

## Joint statement from UK NHRIs on the ECHR

As the National Human Rights Institutions for the United Kingdom, we each protect and promote human rights. That includes explaining how the European Convention on Human Rights (ECHR) benefits us and the risks to everybody in the UK if these freedoms and protections are weakened.

The ECHR gives legal force to rights that belong to all of us and that we can recognise as fair and reasonable. These include our right to life, freedom from torture, right to private and family life, and freedom of expression. These are shared values that our governments have a legal obligation to uphold.

The ECHR is part of UK law, incorporated by the Human Rights Act 1998, and has shaped our laws ever since. This means that wherever anyone in the UK comes into contact with the state – whether in a school, a hospital, a police station or a care home – their rights are protected and they can seek justice if those rights are breached. These protections belong to all of us, regardless of who we are.

In Northern Ireland the Human Rights Act also serves as a central safeguard to the peace process, and any weakening of the ECHR's application would conflict with the UK's commitments under the Belfast (Good Friday) Agreement. The Human Rights Act is also integral to the foundational legislation of the Scottish Parliament.

Last year 27 out of the 46 Council of Europe member states, including the UK, asserted the need to 're-balance' and 'clarify' individual rights and state responsibilities in relation to migration. Those member states expressed an intention to adopt a political declaration relating to ECHR articles 3 (prohibition of torture and inhuman or degrading treatment) and 8 (right to private and family life).

We urge the UK government to commit to no reduction in rights protections. The principle of universality is fundamental to human rights: rights that can be removed from some people are no longer rights for everyone. The erosion of anyone's rights puts us all at risk; it signals that these shared standards are not guaranteed and that any of our rights could be subject to debate.

The ECHR already provides governments with the flexibility to pursue legitimate aims - including managing borders and maintaining public safety - whilst ensuring that minimum protections are upheld for everyone. Public concerns about immigration and border security are a legitimate matter for government attention. But the Convention does not present a barrier to effective immigration control; instead it provides a framework to balance people's right to private and family life with vital

public interests such as national security and prevention of crime; and sets out the limited circumstances in which article 3 applies to prevent torture and inhuman or degrading treatment.

We therefore ask that the UK government shares further detail on its proposals, explaining specifically how it intends to ensure there is no reduction in rights protections.

We will continue to monitor the government's plans closely and stand ready to advise ministers on the implications for human rights protections in the UK.

**Equality and Human Rights Commission**

**Scottish Human Rights Commission**

**Northern Ireland Human Rights Commission**