

# Human Rights Council

27<sup>th</sup> Session (8<sup>th</sup> September – 26<sup>th</sup> September 2014)

## Panel discussion on the protection of the human rights of persons deprived of their liberty

10 September 2014

### Statement by Ireland

Ireland welcomes the Report of the Secretary General on human rights in the administration of justice, and today's panel discussion. We recognise the need for further analysis of the underlying problems and structural shortcomings relating to people deprived of their liberty and look forward to the report of the High Commissioner for Human Rights on the human rights implications of over-incarceration and overcrowding which will be presented at the thirtieth session of the Human Rights Council.

Ireland condemns in the strongest terms prolonged and arbitrary detention, and consequent deprivation of liberty. As the report of the Secretary General clearly points out, individuals deprived of their liberty are more likely to be subjected to unacceptable human rights violations including torture, cruel inhuman or degrading treatment or punishment, arbitrary and secret detention.

The challenge facing states is the effective implementation of the existing comprehensive international legal framework on the protection of the rights of people deprived of their liberty. In particular, the main problems have been identified with the lack or ineffectiveness of adequate judicial oversight, overcrowding, overuse of detention and death and serious injury during imprisonment.

We would be interested in hearing the views of the panel on the improvement of the conditions of detention. In particular, we would invite you to:

- A) *Expand on the underlying causes of overcrowding and how can they be better addressed by the Member States. In particular, to what extent should alternatives to deprivation of liberty be preferred over the construction of additional facilities?*
- B) *Identify some alternatives to pre-trial detention which was identified in the Report as one of the major causes of overcrowding.*

Finally, in the Report it was highlighted that migrants, children, women and people with disabilities experience specific violations and have distinct needs during detention. *Could the panel expand on how the human rights of the above-mentioned vulnerable groups can be better protected?*