RELATIVES FOR JUSTICE
The untold stories of Relatives, Victims, and Survivors

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Prepared by: Relatives for Justice (RFJ)

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Joint Committee on Justice, Home Affairs and Migration

General Scheme of the Legacy of the Troubles Bill 2026

Leinster House, Dublin

Relatives for Justice (RFJ) is a human rights-framed victim support NGO providing holistic support services to the bereaved and injured of all the actors in the conflict on an inclusive and non-judgemental basis. We also seek to examine and develop transitional justice and truth-recovery mechanisms, assisting with individual healing, contributing to positive societal change, and ensuring the effective promotion and protection of human rights, social justice and reconciliation in an emerging participative post-conflict democracy.

OPENING STATEMENT

[1]

May we begin by thanking the Committee for hosting this important evidence giving exercise and discussion. In opening we remind the Committee of a statement made by the government on the Joint Framework Agreement, the document from which this proposed legislation emanates:

> "The Irish Government made clear from the outset that any agreed joint approach to legacy by the two governments would need to meet two tests; compliance with the European Convention on Human Rights, and capable of securing the support of those most affected, especially the families of those killed." (Gov IE 19 09 2025).

It is now over a year since the Joint Framework Agreement and the introduction by the British government of its (troubled) Troubles Bill, which also purported to reflect the promise of the Labour Party Manifesto commitment regarding the Legacy Act 2023.

The Joint Framework Agreement is the lens through which this legislation under scrutiny is reflected or mirrored.

For families, the Joint Framework Agreement offered a glimmer of expectation over a year ago – the expectation being that there would be:

- A return to the principles of the Stormont House Agreement 2014 – principles betrayed to families and to the Irish government by the Legacy Act 2023.
- The delivery of a mechanism to deliver information-retrieval and delivery in accordance with ECHR and international human rights standards.

The Joint Framework committed (I use the past tense):

- both the Irish and British governments to be guided by the principles of the 2014 Agreement on 'dealing' with legacy of the past – the conflict - including 'facilitating the pursuit of justice and information recovery; human rights compliance' (page 5).
- committed the Irish government to 'recognising that investigations into Troubles-related incidents should be victim centred' (page 6).

[2]

Truth-recovery, for families, is the core demand to facilitate understanding and recovery and to any possibly of any externally (politically) imposed attempt at reconciliation.

To date, there has been delay through legislative sclerosis at Westminster: families are conditioned to this, they expect the tactics of delay deployed as attrition.

As the Joint Committee (Human Rights) noted in its Report following scrutiny of the Troubles Bill – reading we commend to this Committee:

> "We echo the sentiment expressed by Relatives for Justice on the effect which that legislative uncertainty has had on people: Each legislative change or delay reopens deep wounds for families who have endured decades of uncertainty… These are not administrative inconveniences but repeated cycles of harm that force families to relive their loss and re-experience the trauma of violence" (page 8 at 8)[1]

As the UN Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence noted in his brief delivered to Parliamentarians at Westminster on 20 April 2006 – reading we commend to this Committee:

> "The UN mandate on truth, justice, reparation and non-recurrence was created to accompany states through these processes; to identify the gaps between aspiration and international obligation; and to speak on behalf of victims who are too often absent from the rooms where these decisions are made." (pages 6 – 7)[2]

Families are often absent from the rooms where these decisions are made – RFJ seeks to speak on their behalf today from our deep experience, day after day, in assisting those families seeking truth as an aid to their recovery and their reconciliation with their loss.

[3]

As we noted in our Written Submissions to the Committee (paragraph 2), we do not consider these remarks to be unnecessary or superfluous in they relate directly to the Heads of the Bill. They are the compelling context of the reality for families confronted with denial and delay. The General Scheme of the Legacy of the Troubles Bill 2026 is not ECHR-compliant and therefore does not fulfil the expectations of families (and indeed the government) in terms of the Joint Framework Agreement 2025 or the Stormont House Agreement 2014.

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[1] Legislative Scrutiny: Northern Ireland Troubles Bil HC 162 / HL Paper 49 (published 7 September 2026)

[2] International Standards and the Legacy of the Troubles by the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Pr. Bernard Duhaime, Ad. E.

For example:

- Head 4 Power to enter into agreements with Legacy Commission – on the face of the UK Bill as stands the Legacy Commission will not be ECHR-compliant. The discredited ICRIR mechanism will transition into the Legacy Commission which fails on the *prima facie* grounds of the National Security veto and the lack of independence in appointments. The DFA Minister has been consistent in expressing the view of her government that the ICRIR is unlawful.

- Heads 5 – 11 Taking of evidence for purposes of inquisitorial proceedings – the proposed inquisitorial proceedings mechanism is not ECHR-compliant. Decisions regarding legacy-inquests will be decided by a Member of the Executive (the Solicitor-General as Advocate-General for Northern Ireland) not by a judicial panel member appointed by the Northern Ireland Judicial Appointments Commission (NIJAC) (a position in itself undermining the Good Friday Agreement 1998). Those inquisitorial proceedings will be subject to restrictions on evidence and access by way of Ministerial intervention.

- Heads 6 and 18 are the imposition of a National Security veto based on the exercise of Ministerial discretion and absent an identifiable ground for legal challenge. The alleged safeguard of 'consultation' is inadequate if the proposed statutory regime lacks independence in decision-making in the disclosure of information (direct or onwards) leads to the appearance of impunity contrary to the UN guidelines we directed the Committee to in our Written Evidence (paragraph 48)

As the Joint Committee (Human Rights) commented regarding the National Security veto in the UK Troubles Bill: "The Troubles Bill has been drafted to give the government the maximum control possible over disclosure" (page 19). This Bill replicates the provision of that control over information which: "This creates a tension. As Relatives for Justice stated in their written evidence, 'such material is often the most demanded and contested in the truth and accountability processes which are core to the needs of families'" (page 9 at 18).

In a recent Report - reading we commend to this Committee - the UN Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence recommends that States:

> "Adopt laws and policies to uncover and promote accurate accounts of past violations, promoting a culture of maximum disclosure and accountability. Information regarding gross violations of human rights must not be withheld on national security grounds. When limitations are deemed absolutely necessary, the

State has the burden of proof in demonstrating that the exceptions are compatible with international human rights law."[3]

This Bill, subject to scrutiny by this Committee, fails the two tests identified by the government on 19 September 2025. It fails families when there is a statutory alternative by way of a return to the Stormont House Agreement 2014.

Therefore, RFJ urge this Committee to recommend to the government that it maintain the inter-state application to the ECtHR until compliance can be achieved enabling the delivery of truth, justice, accountability/acknowledgement to families. **ENDS**

[3] *Denialism, negationism and revisionism of serious violations of human rights and humanitarian law in transitional justice contexts* Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Bernard Duhaime 6 July 2026