

MEP Declaration calling for British state compliance of its Article 2 obligations under the ECHR in the context of state killings during the conflict in Ireland

3,589 people were killed during the conflict in Ireland between the late 1960s and the signing of the Belfast 'Good Friday' Agreement of 1998.

It is now widely accepted that many of these killings and injuries involved acts by agents of the British state. These state agents were engaged in practices and policies, for which the British state has not been held to account. These include:

- The use of lethal force including the use of plastic bullets as a response to civil disorder,
- A shoot to kill policy,
- A state policy of 'collusion' between the British state and paramilitaries.

These state policies were subject to criticism in six European Court of Human Rights (ECtHR) cases delivered from May 2001, all holding the British state in breach of its investigatory procedural obligations under Article 2 of the European Convention of Human Rights (ECHR).

A 'Package of Measures' was incepted by the British Government to discharge its Article 2 obligations under ECHR.

Independent British state reports from the Criminal Justice Inspectorate NI and Her Majesties Inspector of Constabularies, as well as further judgments from the ECtHR, conclusively demonstrate that the Package of Measures, have failed.

A dangerous precedent is set across Europe, if a member state is able to thwart the implementation of judgments in right to life cases. European Human Rights Commissioner, Nils Muznieks stated publicly in Belfast in November 2014 that:

"until now there has been virtual impunity for State actors. The issue of impunity is a very serious one and the UK government has a responsibility to uphold the rule of law. This is not just an issue of dealing with the past, it has to do with upholding the law in general."

Under the Good Friday Agreement the British Government is obliged to deliver, "complete incorporation into Northern Ireland law of the European Convention on Human Rights, with direct access to the courts, and remedies for breach of the Convention." The Human Rights Act (HRA) 1998 gives this legal effect to the ECHR, despite recent British Government threats to repeal the HRA.

Furthermore the European Parliament Joint Motion for Resolution on the Peace Process adopted in plenary on the 5th November 2014 stated in paragraph 1 that the EP, "urges all parties to the process to work constructively towards a lasting resolution of the conflict and the full implementation of the Good Friday Agreement and subsequent agreements for a long-lasting and enduring peace."

Therefore we, the undersigned MEPs, call on the British Government to urgently discharge its obligations under Article 2 of the ECHR, so as to promote public confidence and trust in the Rule of Law and to protect the integrity of the ECtHR standards requiring the prompt and effective execution of judgments.

1. Martina Anderson
2. Matt Carthy
3. Lynn Boylan
4. Liadh Ní Ríada
5. Mark Demesmaeker
6. Paloma Bermejo Lopez
7. Iosu Juaristi Abaunz
8. Barbara Spinelli
9. Neoklis Sylikiotis
10. Marina Albiol Guzmán
11. Lidia Senra
12. Luke "Ming" Flanagan
13. Malin Bjork
14. Ines Zuber
15. Joao Ferreira
16. Miguel Viegas
17. Fabio de Masi
18. Estefania Torres Martinez
19. Merja Kyllonen
20. Marisa Matias
21. Miguel Urban Crespo
22. Martina Michels
23. Jean-Luc Mélenchon
24. Lola Sánchez Caldentey
25. Nessa Childers

26. Marian Harkin
27. Cornelia Ernst
28. Tania Gonzalez Penas
29. Takis Hadjigeorgiou
30. Pablo Iglesias
31. Gabi Zimmer
32. Dimitrios Papadimoulis
33. Stelios Kouloglou
34. Dennis de Jong
35. Anne-Marie Mineur
36. Kostas Chrysogonos
37. Rina Ronja Kari
38. Nikos Chountis
39. Stefan Eck
40. Javier Cuso Permuy
41. Lucy Anderson
42. Anja Hazekamp
43. Thomas Handel
44. Sabine Losing
45. Tomas Handel