

## **1. Policy Title and aims**

Please state the title and objective of the policy/proposal you are working on.

### **The Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2021**

As part of its response to the Covid-19 pandemic, on 8<sup>th</sup> June 2020 the Northern Ireland Executive introduced The Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2020. The relevant Human Rights Impact Assessment can be accessed on the Department of Health website at:

<https://www.health-ni.gov.uk/sites/default/files/publications/health/corono-international-travel-human-rights-assessment.pdf>

These 2020 Regulations imposed requirements on individuals arriving in Northern Ireland and who had been in a country outside the Common Travel Area (comprising the United Kingdom, the Republic of Ireland, the Isle of Man, and the Channel Islands) in order to prevent the spread of infection or contamination from coronavirus. Provision for enforcement was included in the 2020 Regulations.

The 2020 Regulations were made under powers in Section 25B and 25F(2) of the Public Health Act (Northern Ireland) 1967, which enables the Department to make regulations making provision for preventing danger to public health from vessels, aircraft, trains or other conveyances arriving at any place.

A number of amendments have been made to the 2020 Regulations since coming into operation, for example on exemptions, enhanced restrictions for travellers from certain countries (including so-called 'red list' countries) etc.

More than 2,000 people have died to date as a result of Covid-19 in Northern Ireland. The emergence of new Covid-19 variants of concern, potentially with higher transmission rates or affecting vaccine efficacy, could have significant adverse effects on public health in Northern Ireland. The scientific evidence and analysis underpinning this threat to public health, provided by the Joint Biosecurity Centre, is balanced against necessary curtailment of individual rights as noted in this assessment.

It is also worth noting the enhanced risk to the Northern Ireland population posed by the land border with the Republic of Ireland, which distinguishes us from the rest of the United Kingdom. This risk is being managed in a number of ways, including data sharing, joint contact tracing and regular sharing of ideas and solutions.

The Department has therefore consolidated the 2020 Regulations, taking the opportunity to introduce measures to further prevent the spread of infection or contamination from virus variants of concern.

The Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2021, which came into effect on 16<sup>th</sup> April, include provisions that:

- i. require arrivals from countries with a high risk of community transmission of a variant of concern ('red list' countries) to quarantine in managed facilities for 10 days; and

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- ii. introduce mandatory testing, on day 2 and day 8 post-arrival, to improve understanding and tracing of variants of concern.

An appropriate enforcement framework is included in the 2021 Regulations.

These measures are consistent with measures already in place in the other countries within the United Kingdom and that have been introduced into the Republic of Ireland on 26<sup>th</sup> March 2021. Anyone travelling to Northern Ireland via GB or RoI is subject to the Regulations in that jurisdiction, including potential managed quarantine (which would negate their need to enter managed quarantine in Northern Ireland).

### **2. Rights which the policy/proposal engage**

Go through each of the rights detailed in the table below. For each one consider whether the policy/proposal you are working on could involve the right. Explain how the right is engaged.

Right	Yes/No	Explanation
Article 2 Right to life	Yes	<p>Article 2 contains two substantive obligations:</p> <ul style="list-style-type: none"> <li>i. the general obligation to protect by law the right to life; and</li> <li>ii. the prohibition of intentional deprivation of life, delimited by a list of exceptions.</li> </ul> <p>The former of these obligations enjoins the State not only to refrain from the intentional and unlawful taking of life but also to take appropriate steps to safeguard the lives of those within its jurisdiction. In broad terms, this positive obligation has two aspects:</p> <ul style="list-style-type: none"> <li>a. the duty to provide a regulatory framework; and</li> <li>b. the obligation to take preventive operational measures.</li> </ul> <p>Historical Article 2 case law has not addressed a national public health threat such as the Covid-19 pandemic. The European Court of Human Right (ECtHR) however has found that the acts and omissions of authorities in the context of public health policies may, in certain circumstances, engage the Contracting Parties' responsibility under the substantive limb of Article 2.</p> <p><u>The measures included in the 2021 Regulations meet the positive obligations required under Art 2 to protect the right to life. As noted above, more than 2,000 people have died from Covid-19 in Northern Ireland and the measures seek to minimise the risk of further deaths.</u></p>
Article 3	Yes	Article 3 of the Convention states that no one shall be subjected to torture or to inhuman or degrading

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Prohibition of torture, inhuman and degrading treatment		<p>treatment or punishment. In the context of national public health threats such as the virus, obligations may arise under Article 3 to protect the population from inhuman and degrading treatment, insofar as this may flow from avoidable public health risks and/or an absence of available or effective medical treatment.</p> <p><u>The measures included in the 2021 Regulations, together with existing measures such as contact tracing and vaccines, meet the positive obligations required under Art 3 through minimising the risk to the general population, and an individual's, health.</u></p>
Article 4 Prohibition of slavery and forced labour	No	
Article 5 Right to liberty and security of person	Yes	<p>The Article 5 right to liberty and security of person is subject to 6 permitted restrictions, one of which is the detention "...to stop the spread of an infectious disease...".</p> <p>The principal 'new' measure included in the 2021 Regulations is that an individual travelling to Northern Ireland from a 'red list' country will be required to enter managed quarantine for a period of at least 10 days. That period is designed, in conjunction with testing on days 2 and 8 post-arrival, to ensure there is minimal risk to the spread of the Covid-19 virus or variants of concern.</p> <p>There are a number of restrictions on an individual during their period of managed quarantine. They will be restricted in their movement around the facility in which they are accommodated, they will be subject to facility policies, for example no smoking in communal areas, and will not be able to receive visitors. They will though be permitted outside of the facility for exercise, smoking and any other specified exemption, for example to attend a funeral.</p> <p>No one is under any supervision or control as to what they do within their personal accommodation in the facility. Powers are available for an authorised person to enforce the isolation requirements, but it is expected that they would do so only where they encounter anyone not complying during the course of their usual duties.</p> <p>Regulation 22 of the 2021 Regulations also provides for a 'power of entry' whereby a Constable may enter premises where an individual is suspected of not entering managed quarantine, with the purpose of returning them to such managed quarantine. This power is subject to the approval of a warrant by a magistrate's court when being exercised at a private</p>

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		<p>dwelling. This provides a measure of safeguarding to ensure the power is appropriately used in the most invasive circumstances.</p> <p><u>Given the flexibility of the measures in the 2021 Regulations, including the flexibility to temporarily exit managed quarantine, the Department considers that the lawful deprivation of liberty which they entail is proportionate to the need to prevent the spread of an infectious disease.</u></p>
Article 6 Right to a fair trial	No	
Article 7 No punishment without law	Yes	<p>The 2021 Regulations introduce an appropriate enforcement framework in clear and intelligible terms, providing that individuals not adhering to the requirements therein will be committing a criminal offence and subject to penalties in the form of fines and/or imprisonment.</p> <p><u>The Department will make the potential for enforcement clear, through publication and communication of requirements, to anyone subject to the measures in the 2021 Regulations.</u></p>
Article 8 Right to respect for private and family life	Yes	<p>The requirement to enter managed quarantine will most likely amount to an interference within the meaning of Article 8.</p> <p>Article 8(2) enumerates the legitimate aims which may justify an infringement of the rights protected in Article 8 and includes the interests of public safety and the protection of health.</p> <p>It must also be in accordance with the law and necessary in a democratic society. The ECtHR has affirmed that the notion of “necessity” for the purposes of Article 8 means that the interference must correspond to a pressing social need, and, in particular, must remain proportionate to the legitimate aim pursued.</p> <p>Regulation 22 of the 2021 Regulations also provides for a ‘power of entry’ whereby a Constable may enter premises where an individual is suspected of not entering managed quarantine, with the purpose of returning them to such managed quarantine. This power is subject to the approval of a warrant by a magistrate’s court when being used in the context of a private dwelling.</p> <p><u>The need to reduce or prevent the transmission of the virus in Northern Ireland, particularly through variants of</u></p>

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		<u>concern, is a pressing social need given the scale and severity of the public health threat. The measures in the 2021 Regulations therefore, which were also subject to legal process to become lawful, are justified interference with the rights under Article 8.</u>
Article 9 Freedom of thought conscience and religion	Yes	<p>This right is qualified and may be interfered with where prescribed by law and necessary in a democratic society and necessary in the interests of public safety and the protection of health.</p> <p>Although individuals in managed quarantine will not be able to physically attend a place of worship alone or in community with others, this is currently in line with the approach taken by many places of worship under the general health restrictions i.e. many places of worship are not providing services etc. Attendance though is facilitated online by many places of worship.</p> <p><u>Managed quarantine facilities will enable, should the individual wish, access to online support and services, such as those provided by a place of worship. Any infringement of rights of freedom to practise religion in community with others, is considered to be justified in the interests of public safety and the protection of health.</u></p>
Article 10 Freedom of expression	Yes	<p>Entering managed quarantine does not interfere with an individual's freedom to hold ideas or to receive and impart information and ideas. It may though restrict the manner in which the individual can express those ideas, for example although the individual will have access to wifi and telephones, they will be restricted from physically gathering in groups to discuss information or ideas.</p> <p><u>This right is qualified. It may be interfered with when prescribed by law and necessary in a democratic society in the interests of public safety and the protection of health. The measures included in the 2021 Regulations are justified interference with the Article 10 right.</u></p>
Article 11 Freedom of assembly and association	Yes	<p>This right will be interfered with during the period of managed quarantine as individuals will not be able to physically meet in groups.</p> <p><u>The right is qualified and may be interfered with where this is prescribed by law and necessary in a democratic society in the interests of public safety and the protection of health. The Department considers that the measures included in the 2021 Regulations constitute justified interference with the Article 11 right.</u></p>
Article 12	No	

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Right to marry and found a family		
Article 14 Prohibition of discrimination	Yes	<p>The introduction of managed quarantine applies to specified 'red list' countries, with alternative arrangements applicable to individuals arriving in Northern Ireland from other countries. Although the policy applies to everyone, regardless of grounds, the existence of a 'red list' may have a disproportionate effect on citizens of those countries.</p> <p><u>A state is permitted to treat individuals differently if it has an objective and reasonable justification for doing so. As noted above, the measures included in the 2021 Regulations are for the reduction or prevention of the transmission of the Covid-19 virus in Northern Ireland, particularly through variants of concern, and are therefore an objective and reasonable justification.</u></p>
Protocol 1, Article 1 Right to peaceful enjoyment of Property/possessions	Yes	<p>An individual entering managed quarantine may be prevented from arriving at their home i.e. they will be required to spend at least 10 days in a managed facility rather than being able to self-isolate at home with full access to their property there.</p> <p>A state can deprive (though the measures in the 2021 Regulations are a deferral of access rather than deprivation) someone of their property if that is justified in the public interest.</p> <p>Regulation 22 of the 2021 Regulations also provides for a 'power of entry' whereby a Constable may enter premises where an individual is suspected of not entering managed quarantine, with the purpose of returning them to such managed quarantine. This power is subject to the approval of a warrant by a magistrate's court.</p> <p><u>The measures in the 2021 Regulations are for the reduction or prevention of the transmission of the Covid-19 virus in Northern Ireland, particularly through variants of concern, and are therefore clearly in the public interest.</u></p> <p><u>In addition, the period of managed quarantine is timebound and any deferral of access to property is proportionate to the risks incurred by allowing immediate access.</u></p>
Protocol 1, Article 2 Right to education	Yes	<p>Although individuals in managed quarantine will not be able to physically attend places of education, in line with recent general health restrictions and the provision of remote learning, those wishing to access education can do so online for the period of the managed quarantine.</p>

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		<u>Managed quarantine facilities will enable, should the individual wish, access to online education for the period of their managed quarantine. The measures included in the 2021 Regulations therefore meet this right of Article 9. However, the period of managed quarantine is timebound and the physical inability to access a place of education is proportionate to the risks inherent in the alternative course of conduct.</u>
Protocol 1, Article 3 Right to free elections	No	

### **3. Rights which the policy/proposal interferes with or limits**

Will the policy/proposal interfere with or limit any of the rights you identified as being engaged? If so, explain how the right is interfered with or limited.

<b>Right</b>	<b>Yes/No</b>	<b>Explanation</b>
Article 2 Right to life	Yes	The measures included in the 2021 Regulations meet the positive obligations required under Art 2 to protect the right to life.
Article 3 Prohibition of torture, inhuman and degrading treatment	Yes	The measures included in the 2021 Regulations meet the positive obligations required under Art 3 through minimising the risk to the general population, and an individual's, health.
Article 5 Right to liberty and security of person	Yes	The measures included in the 2021 Regulations will result in individuals not being able to move freely around Northern Ireland. The Department considers any loss of liberty resulting from these measures constitutes a lawful deprivation of liberty to prevent the spread of an infectious disease.
Article 7 No punishment without law	No	This right is not interfered with by the Regulations.
Article 8 Right to respect for private and family life	Yes	<p>The requirement to enter managed quarantine will most likely amount to an interference within the meaning of Article 8. The measures included in the 2021 Regulations though are designed to reduce or prevent the transmission of Covid-19 in Northern Ireland. They are also subject to due law making process, and are therefore justified interference with the rights under Article 8.</p> <p>Furthermore, with regard to regulation 22 'power of entry', such action will in certain circumstances be subject to the approval of a warrant issued by a magistrate's court.</p>

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Article 9 Freedom of thought conscience and religion	Yes	Although individuals in managed quarantine will not be able to physically attend a place of worship, managed quarantine facilities will enable, should the individual wish, access to online support and services, such as those provided by a place of worship. The measures included in the 2021 Regulations therefore may meet the right of Article 9, however, any interference with the right is proportionate and justified during the pandemic.
Article 10 Freedom of expression	Yes	Entering managed quarantine may restrict the manner in which an individual can express his/her ideas. This right though is qualified and may be interfered with where prescribed by law and necessary in a democratic society and necessary in the interests of public safety and the protection of health. The measures included in the 2021 Regulations justify any any interference with the Article 10 right.
Article 11 Freedom of assembly and association	Yes	<p>This right will be interfered with during the period of managed quarantine as individuals will not be able to physically meet in groups.</p> <p>The right is qualified and may be interfered with where they are prescribed by law and necessary in a democratic society and necessary in the interests of public safety and the protection of health. The measures included in the 2021 Regulations justify any interference with the Article 11 right.</p>
Article 14 Prohibition of discrimination	Yes	A state is permitted to treat individuals differently if it has an objective and reasonable justification for doing so. The measures included in the 2021 Regulations will treat individuals differently according to where they have travelled from. They are though for the reduction or prevention of the transmission of the Covid-19 virus in Northern Ireland, particularly through variants of concern, which constitutes an objective and reasonable justification.
Protocol 1, Article 1 Right to Property	Yes	<p>An individual entering managed quarantine will be required to spend at least 10 days in a managed facility rather than being able to self-isolate at home with full access to their property there.</p> <p>A state may legitimately deprive (though the proposed measures are a deferral of access rather than deprivation) someone of their property if justified in the public interest.</p> <p>Furthermore, with regard to regulation 22 'power of entry', any such action will be subject to the approval of a warrant by a magistrate's court.</p> <p>The measures included in the 2021 Regulations are for the reduction or prevention of the transmission of the Covid-19 virus in Northern Ireland, particularly through variants of concern, and are therefore clearly in the public interest.</p> <p>In addition, the period of managed quarantine is timebound and any deferral of access to property is proportionate.</p>



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Protocol 1, Article 2 Right to education	Yes	Although individuals in managed quarantine will not be able to physically attend places of education, they can do so online for the period of the managed quarantine.  The measures included in the 2021 Regulations therefore may meet this right of Article 9, however, the period of managed quarantine is timebound and the physical inability to access a place of education is proportionate.
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### **4. Those affected by the interference/limitation**

Identify who could be affected by the interference or limitation, e.g. sections of society or people with certain beliefs or opinions, and explain how they could be affected.

Who could be affected?	How could they be affected?
Anyone arriving from countries with a high risk of community transmission of a Covid-19 variant of concern ('red list' countries).	They will have to enter managed quarantine facilities for a period of at least 10 days and be subject to mandatory Covid-19 testing, a negative result of which must be achieved to leave the facility.

### **5. Legal basis for interference/limitation**

Is there a law which allows you to interfere with or limit the rights identified in Question 4?

Any interference with or limitation on a Convention right must have a legal basis. You therefore need to establish whether there is a law which allows the proposed interference or limitation.

Relevant legislation:

Section 25B and 25F Public Health Act (Northern Ireland) 1967

The Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2021 are made under the primary legislation above.

Alternatively, the policy/proposal may involve the creation of a new law which allows for the interference or limitation. If this is the case, please detail and explain in the box below.

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**6. Purpose of the policy/proposal**

Even if the interference or limitation in the policy/proposal is according to the law there are further conditions which must be met. The purpose of the policy/proposal must pursue a legitimate aim or fall under one of the specific exceptions in the Article in question.

Right	Exception/Limitation	Explanation
Article 2 Right to life	Exception	The measures included in the 2021 Regulations are positive and required to protect the right to life.
Article 3 Prohibition of torture, inhuman and degrading treatment	Exception	The measures included in the 2021 Regulations are positive and required to minimise the risk to the general population, and an individual's, health.
Article 5 Right to liberty and security of person	Limitation	The measures included in the 2021 Regulations may amount to a lawful deprivation of liberty to prevent the spread of an infectious disease.
Article 7 No punishment without law	Limitation	The measures included in the 2021 Regulations are designed to reduce or prevent the transmission of Covid-19 in Northern Ireland and to minimise the risk to the general population, and an individual's health.
Article 8 Right to respect for private and family life	Limitation	The measures included in the 2021 Regulations are designed to reduce or prevent the transmission of Covid-19 in Northern Ireland and to minimise the risk to the general population, and an individual's health.
Article 9 Freedom of thought conscience and religion	Limitation	The measures included in the 2021 Regulations are designed to reduce or prevent the transmission of Covid-19 in Northern Ireland and to minimise the risk to the general population, and an individual's health.
Article 10 Freedom of expression	Limitation	The measures included in the 2021 Regulations are designed to reduce or prevent the transmission of Covid-19 in Northern Ireland and to minimise the risk to the general population, and an individual's health.

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Article 11 Freedom of assembly and association	Limitation	The measures included in the 2021 Regulations are designed to reduce or prevent the transmission of Covid-19 in Northern Ireland and to minimise the risk to the general population, and an individual's health.
Article 14 Prohibition of discrimination	Limitation	The measures included in the 2021 Regulations are designed to reduce or prevent the transmission of Covid-19 in Northern Ireland and to minimise the risk to the general population, and an individual's health.
Protocol 1, Article 1 Right to Property	Limitation	The measures included in the 2021 Regulations are designed to reduce or prevent the transmission of Covid-19 in Northern Ireland and to minimise the risk to the general population, and an individual's health.
Protocol 1, Article 2 Right to education	Limitation	The measures included in the 2021 Regulations are designed to reduce or prevent the transmission of Covid-19 in Northern Ireland and to minimise the risk to the general population, and an individual's health.

### **7. Necessary in a democratic society**

Articles 8, 9, 10 and 11 specify that interferences or limitations must be necessary in a democratic society. If the policy/proposal interferes with or limits one of these rights, detail in the table below how the right is necessary in a democratic society i.e. does it fulfil a pressing social need?

<b>Article affected</b>	<b>Explain why it is necessary in a democratic society</b>
Article 8 Right to respect for private and family life	The measures included in the 2021 Regulations are necessary in a democratic society. They fill a pressing social need to reduce or prevent the transmission of Covid-19 in Northern Ireland and to minimise the risk to the general population, and an individual's health.
Article 9 Freedom of thought conscience and religion	The measures included in the 2021 Regulations are necessary in a democratic society. They fill a pressing social need to reduce or prevent the transmission of Covid-19 in Northern Ireland and to minimise the risk to the general population, and an individual's health.
Article 10 Freedom of expression	The measures included in the 2021 Regulations are necessary in a democratic society. They fill a pressing social need to reduce or prevent the transmission of Covid-19 in Northern Ireland and to

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	minimise the risk to the general population, and an individual's health.
Article 11 Freedom of Assembly and association	The measures included in the 2021 Regulations are necessary in a democratic society. They fill a pressing social need to reduce or prevent the transmission of Covid-19 in Northern Ireland and to minimise the risk to the general population, and an individual's health.

### 8. Proportionality

Any interference with or limitation on a Convention right must be proportionate, i.e. the policy/proposal must interfere with or limit a right no more than is absolutely necessary to achieve its aims. For each Article which the policy/proposal interferes with or limits, explain how the interference or limitation is proportionate.

Article affected	Explain why the interference/limitation is proportionate
Article 2 Right to life	The interference is proportionate given that the World Health Organisation has declared Covid-19 a pandemic and steps are being taken throughout the world to limit the spread of the virus to protect lives.
Article 3 Protection from inhuman and degrading treatment	The interference is proportionate given that the World Health Organisation has declared Covid-19 a pandemic and steps are being taken throughout the world to limit the spread of the virus to protect lives.
Article 5 Right to liberty	<p>The interference is proportionate given that the World Health Organisation has declared Covid-19 a pandemic and steps are being taken throughout the world to limit the spread of the virus to protect lives.</p> <p>With regard to regulation 22 'power of entry', any such action will be subject to the approval of a warrant by a magistrate's court.</p>
Article 7 No punishment without law	The interference is proportionate given that the World Health Organisation has declared Covid-19 a pandemic and steps are being taken throughout the world to limit the spread of the virus to protect lives.
Article 8 Right to respect for private and family life	The interference is proportionate given that the World Health Organisation has declared Covid-19 a pandemic and steps are being taken throughout the world to limit the spread of the virus to protect lives.
Article 9 Freedom of thought conscience and religion	The interference is proportionate given that the World Health Organisation has declared Covid-19 a pandemic and steps are being taken throughout the world to limit the spread of the virus to protect lives.
Article 10	The interference is proportionate given that the World Health Organisation has declared Covid-19 a pandemic and steps are

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Freedom of expression	being taken throughout the world to limit the spread of the virus to protect lives.
Article 11 Freedom of Assembly and association	The interference is proportionate given that the World Health Organisation has declared Covid-19 a pandemic and steps are being taken throughout the world to limit the spread of the virus to protect lives.
Protocol 1, Article 1 Right to property	The interference is proportionate given that the World Health Organisation has declared Covid-19 a pandemic and steps are being taken throughout the world to limit the spread of the virus to protect lives.  Furthermore, with regard to regulation 22 'power of entry', any such action will be subject to the approval of a warrant by a magistrate's court.
Protocol 1, Article 2 Right to education	The interference is proportionate given that the World Health Organisation has declared Covid-19 a pandemic and steps are being taken throughout the world to limit the spread of the virus to protect lives.

### **9. Article 14 equality issues**

Even if it does not interfere with or limit a right or freedom, could the policy/proposal result in people being treated differently in relation to any of the Convention Rights? Article 14 does not allow discriminations in the exercise of any of the other Convention rights.

<b>Convention Article affected</b>	<b>How are people treated differently?</b>	<b>Is this justifiable?</b>

Please tick the statement that applies, and sign below.

- ☐ a) The policy/proposal does not engage any convention rights.
- ☐ b) The policy/proposal does engage one or more of the Convention rights, but does not interfere with or limit it/them.
- ☒ c) The policy/proposal interferes with or limits one or more Convention rights and legal advice is being sought.

Countersign, hold copy with policy papers and refer to your legal advisor.

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Signed by \_\_\_\_\_ (Official)

Date \_\_\_\_\_ Grade \_\_\_\_\_

Signed by \_\_\_\_\_ (Senior Responsible Officer)

Date \_\_\_\_\_ Grade \_\_\_\_\_

## Human Rights Act Impact Assessment

FAO: Name Redacted From: Elaine Colgan  
Eugene O'Loan

Please see the attached Human Rights Act Impact Assessment for the following proposal/policy:

### **The Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2021**

The Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2020 imposed requirements on individuals arriving in Northern Ireland and who had been in a country outside the Common Travel Area (comprising the United Kingdom, the Republic of Ireland, the Isle of Man, and the Channel Islands) in order to prevent the spread of infection or contamination from coronavirus. Provision for enforcement was included in the 2020 Regulations.

The 2020 Regulations were made under powers in Section 25B and 25F(2) of the Public Health Act (Northern Ireland) 1967, which enables the Department to make regulations making provision for preventing danger to public health from vessels, aircraft, trains or other conveyances arriving at any place.

A number of amendments have been made to the 2020 Regulations since coming into operation, for example on exemptions, enhanced restrictions for travellers from certain countries (including so-called 'red list' countries) etc.

More than 2,000 people have died to date as a result of Covid-19 in Northern Ireland. The emergence of new Covid-19 variants of concern, potentially with higher transmission rates or affecting vaccine efficacy, could have significant adverse effects on public health in Northern Ireland. The scientific evidence and analysis underpinning this threat to public health, provided by the Joint Biosecurity Centre, is balanced against necessary curtailment of individual rights as noted in this assessment.

It is also worth noting the enhanced risk to the Northern Ireland population posed by the land border with the Republic of Ireland, which distinguishes us from the rest of the United Kingdom. This risk is being managed in a number of ways, including data sharing, joint contact tracing and regular sharing of ideas and solutions.

The Department has therefore consolidated the 2020 Regulations, taking the opportunity to introduce measures to further prevent the spread of infection or contamination from virus variants of concern.

The Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2021, which came into effect on 16<sup>th</sup> April, include provisions that:

- i. require arrivals from countries with a high risk of community transmission of a variant of concern ('red list' countries) to quarantine in managed facilities for 10 days; and

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- ii. introduce mandatory testing, on day 2 and day 8 post-arrival, to improve understanding and tracing of variants of concern.

An appropriate enforcement framework is included in the 2021 Regulations.

These measures are consistent with measures already in place in the other countries within the United Kingdom and that are due to be introduced into the Republic of Ireland in March 2021. Anyone travelling to Northern Ireland via GB or RoI is subject to the Regulations in that jurisdiction, including potential managed quarantine (which would negate their need to enter managed quarantine in Northern Ireland).

I have identified the following rights as being interfered with/limited by this policy/proposal.

Article 2: Right to life

Article 3: Protection from inhuman and degrading treatment

Article 5: Right to liberty

Article 7: No punishment without law

Article 8: Right to respect for private and family life

Article 9: Freedom of thought conscience and religion

Article 10: Freedom of expression

Article 11: Freedom of assembly and association

Protocol 1, Article 1: Right to property

Protocol 1, Article 2: Right to education