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Local civil liberties groups and Amnesty International express concern about government proposals

The Committee on the Administration of Justice (CAJ), the Irish Council for Civil Liberties (ICCL), British Irish Rights Watch and Amnesty International share the public revulsion at the horrendous events in Omagh.

The four organisations today expressed concern about the legislative proposals being considered by both the British and Irish governments in the aftermath of the bombing.

ICCL spokesperson Michael Farrell said: "the response by the Irish government is reminiscent of the actions taken by Britain in the wake of the Birmingham bombing over 25 years ago. We should remember that those departures from the rule of law led to miscarriages of justice and the imprisonment of people like the Birmingham Six and the Guildford Four while those responsible remained free. While governments have a responsibility to bring perpetrators to justice they need to be sure that their response is in conformity with internationally protected human rights."

Many of the Irish government's proposals, which the Taoiseach himself has described as very draconian, largely replicate measures which are already in place in Northern Ireland. CAJ spokesperson Martin O'Brien said: "There is no evidence to suggest that restrictions on the right to remain silent or the creation of new offences have been particularly effective in reducing the level of paramilitary violence. Indeed our experience has been that the use of emergency powers has helped to perpetuate rather than resolve the conflict."

All four organisations criticised the proposal which would allow the combination of the accused's silence and the opinion of a senior police officer to be used as proof of membership of a proscribed organisation.

Rory Mungoven from Amnesty International stated: "Such a provision would undermine the presumption of innocence and impermissibly shift the burden of proof unto the accused."

Martin O'Brien said that "to convict someone of membership solely on the word of a police officer and the accused's own silence would be a breach of the right to a fair trial." In Northern Ireland, where extensive emergency powers have allowed the RUC to effectively intern suspects by remand, the consequences of allowing the RUC the choice of who to convict, are even starker."

Michael Farrell said that "the intention of those who planted the bomb at Omagh was to undermine the search for peace and the Good Friday Agreement. CAJ and ICCL are urging both governments to ensure that they do not succeed."

"A future for all the people of Ireland, underpinned by the human rights protections of the Agreement, is too precious a prize to risk by repeating the mistakes of the past," Mr O'Brien added.

"It is in tragic times like these that a government's commitment to upholding their international obligations to respect the human rights of all people is tested. We urge the British and Irish governments to meet this challenge," Amnesty International said.
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