



NORTHERN
IRELAND
HUMAN
RIGHTS
COMMISSION

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Press Release: Immediate

Human rights concern over land border checks

The Northern Ireland Human Rights Commission has voiced concerns that Government plans to introduce checks on people crossing the land border may lead to racial discrimination. These plans are part of a package of reforms to the Common Travel Area (CTA) between the UK and Ireland which include ending the CTA as passport free zone on air and sea routes. The Borders, Citizenship and Immigration Bill which will introduce these reforms if passed through Parliament is due to be debated in the House of Lords today.

NIHRC Chief Commissioner Monica McWilliams commented:

"The Human Rights Commission is extremely concerned that the proposed land border checks could lead to racial profiling and as a result impact significantly on minority ethnic persons, crossing or just living or working near the land border. As these measures could lead to ethnic minorities having constantly to carry identity papers or face frequent questioning regarding their status and, potentially, detention."

The United Kingdom Borders Agency (UKBA) is yet to clearly set out which powers will be used for its operations along the land border. The UKBA argues checks will 'target non-CTA nationals' and will not mean British and Irish citizens routinely have to carry documents to cross the land border.

Monica McWilliams added:

"The UKBA is both saying that British and Irish citizens will not have to carry passports or ID cards to cross the land border but that anyone stopped will have to 'satisfy' an immigration officer they are British or Irish citizens. How this will work in practice is unclear.

The Commission questions how those policing the land border are going to be able to tell who is a British or Irish citizen and who is not? What is clear however is that any practice of singling out persons visibly from a minority ethnic background is simply not acceptable."

Further information

For further information, please contact Claire Martin, Press and Public Affairs Worker (028) 9024 3987 (office), 07717731873 (mobile).

1. The Northern Ireland Human Rights Commission was established in 1999, by the Northern Ireland Act 1998, to protect and promote the human rights of everyone in Northern Ireland. The powers and functions of the Commission include reviewing law and practice, advising the government, promoting an awareness of human rights and taking cases to court.
2. The Borders, Citizenship and Immigration Bill was introduced in the House of Lords on 14 January 2009, its discussion in Committee began on the 25th February. The next Committee stage discussion takes place in the House of Lords on 4 March 2009 at 2.30pm.
3. The Commission has also expressed concerns regarding other elements of the Bill including the rationale and implications of reforms to naturalising as a British Citizen in relation to 'earning' rights and longer periods without social protection.
4. The Commission's "*Briefing paper on The Borders, Citizenship, and Immigration Bill for The House Of Lords Committee stage, 25 February 2009*" which outlines these further concerns is available [here](#)
5. The Common Travel Area (CTA) between the UK, the Republic of Ireland, the Channel Islands and Isle of Man has existed essentially as a free movement zone since the 1920s.¹ The CTA is described by government as permitting British and Irish citizens "to move freely between the jurisdictions without the

¹ The CTA was given full statutory recognition in the UK under the Immigration Act 1971 and Immigration (Control of Entry through the Republic of Ireland) Order 1972 (as amended).

requirement to carry a passport".² Section 1(3) of the Immigration Act 1971 provides for arrival in the UK from elsewhere in the CTA not to be subject to control and for persons to not usually require leave to enter the UK from elsewhere in the CTA, subject to certain exceptions.

² Final Impact Assessment of Common Travel Area Reform (hereafter the CTA Impact Assessment) published with the Bill [Paragraph 1.3 Evidence Base]