



[short form]

**“ASSEVERATION”**

I-I/FCA/004/2/8/2

NOTICE & LAWFUL DECLARATION

**In the matter of the question as to: “In what circumstances is it permissible for the Irish statutory authorities to break the law, for the purposes of enforcing the law.”**

*This matter being brought to the Integrity Ireland Findings Commission (‘I-IFC’) for consideration and assessment according to; (i) the Rule of Law; (ii) to existing positive (written) law; and (iii) as per the respective rights, authorities and jurisdiction granted under Irish & international law, as laid out in the I-IFC foundation publications quoted in I-I/FCA/001/3; the Integrity Ireland Association hereby finds and determines as follows:*

The full-form of this Asseveration No 004 establishes the lawful processes and procedures that qualify and verify the findings of the I-I Commission hereunder, which includes the following paragraphs:

ARTICLE 40.1 of the Irish Constitution states: “All citizens shall, as human persons, be held equal before the law.” Accordingly, the respective statutory authorities being citizens of this State are subject to the laws of the State.

In the May 2000 Judgment of The European Court of Human Rights (Third Section), sitting as a Chamber on 26<sup>th</sup> October 1999 and on 4<sup>th</sup> May 2000, in the case of “Khan v. the United Kingdom” Judge Loukis Loucaides stated: “Breaking the law, in order to enforce it, is a contradiction in terms and an absurd proposition.”

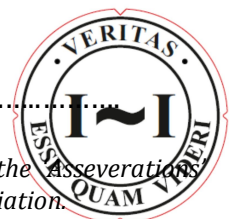
**Finding / Determination:**

1. Other than in circumstances where the Irish Defence Forces are acting in context of ‘a state of war or of armed rebellion’ as per Article 40.4.5°, the Irish statutory authorities may not at any other time contravene the law or violate the Constitution.
2. In circumstances where any Irish official or office holder and/or any other agent of the State including those employed in any capacity in service to the statutory authorities engages in unlawful or criminal acts; that the same are subject to civil remedy and/or criminal penalty in their private capacity as a citizen or resident of this State who are each, “held equal before the law”.

Reg No. Pages & P	I-I/FCA/004/2/8/2	Commission	SM/WN/BC/SC/CM/JH/AR/JL/JM/
Date of Approval	25.11.2020	Served by	

I hereby declare that this is a true copy of the original PDF version.

Submitted / served by.....



The 2-page expanded ‘full-form’ of this short-form Asseveration is available online at the Asseveration page on the I-I website. The stamped-and-signed originals remain on file with the I-I Association.