors of all the Working Groups have also been in contact with each other to discuss various issues. It should be noted that the clauses on right to freedom from arbitrary detention and the right to a fair trial were only discussed to a limited extent as it was presumed that they would be considered by the criminal justice working group. The document below contains the provisions which had the agreement of all members of the Working Group present at the meetings. Where there is lack of consensus on a particular provision, this is noted below the relevant clause. Please note that where 'unanimous agreement' is referred to, this means agreement of all members of the Working Group who participated in the meetings (and therefore does not include the DUP).

The rationale behind the approach of this Working Group was

to take the ECHR as the starting point and the previous Equality working group proposals submitted to the Northern Ireland Human Rights Commission in 2001. Proposed amendments could not fall below the standards set by the ECHR but all members of the Working Group who participated in the meetings were in strong agreement from the start that this exercise should be aspirational and look beyond existing standards for improvements. UUP accepted the aspirational nature as it relates to the particular circumstances in NI but did not agree to a “wholesale re-write of ECHR”. They also agreed that this should be a modernising document, reflecting the current position in Northern Ireland, particularly as many of the provisions take the ECHR, written in the 1950s, as the basis for discussion.

1. Right to equality and non-discrimination

(a) Everyone is equal before and under the law and has the right to equal protection and equal benefit of the law.

(b) Public authorities shall respect and ensure the rights set forth in this Bill of Rights to everyone within the jurisdiction without discrimination of any kind, direct or indirect, irrespective of that person’s, or any member of their family’s: age, birth, culture, disability, ethnic origin (including Traveller identity), colour, gender, gender identity, language, marital or family status, nationality, national or social or economic origin, political or other opinion, possession of a criminal or politically motivated conviction, pregnancy, race,

religion or belief, sex, sexual orientation, socio-economic status, status as a victim, or other status.

(c) For greater certainty, discrimination includes a practice based on one or more protected grounds of discrimination or on the effect of a combination of protected grounds. Equality includes the full and equal enjoyment of all rights and freedoms. Laws, programmes or activities aimed at achieving and sustaining full and effective equality, in particular to reduce inequalities affecting disadvantaged groups, and which may include specific measures for individuals from such groups, shall be required in furtherance of these objectives. Such laws, programmes or activities shall not constitute discrimination.

RATIONALE

Equality and non-discrimination are key provisions in the ECHR and clearly central to the particular circumstances of Northern Ireland. These provisions draw upon the previous Equality working group report to the NIHRC in 2001 and attempt to simplify their approach. The grounds on which discrimination is not permitted have been expanded to reflect particular concerns raised in the context of Northern Ireland.

It should be noted that was also agreed by the Group that the term 'socio-economic status' would include, but not be limited to, 'carers'.

LEVEL OF AGREEMENT

The inclusion of the term 'possession of a criminal or politically motivated conviction' was agreed upon by all members of the Group apart from the UUP and Alliance. The UUP did not agree with the inclusion of the reference to 'indirect' discrimination. In its final contribution on (c) the UUP felt that 'there is already extensive equality legislation in NI and additional laws are not necessary'.

2. Prohibition of harassment

Everyone has a right to live free from all forms of harassment including on the basis of an individual's race, religion, sexual orientation and disability and other grounds as outlined in section 1 above.

RATIONALE

The inclusion of this clause was felt necessary to reflect the particular circumstances in Northern Ireland and was taken from the previous Equality Group's 2001 report to the NIHRC.

LEVEL OF AGREEMENT

There was unanimous agreement on the inclusion of this right by all members of the Working Group. UUP in its final submission changed their position and stated that the inclusion of this clause was not justified as it was 'already adequately provided for in existing legislation. Harassment is open to judicial interpretation and is difficult to define and implement'.

3. Right to life

- 1 Everyone's right to life shall be protected by law. There shall be thorough, prompt and impartial investigation of all suspected cases of extra-legal, arbitrary and summary executions, suspicious deaths or deaths in custody including cases where complaints by relatives or other reliable reports suggest unnatural death in the above circumstances. The death penalty shall be abolished. No one shall be condemned to such penalty or executed.
- 2 Deprivation of life shall not be regarded as inflicted in contravention of this article when it results from the use of force which is no more than absolutely necessary:
 - a in defence of any person from unlawful violence;
 - b in order to effect a lawful arrest or to prevent the escape of a person lawfully detained;
 - c in action lawfully taken for the purpose of quelling a riot or insurrection.

Public authorities shall prohibit by law all extra-legal, arbitrary and summary executions. Law enforcement officials may use force only when absolutely necessary and to the extent required for the performance of their duty.

No one shall be involuntarily returned or extradited to a country where there are substantial grounds for believing that he or she may become a victim of extra-legal, arbitrary or summary execution in that country.

RATIONALE

This is a key right within the ECHR. Additional protections were felt necessary in relation to extradition.

LEVEL OF AGREEMENT

There was unanimous agreement on this provision. SF wanted articles (b) and (c) to be removed as 'neither can ever warrant a death sentence'. UUP did not 'endorse any departure from the ECHR' as this 'went below the European standard'. In its final submission, the UUP also opposed the changing of shall to should but did not offer any justification. UUP final submission also indicated change of position in regard to the final clause as 'Westminster legislation covers this. This is not a matter for a NI Bill of Rights'.

4. Prohibition of torture

1. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment, including, for the avoidance of doubt, rape and other forms of serious sexual assault.

2. No one shall be involuntarily returned or extradited to a country where there are substantial grounds for believing that he or she may become a victim of torture or cruel, inhuman or degrading treatment or punishment.

3. Public authorities must enact legislative provisions to prohibit the use of admissibility in judicial proceedings of statements or confessions obtained through torture, other prohibited treatment or threats of such.

RATIONALE

This is a right within the ECHR. The term 'cruel' was added to reflect UN Convention obligations to which the UK is legally bound. There was a desire for inclusion of protection regarding extradition and use of evidence in judicial proceedings in the context of the past in Northern Ireland. Wording of sexual assault coherent with that in women's rights group paper.

LEVEL OF AGREEMENT

There was unanimous agreement on this provision. However, in the UUP's final submission, they changed their position and stated 'Rape and Sexual Assault are already addressed in

criminal law and additional rights are not necessary'.

5. Prohibition of slavery and forced labour

- 1 No one shall be held in slavery or servitude, including domestic servitude.
- 2 No one shall be required to perform forced or compulsory labour.
- 3 For the purpose of this article the term "forced or compulsory labour" shall not include:
 - a any work required to be done in the ordinary course of detention imposed according to the provisions of Article 5 of this Convention or during conditional release from such detention. Prison work shall be approached as a positive element of the rehabilitation of the individual and shall never be used as a punishment
 - b any service of a military character or, in case of conscientious objectors in countries where they are recognised, service exacted instead of compulsory military service;
 - c any service exacted in case of an emergency or calamity threatening the life or well-being of the community;
 - d any work or service which forms part of normal civic obligations.

4. Traffic in and exploitation of human beings, other similar forms of forced labour and enforced prostitution are prohibited and shall be offences punishable by law. Public authorities shall protect and assist victims of such trafficking, exploitation and enforced prostitution with full respect for their human rights, taking into account in particular the age, gender and special needs of victims.

RATIONALE

This is a right within the ECHR. Members of the Working Group

specifically requested additional protection in relation to trafficking in light of this modern phenomenon.

LEVEL OF AGREEMENT

There was unanimous agreement on this provision excepting that SF did oppose retention of (a) and (b) on the basis of "our recognition of equal rights for prisoner workers and the right to freedom from conscription". UUP opposed the inclusion of reference to domestic servitude asking how it would be defined and stating that it was 'not relevant to NI's particular circumstances' and that it was 'not practical'. SF requested that it be amended to include reference to 'domestic or sexual servitude'. UUP objected to removal of paragraph 3 which allowed for some forms of compulsory labour as 'it is a matter of prison policy and national government not a bill of rights'. UUP also changed their position in regard to fourth clause in final submission stating trafficking 'is a reserved matter for national governments and not appropriate to a bill of rights'.

6. Right to dignity

Everyone has inherent dignity and the right to have their dignity respected and protected.

RATIONALE

This is seen as a central feature of human rights and has significant potential in gender related areas. It has a strong link with equality and therefore seen as necessary to bolster protection on that basis in Northern Ireland. The wording of this provision is based on the South African constitution.

LEVEL OF AGREEMENT

There was unanimous agreement on this provision. UUP changed their position in their final submission stating 'we have consistently objected to this impractical inclusion. The right to dignity is an underlying value of the ECHR and this provision was strongly objected to in the meetings'.

7. Right to liberty and security

- 1 Everyone has the right to liberty and security of person. No one shall be deprived of his/her liberty save in the following cases and in accordance with a procedure prescribed by law:
 - a the lawful detention of a person after conviction by a competent court;
 - b the lawful arrest or detention of a person for non-compliance with the lawful order of a court or in order to secure the fulfilment of any obligation prescribed by law;
 - c the lawful arrest or detention of a person effected for the purpose of bringing him/her before the competent legal authority on reasonable suspicion of having committed an offence or when it is reasonably considered necessary to prevent his/her committing an offence or fleeing after having done so;
 - d the lawful detention of persons for the prevention of the spreading of infectious diseases; where it can be reliably shown by objective medical expertise that a person has a mental incapacity of a kind or degree that warrants compulsory confinement.
 - e the lawful arrest or detention of a person to prevent his/her effecting an unauthorised entry into the country or of a person against whom action is being taken with a view to deportation or extradition.
- 2 Everyone who is arrested and detained shall be informed promptly, in a language which he understands and which is appropriate to his/her or her age, of the reasons for his/her detention or arrest and of any charge against him.
3. Every individual arrested or detained has the right to communicate promptly with, and to be visited by a

medical practitioner, a legal representative of their choice, and, under appropriate supervision when the investigation so requires, by a family member.

- 4 Everyone arrested or detained in accordance with the provisions of paragraph 1.c of this article shall be brought promptly before a judge or other officer authorised by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release pending trial. Release may be conditioned by guarantees to appear for trial.
- 5 Everyone who is deprived of his/her liberty by arrest or detention shall be entitled to take proceedings by which the lawfulness of his/her detention shall be decided speedily by a court and his/her release ordered if the detention is not lawful.
- 6 Everyone who has been the victim of arrest or detention in contravention of the provisions of this article shall have an enforceable right to compensation and an effective remedy.
7. No one shall be deprived of their liberty on the ground of failure to pay maintenance or a debt, fine or tax, unless the court considers that the person has wilfully refused to pay despite having the means to do so.

RATIONALE

This is a key right within the ECHR. There was some discussion on this provision, although the Working Group largely felt it should be left to the criminal justice working group to deal with. There was agreement that the provision on non-deprivation of liberty for failure to pay a debt, etc. was a necessary addition.

Removal of clause 1 (d) as provided for in the ECHR, reference to detention of minors, after comments from children's working group that this largely out of date now also recommended by Sinn Féin. It may also not be wholly compatible with the UN Convention on the Rights of the Child.

Sinn Féin requested deletion of paragraphs 1 (b), (d) and (e)

as these extended custodial sentencing beyond those necessary for the prevention of violence to wider society. The party also stated that this section will need harmonised 'with the current more detailed provisions developed by the CJV WG and Children and Young People (CYP) WG'. The UUP objected to deletion of 1 (d) and (e).

Insertion into clause 2 requested by children's rights group.

Replaced references to 'mental disorder' with 'mental incapacity': After concerns from the centre for Human Rights of Disabled People, who noted: 'Any grounds for detention should be based on mental incapacity, not mental disorder. Such a clause goes against human rights principles. It also fails dramatically to pass the 'particular circumstances of Northern Ireland' test in that it goes against the current broadly-based movement toward reform of Mental Health law in Northern Ireland. I would refer you to the excellent work of the Bamford Review in this highly technical area'.

LEVEL OF AGREEMENT

There was unanimous agreement on this provision excepting that:

- SF requested removal of second clause. UUP oppose
- this.
- The UUP also opposed the removal of article 2 (d).
- In final submission, the UUP opposed replacement of reference to mental disorder by mental incapacity.
- In same submission, UUP opposed right to prisoner to seek medical attention as this "should be a reserved matter and there are already legal provisions which cover this".
- The UUP also opposed inclusion of words 'and an effective remedy' in clause 5.

8. Right to a fair trial :

1 In the determination of his/her civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing without undue delay by an independent and impartial tribunal established by law. Everyone has a right to just administrative action that is lawful, reasonable and procedurally fair. Judgment shall be pronounced publicly but

the press and public may be excluded from all or part of the trial in the interests of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.

2. Everyone has a right to an appeal to a higher tribunal according to law.
3. Everyone charged with a criminal offence shall be presumed innocent until proved guilty according to law.
4. Everyone charged with a criminal offence has the following minimum rights:
 - a to trial by jury, unless objective and reasonable grounds are provided and that this requirement is incorporated in relevant legislation.
 - b to be informed promptly, in a language which he understands and in detail, of the nature and cause of the accusation against him/her;
 - c to have adequate time and facilities for the preparation of his/her defence;
 - d to defend himself/herself in person or through legal assistance of his/her own choosing or, if he has not sufficient means to pay for legal assistance, to be given it free when the interests of justice so require;
 - e to examine or have examined witnesses against him/her and to obtain the attendance and examination of witnesses on his/her behalf under the same conditions as witnesses against him;
 - f to have the free assistance of an interpreter if he cannot understand or speak the language used in court.

RATIONALE

This is a key right within the ECHR. Change to clause one was suggested as is felt that there is a gap in relation to civil claims and this provision can bolster protection. Part of new wording in 4(a) comes from Human Rights Committee recommendation to UK government, concluding observations, 6 December 2001, para 18.

LEVEL OF AGREEMENT

Unanimous agreement but with UUP dissenting on any improvement to ECHR standards as 'these are not particular to NI'. UUP opposed changes to article 2 'as it is already covered in law and is not appropriate to a Bill of Rights'. UUP opposed reference to 'right to trial by jury' extending to all those charged with 'criminal offences' as 'this is very expensive and not necessarily just or appropriate. Parking tickets should not be dealt with by juries'. SF stated that section needed to be 'harmonised with the current more detailed provisions developed by the CJV WG and CYP WG'.

9. No punishment without law

- 1 No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence under national or international law at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the criminal offence was committed.
- 2 This article shall not prejudice the trial and punishment of any person for any act or omission which, at the time when it was committed, was a war crime, crime against humanity or genocide.

RATIONALE

This is a right within the ECHR. The term 'civilised nations' was removed and replaced as it was felt to be outdated.

LEVEL OF AGREEMENT

There was unanimous agreement on this provision. In final submission, UUP changed position and stated that they did not endorse any change from the ECHR as 'this was not a NI issue'.

10. Right to respect for private and family life

- 1 Everyone has the right to respect for his/her private and family life, his/her home and all forms of communication. Families exist in diverse forms. No family may be subjected to discrimination on any of the grounds as identified in section 4 above. Everyone has the right to found a family.
- 2 There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health [or morals,] or for the protection of the rights and freedoms of others, including the right to freedom from domestic violence, and where in the best interests of the child.

RATIONALE

This is a right within the ECHR. Additional protection was felt necessary for the family, in particular to reflect concerns of discrimination against those on the basis of their sexual orientation in Northern Ireland.

LEVEL OF AGREEMENT

There was unanimous agreement on this provision except : Change to 10 (1) in regard to 'all forms of communication' coming from Children's Rights group and SF was opposed by UUP as it was 'too wide in interpretation and not practical'.

SF requested removal of reference to 'national security, economic well-being, health or morals'. UUP opposed saying 'national security is necessary for a state to protect its citizens'.

Change to 10 (2) inserting reference to domestic violence and interests of the child proposed by SF, opposed by UUP as 'there should be no derogation from the ECHR and this is not a matter for a Bill of Rights'.

In relation to removal of the term 'or morals' in para 2, the majority of the Working Group felt that this should be. Three members requested that it remain (including the UUP and Alliance).

11. Freedom of thought, conscience and religion

- 1 Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his/her religion or belief and freedom, either alone or in community with others and in public or private, to manifest his/her religion or belief, in worship, teaching, practice and observance.
- 2 Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health [or morals,] or for the protection of the rights and freedoms of others.

No one must be compelled to take an oath, or to take an oath in a manner that is contrary to his/her or her religion or belief or that requires him/her or her to express a belief that he or she does not hold.

RATIONALE

This is a right within the ECHR. The additional clause on taking an oath was felt to be necessary given the situation in Northern Ireland and the historical dimension to this issue.

LEVEL OF AGREEMENT

There was unanimous agreement on this provision. In relation to removal of the term 'or morals' in para 2, the majority of the

Working Group felt that this should be. Three members requested that it remain (including UUP, Alliance)

UUP in final submission wanted to change position in regard to compulsion to take an oath and to instead reserve its position.

12. Freedom of expression

- 1 Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. Everyone has the right to information. This article shall not prevent public authorities from requiring the licensing of broadcasting, television or cinema enterprises.
- 2 The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of public safety, for the prevention of disorder or crime, for the protection of health [or morals,] for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

RATIONALE

This is a right within the ECHR. Censorship was raised by the Group as having particular relevance in the history of Northern Ireland. On this basis it was therefore agreed that 'national security' and 'territorial integrity' be removed from para 2 as reflected in ECHR Article 10(2). A right to information was also included

LEVEL OF AGREEMENT

There was unanimous agreement on most aspects of this provision apart from the following:

- the right to information, the UUP did not agree with its

inclusion.

- In relation to removal of the term 'or morals' in para 2, the majority of the Working Group felt that this should be. Three members requested that it remain (including UUP, Alliance and one other)

- In its final submission, the UUP changed their position to oppose the right to information as it 'is covered already in domestic legislation'

13. Freedom of assembly and association

- 1 Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of his/her interests. Everyone has a right to form and to join a political party. Everyone has a right to strike and a right to engage in collective bargaining.
- 2 No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of, in particular, national security or public safety, for the prevention of disorder or crime, for the protection of health [or morals] or for the protection of the rights and freedoms of others and the right to live free from all forms of harassment as defined in section 2. This article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces, of the police or of the administration of the public authorities where such exercise does not concern trade union rights.

RATIONALE

This is a right within the ECHR. All members of the Group felt it necessary to include a specific provision on harassment given the particular circumstances in Northern Ireland.

LEVEL OF AGREEMENT

There was unanimous agreement on most aspects of this provision apart from the following :

- the UUP did not agree with the inclusion of a right to form and join a political party and did not agree to right to strike and collective bargaining.
- In relation to removal of the term 'or morals' in para 2, the majority of the Working Group felt that this should be. Three members requested that it remain (Including UUP and Alliance).

14. Right to marry and form civil partnerships

Everyone of marriageable age has the right to marry or enter into civil partnerships according to the laws governing the exercise of this right.

RATIONALE

This is based upon a right within the ECHR. It was expanded to include civil partnerships on the suggestion of CoSo and with the agreement of all members of the Working Group. The reference to 'marriageable age' was removed as it was believed this was already in legislation.

LEVEL OF AGREEMENT

There was unanimous agreement on this provision. UUP subsequently opposed any changes to ECHR in final submission.

15. Right to participation and Good Governance

Everyone shall have the right and the opportunity without discrimination:

1. to participate freely in public and political life and affairs, either directly or through freely chosen representatives;
2. the right to vote and to be elected at periodic genuine elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;

3. the right to access public service without discrimination, as defined in section 1 above.

4. the public authorities shall take active measures to ensure to everyone their full and effective participation on an equal basis in all matters affecting their rights.

RATIONALE

The inclusion of this right was felt necessary in order to ensure everyone had a right to participate in political processes in line with the Good Friday Agreement as well as broader concerns regarding the ability of individuals to be involved in decisions affecting their rights.

LEVEL OF AGREEMENT

All members agreed on the inclusion of this right apart from the UUP. New wording on clause 4 reflects some discussions in the culture, language and identity group. It is taken from the Framework Convention for National Minorities and that all members of that working group are in favour of including these provisions in their draft. UUP opposed this in final submission as it was 'very impractical for the authorities to enforce this'. Reference to Good Governance suggested by Sinn Féin and opposed by UUP in final submission.

16. Right to Protection of Property

Every natural or legal person is entitled to the peaceful enjoyment of his/her possessions. No one shall be deprived of his/her possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of a public authority to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

RATIONALE

This is a right within the ECHR.

LEVEL OF AGREEMENT

There was unanimous agreement on the inclusion of this right.

17. Freedom of movement:

1. Everyone has a right to freedom of movement and freedom to choose his/her residence.

2 Everyone shall be free to leave any country, including his/her own.

3. No one shall be arbitrarily deprived of the right to enter his/her own country.

4. Every citizen has the right to a passport.

5. Everyone has the right to seek and to enjoy in other countries asylum from persecution.

6. The above-mentioned rights shall not be subject to any restrictions except those which are provided by law, are necessary to protect national security, public order, public health [or morals] or the rights and freedoms of others.

RATIONALE

The wording for this right drew upon Protocol 4 to the ECHR as well as other international instruments. It was felt necessary given the situation in Northern Ireland, particularly in relation to housing, borders and other issues.

LEVEL OF AGREEMENT

All members of the working group apart from UUP agreed on this right; UUP reserved their position and in their final submission reversed this position to oppose it. In addition, the majority of the Working Group felt that the term 'or morals' should be removed. Three members of the working group requested that it remain. UUP final submission opposed freedom to movement as the UK 'has a derogation from this. This is necessary to control terrorism'.

18. Right to nationality

1. Everyone has a right to a nationality.
2. No one shall be arbitrarily deprived of his/her nationality nor denied the right to change his/her nationality.
3. Everyone born within the jurisdiction has a right to British or Irish nationality or both.
4. Neither marriage or civil partnership nor the dissolution of a marriage or civil partnership between a national and an alien, nor the change of nationality by one of the spouses during marriage or partners during the civil partnership, shall automatically affect the nationality of the other spouse or partner.
5. The laws on nationality shall not contain distinctions or include any practice which amount to discrimination.

RATIONALE

The inclusion of 18 (3) right was felt necessary given Northern Ireland's history and British/Irish nationality. There were also concerns raised regarding protection for migrants which has become of increasing relevance in Northern Ireland.

LEVEL OF AGREEMENT

There was agreement from all members of the Working Group on the inclusion of this right apart from UUP. 'These rights are a matter for national governments'. UUP changed position on 18 (4) to oppose it as 'this is beyond the remit of a Bill of Rights. It is a matter for national Governments'.