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# Lawyers Committee for Human Rights

#141489

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November 15, 1995

**President Bill Clinton**  
**The White House**  
**Washington, DC 20500**

Dear Mr. President:

We are writing to you in connection with your upcoming visit to Northern Ireland. Your visit comes at a critical moment in the political discussions relating to Northern Ireland. In our view, it would be especially important for you to express your concerns about human rights in the context of your visit.

It would be very helpful if you would stress that issues of fundamental rights were core to the creation of this conflict. They remain at the center of its resolution. Rights are the domain of no one community in Northern Ireland. Americans have long understood the centrality of rights to the creation of a strong and mature society. With its long tradition of rights protection and enforcement, the United States recognizes the need to create protective structures for all members of society. As the people of Northern Ireland begin the process of sitting down with one another and recontracting the basis upon which they share a geographical space, the protection of inclusive rights is central to creating a safe environment in which to start that process.

Rights are the domain of no one group over another, nor are they bargaining chips to be traded. Celebrating 50 years of the United Nations, the world community is reevaluating the pivotal function of international human rights standards in providing a minimal yardstick by which to construct and measure our societies' successes for their members. Conflict situations, such as that faced by Northern Ireland over the past three decades, raise particularly difficult problems relating to reconciliation and reconstruction. The clear starting point is a recognition of the pain and suffering caused on all sides, be they victims of either paramilitary or state abuses. Only by affirming the fundamental dignity of each person can the process of rebuilding and restarting commence.

Confidence in the state and its accountability to citizens is a key note of this rebuilding. The administration of justice in Northern Ireland has been

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November 15, 1995  
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significantly undermined by the conflict. The rebuilding process—politically, socially and legally—is an urgent priority. The continued use of emergency legislation is hampering this process by imposing an extraordinary legal regime on a society which is attempting to stand on its own feet and reaffirm its place in the European and world community. This problem was highlighted by the Human Rights Committee of the United Nations in its comments on the United Kingdom country report in July this year. Emergency laws deprive people of the most basic of due process rights protected under international law, and are allowed in only the most severe of political circumstances by international standards. We see no reason for their continued imposition on all the citizens of Northern Ireland, Protestant and Catholic. It would be very useful for you to explicitly make reference to these emergency laws, and to stress the importance of their repeal as expeditiously as possible.

Also central to political conflict in Northern Ireland is the issue of economic and social development. The priority given by the United States government to this issue has been clearly evident in both its Belfast and Washington conferences, focussed upon economic investment in Northern Ireland. Investment in Northern Ireland should seek to make inclusive economic benefits for all members of society, Catholic and Protestant. Investment must take cognizance of structural disadvantage and disequilibrium. Northern Ireland has a number of particularly disadvantaged communities, resulting from historical inequity and over three decades of conflict. Investment should be targeted to the areas of greatest social need as a natural parallel to strengthening the process of political reconciliation. These two parallel tracks cannot be disassociated from one another. Failure on one, limits both.

Linked to inward investment is the issue of the fairness of employment practices in the jurisdiction. Northern Ireland's political history is a testament to the failure to provide such impartiality. The current review by the standing Advisory Commission on Human Rights and Fair Employment is a central measure of the commitment to creating accountability and openness. Any comments you would make in support of this process would be very helpful.

Throughout the conflict and the current transition, human rights organizations have played a key role in linking communities and grassroots organizations to the peace process. They maintain that dignity and fundamental rights are the domain of no one group over another, and are a key element of long term resolution of the conflict. Local non-governmental organizations need recognition and support. We urge you and others in your administration to acknowledge the centrality of both these organizations and their human rights agenda for change in this process.

Inclusive discussion about human rights provides the means to start a discussion about the wider issues of accommodation and reconciliation. The United States is in a key position, with its long history of prioritizing rights, to encourage and facilitate this discourse. Your Administration has shown strong leadership in encouraging the parties to the conflict in Northern Ireland to come to the

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bargaining table and begin the process of rebuilding their society with one another. We urge you to demonstrate the same leadership in stressing the centrality of human rights to the resolution of this conflict. We would be eager to meet with you or your representatives as you make final preparations for your visit to Northern Ireland later this month. We hope that you will consider raising publicly the themes discussed here in the course of your visit.

Sincerely,

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Michael Posner

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