



ELDH European Association of Lawyers for Democracy & World Human Rights

WITH LAWYERS
IN 21 COUNTRIES

EJDM Europäische Vereinigung von Juristinnen & Juristen für Demokratie und Menschenrechte in der Welt

EJDH Asociación Europea de los Juristas por la Democracia y los Derechos Humanos en el Mundo

EJDH Association Européenne des Juristes pour la Démocratie & les Droits de l'Homme

EGDU Associazione Europea delle Giuriste e dei Giuristi per la Democrazia e i diritti dell'Uomo nel Mondo

Equality Privacy Social Rights
No Racism Peace No Torture Civil Rights No War
Self-Determination of Peoples Democracy
Human Rights Rights of Migrants

Bologna, Düsseldorf, London, Vienna, 09 February 2022

Press Release on British Collusion in Ireland

The European Association of Lawyers for Democracy and Human Rights (“the ELDH”) condemns the involvement of agents of the British Government in the killing of 11 people in South Belfast, as confirmed by the release of the Operation Achille Report on 8 February 2022.

The ELDH strongly supports the right in international law of peoples to self-determination, in particular the rights of the Basques, Kurds, Irish, Palestinians and Sahrawis. Accordingly, ELDH supports the right of the Irish people to self-determination, as enshrined also in the Good Friday Agreement of 10 April 1998.

Members of the ELDH were outraged to learn of the contents of this report. We note that the Police Ombudsman has upheld multiple complaints of collusion. The report finds that eleven murdered citizens and their families were systemically failed by the British state. ELDH agrees that this report provides clear evidence of the policy of collusion as it was practiced in the North of Ireland.

ELDH remains concerned about the ongoing application of the rule of law in the six counties of the North of Ireland. We note that over the course of more than twenty years, successive British governments have failed to put in place a comprehensive set of mechanisms to deal with the legacy of the conflict in the North of Ireland. The Stormont House Agreement (SHA) 2014, completed after lengthy negotiations with the Irish Government and the five main local political parties, offered a route to finally deliver on the promises made to victims and to comply with binding international legal obligations. Despite repeated commitments to introduce the enabling legislation (most recently in January 2020), the current UK Government has unilaterally abandoned the SHA.

In July 2021, the UK Government published Command Paper 498 on “Addressing the Legacy of Northern Ireland’s Past”. This paper proposes a sweeping and unconditional amnesty which would end all legacy-related ‘judicial activity’ (i.e., current and future legacy prosecutions, inquests and civil actions) as well as all police and Office of the Police Ombudsman investigations. The paper also suggests the establishment of a new Information Recovery Body. The latter, based on the information

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provided, would not have sufficient investigative powers to conduct effective investigations into conflict-era deaths as required by Article 2 of the European Convention on Human Rights. In addition, the Command Paper includes various proposals for developing oral history and memorialisation initiatives. In the context of an amnesty more sweeping than that provided to agents of the Pinochet regime in Chile, and the absence of effective investigations capable of delivering truth, justice and accountability, there is a real risk that the credibility of any such allegedly reconciliation-focused work would be irreparably damaged – being viewed as ‘soft options’ to disguise the broader drive towards impunity.

ELDH calls upon the British Government to accept responsibility for its role in collusion, respect the rule of law and not to proceed with its proposed amnesty for its agents.

Notes for Editor

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ELDH was founded in Paris on May 1, 1993 and is open to lawyers from all European countries. The members of the ELDH currently include legal organizations and individual members from the following countries: Albania, Azerbaijan, Belgium, Bulgaria, England, Finland, France, Germany, Greece, Italy, Latvia, Macedonia, Austria, Russia, Serbia, Spain/Basque Country, Sweden, Switzerland, Turkey, Ukraine

The ELDH is independent of political parties. All members of the Executive Board, including the President and the Secretary General, work on a voluntary basis and do not receive any payment for their work. The Co-Presidents of the ELDH are Professor Bill Bowring, Barrister in London and Barbara Spinelli, a lawyer in Bologna. Bowring teaches international law and human rights at Birkbeck College, University of London. The Co-Secretary Generals of the ELDH are Thomas Schmidt, a trade union lawyer in Düsseldorf and Serife Ceren Uysal, a lawyer presently living in Vienna,.

Current issues that the ELDH has focused on include

- European anti-terrorist activities and their impact on human and civil rights
- The treaties of the European Union and their impact on democracy, human and civil rights and peace
- The immigration policy of the European Union and the legal protection of refugees
- Strengthening of international law
- Social and economic rights in Europe and the right to education
- Labour law under the pressure of neoliberal politics
- Data protection and right to information
- Human rights violations in the Basque Country, Catalonia, Colombia, Palestine, Turkey and Western Sahara
- The right to self determination

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