

Human Rights Council - 26th session
(10th June – 27th June 2014)

Statement by Ireland – Clustered Interactive Dialogue with the Special Rapporteur on extrajudicial, summary or arbitrary executions, Professor Christof Heyns, and the Special Rapporteur on the human rights of internally displaced persons, Dr Chaloka Beyani.

Mr. President,

Ireland would like to commend the **Special Rapporteur on extrajudicial, summary or arbitrary executions, Professor Heyns**, for his valuable work and thank him for his latest report to the Human Rights Council discussing the protection of the right to life during law enforcement.

We note the focus of the report which you have presented to the Council today on the need to ensure effective independent accountability mechanisms with regard to the protection of the right to life in law enforcement. Ireland's Garda Síochána Act of 2005 stipulates that the Garda Commissioner, the head of Ireland's police service, must refer to the Ombudsman Commission any conduct of a member of the police which may have resulted in the death of, or serious harm to, a person [Section 102(1)]. This mandatory referral to an independent accountability mechanism is part of our efforts to live up to our international obligations, and we encourage all countries to consider introducing similar provisions to their domestic law where they do not already exist.

Mr Special Rapporteur, Ireland welcomes the recommendation that States should not use emergency situations or terrorist threats as a pretext to erode the right to life by granting unchecked powers on the use of force to their law enforcement officials.

In your report, Mr Special Rapporteur, you noted that there are laws that provide explicit immunity to law enforcement officials who have used force, despite acting outside of the scope of the law, these officials are granted lesser sentences and, at times, full immunity from prosecution. Bearing this in mind, we would like to invite you to elaborate on the importance of independent accountability mechanisms.

Turning to the **Special Rapporteur on the human rights of internally displaced persons;**

Dr Beyani,

We warmly thank you for the presentation of your report and analysis of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa.

Ireland supports the recommendations outlined in your report which focus on preventative measures, including building resilience and disaster risk reduction. We also welcome

measures which would strengthen the engagement of IDPs themselves and, in particular, vulnerable groups including women, children, older persons and those with a disability. Furthermore, we welcome the recommendation that internal displacement needs to be addressed in the context of the post-2015 development agenda.

Ireland supports your conclusion that displacement is not simply a humanitarian issue but one that also requires the sustained engagement of development actors. In addition, it is vital that the political roots of internal displacement are not forgotten and are equally addressed.

Mr Special Rapporteur, the current crisis in the Central African Republic raises serious concerns around the ability of States, the international community, regional actors and humanitarian and development actors to fulfil their obligations under the Kampala Convention. The Convention outlines that the State bears the primary responsibility with regard to IDPs. However, the lack of capacity and resources of the transitional government in CAR – particularly with regard to the provision of basic services and administration of justice – raises significant challenges for the implementation of the Kampala Convention.

The evacuations of Muslims from Bangui and the facilitation of these evacuations by humanitarian actors in contexts characterized by on-going violence have raised serious questions for the international humanitarian community and we invite you, Mr Special Rapporteur, to elaborate on the priority initiatives that, according to your evaluation, could play a central role in improving the situation of IDPs in CAR.

We thank you, **Professor Heyns** and **Dr. Beyani**, and wish you all the best in your further work.