

Human Rights Council – 26th session

Clustered interactive dialogue with the Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on the human rights of migrants

13 June 2014

Statement by Ireland

Mr. President,

Ireland welcomes both Special Rapporteurs and thanks them for their reports to the Council and their presentations today. We would like to make some remarks in addition to those made on our behalf in the statement of the European Union.

We have taken note with interest of the report to the Council of the Special Rapporteur on the independence of judges and lawyers. The topic, that of judicial accountability, is an important and delicate subject. While it is, of course, the case that nobody should be above the law, the need to ensure judicial independence and the separation of powers means that special considerations apply, to ensure that accountability mechanisms cannot be used to influence judicial or prosecutorial decision-making or to carry out reprisals for unwelcome decisions.

We note with interest the careful study carried out by the Special Rapporteur on emerging principles drawn from all regions. We are also interested in the Special Rapporteur's focus on a range of accountability mechanisms, including measures such as ensuring public hearings and publication of judicial decisions – which we view as part of good administration of justice.

We have also read with interest the Special Rapporteur's report on her mission to the Russian Federation. It seems to us that the recommendations made therein include some which could usefully be considered by a wide range of States in relation to their respective justice systems.

We would like to ask the Special Rapporteur *how, in her view, States might best “develop and adopt international standards of judicial accountability to guide and frame the establishment of domestic systems of judicial accountability that are effective, objective, transparent and in line with international human rights law”*.

Turning to the Special Rapporteur on the human rights of migrants, we note that his report to Council focuses on the very important and, unfortunately, all too relevant theme of labour exploitation of migrants. We congratulate the Special Rapporteur for his extremely comprehensive report and the many highly pertinent recommendations contained therein.

We take special note of the Special Rapporteur's recommendation on the monitoring by States of the implementation by business of the Guiding Principles on Business and Human Rights in the field of migration. We would like to ask the Special Rapporteur *if he sees prospects for cooperation by him with the Working Group on Business and Human Rights in this regard*.

We wish both Special Rapporteurs all the best in their future work.

I thank you, Mr. President.