



Tom Lantos Human Rights Commission Hearing

Legalizing Impunity for Human Rights Abuses in Northern Ireland

Tuesday, February 15, 2022

1:00 p.m. – 3:30 p.m.

Virtual via Cisco WebEx

Co-Chair Chris Smith

EXCERPT OF REMARKS

I call this hearing to order nearly a quarter century after the Good Friday Agreement ended the Northern Ireland conflict – and also as we arrive at an inflection point when the consensus behind the Agreement is threatening to fray.

I have [previously chaired 17 congressional hearings](#) on human rights and the peace process in the north of Ireland.

I also authored a law to prohibit members of the RUC involved in certain human rights crimes, such as the death of Patrick Finucane, from training at the FBI center in Quantico in the U.S. That legislation, and other resolutions I authored that passed the House put the U.S. Government on record that we reject human rights abuses, and call on all parties in Northern Ireland—including those in government agencies-- to adhere to international human rights standards, transparency, and establish an independent judicial inquiry into the murder of Patrick Finucane and others killed during the “Troubles”.

The [proposal](#) by the United Kingdom’s Secretary of State for Northern Ireland, [Brandon Lewis, to enact a new statute of limitations](#) will grant *de facto* immunity to those responsible for the estimated 3,500 killings over the three decades of that conflict that ended with that Agreement in 1998 imperils the fragile peace in Northern Ireland.

Moreover, the proposal facially violates the “devolution” agreed to in 1998 – in effect, “home rule” by Northern Ireland – as well as the 2014 Stormont House Agreement that provided for a Historical Investigations Unit to enable justice for the victims of these crimes.

All parties in the Good Friday accord, across the sectarian divide, had agreed upon the profound need for justice and accountability for those crimes and their victims – quite a

significant accomplishment, given the legendary chasm which had divided them across the centuries.

Yet instead of justice, they are now confronted with impunity masquerading as immunity.

The Good Friday Agreement has worked, and only works, because the parties have enough confidence that the other parties to the agreement will abide by its terms.

Yet now, one party to the Good Friday agreement – the United Kingdom – is contemplating a unilateral decision to declare immunity by passing a statute of limitations for Troubles-era killings before there has been full accountability, against the express wishes of nearly every major actor in Northern Ireland, be they Catholic or Protestant.

This seriously erodes the confidence of the remaining parties to that agreement as to the UK's commitment to the pact, and thus undermines the peace achieved by the Good Friday Agreement.

The UK is a close ally, and a strong partner in the promotion of human rights and democracy across the globe alongside the United States, but this unilateral proposal is cavalier, taking the peace in Northern Ireland for granted.

In this Britain stands alone.

Not only have [all major political parties](#) in both the Republic and the North condemned it – republican actors such as [Sein Fein](#) on the one hand and the Democratic Unionist Party on the other – but also UN experts such as the UN Special Rapporteur on the Promotion of Truth, Justice, Reparation, [Mr. Fabian Salvioli](#), and the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Execution, Mr. Morris Tidball-Binz.

They both called on the UK to "refrain from regressing on their international human rights obligations through the establishment of a statute of limitations for conflict related prosecutions and barring all related investigations, inquests and civil claims."

This matters so deeply to the people of Northern Ireland because the pain of loss that the loved ones who remain feel every day will never go away.

This proposed statute of limitations hurts them most deeply because for most of them, it means they will never have closure, and the killers who are responsible for those acts will never be held accountable, deepening wounds that now will never close.

Some of our witnesses today lost family members during "the Troubles."

In 1989, paramilitaries from the Ulster Defense Association, working in collusion with British authorities, killed Geraldine Finucane's husband Patrick, wounding her.

In 1990, British soldiers shot Mark Thompson's unarmed brother Peter, along with two others.

In 1993, Irish Republican Army bombers killed Alan McBride's wife Sharon, and her father Desmond Frizzell in their fish shop on Shankill Road in Belfast. That bombing killed seven other people including elderly and small children, and injured nearly sixty more.

The list could go on further, as these are only a handful of the terrible acts from the three decades of the Troubles. The fact is that there is not one person who lived through the Troubles who hasn't been impacted in some way by that violence. The crimes by themselves cry out for justice, but those cries for justice are greatly amplified when considered in the light of the broader need for accountability as a key element in maintaining the peace won on Good Friday.

Finally, I want to share with you that I intend to submit a resolution that states that we stand in solidarity with the victims of the Northern Ireland conflict, calls upon all parties to adhere to the terms of the Good Friday agreement, and calls upon the UK to walk back this proposed statute of limitations.

With that I look forward to hearing the testimony of our witnesses whose experiences and expertise cover the breadth of the diversity of the Northern Irish conflict.