

TOM LANTOS HUMAN RIGHTS COMMISSION  
UNITED STATES CONGRESS

HEARING ON  
NORTHERN IRELAND: ACCOUNTABILITY AT RISK”

Tuesday, February 15<sup>th</sup>, 2022 – 1:00pm  
Virtual via Cisco WebEx

Statement of Geraldine Finucane  
On the case of Patrick Finucane (deceased)

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**“Mr. Chairperson, my fellow speakers, distinguished guests, ladies and gentlemen...**

On behalf of my entire family, I would like to thank you for this invitation to speak today and to testify before the Tom Lantos Human Rights Commission. I can think of no better person to name this Commission than the late Congressman Lantos, who worked tirelessly throughout his life to advance the cause of human rights across the world, surviving the horrors of the Holocaust in the course of doing so. I was delighted to learn that this Commission was renamed in his honour following his death in 2008, which was a sad event for all who knew Tom Lantos. His name has been associated with human rights in Northern Ireland and my husband’s case, in particular, since my family first appeared to testify before Congress in 1997. I am very pleased that this continues today.

I would also like to thank my ardent supporter and good friend, Congressman Christopher Smith, for his continued work on the case of my husband, Pat Finucane, and the issues of human rights and conflict resolution in Northern Ireland in general. As many people will know, Mr. Smith has been a keen supporter of, and advocate for, the development and enhancement of human rights in Northern Ireland throughout the peace process. His work and that of Congress in general has proved invaluable to all of the people of Ireland in maintaining and developing our peace initiative through the many challenges we have faced even since the violence ended.

I think the topic we are discussing is one of the most important aspects of the peace process, namely, how we approach our past, how we deal with it and how we move

beyond it, without forgetting it or worse still, pretending it did not happen. This is something I know from my own personal experience.

I am here today because of what happened to my husband, Patrick Finucane, who was murdered by Loyalist Paramilitaries in Belfast in 1989. As is now a matter of public record throughout the world, Pat was a lawyer practising in Northern Ireland during the period of civil conflict that extended throughout 1968-1994. Pat worked on behalf of people from his community in Belfast who found themselves on the receiving end of the most atrocious violations of their rights at the hands of the British State. Pat's work brought him into contact with people who had been falsely accused, unlawfully detained, threatened, beaten, and sometimes killed by State agents. As a result of his innovative approach to the work and the many successes that flowed from it, Pat became a target for Loyalist paramilitaries who perceived him as partisan and an enemy of the State. The false perception of Pat as being sympathetic to his clients' political beliefs and even that he engaged in unlawful activity on their behalf was fostered actively by the British Security Service (MI5) encouraged by the Royal Ulster Constabulary Special Branch (RUC SB) and the British Army's covert intelligence agency, the Force Research Unit (FRU).

It would not be long before Pat found himself enduring obstruction and hostility in his work. He was being told by people he represented of threats to his life by members of the RUC. In 1988, just months before he was killed, a junior British government minister publicly slandered the reputation of human rights lawyers in Northern Ireland, saying they were 'unduly sympathetic' to the IRA. Plans of an imminent attack on Pat's life were known to various British State agencies and the RUC but no warnings were given. We were left in a state of ignorance and were completely unprepared for the eventual attack that would prove fatal. That was Sunday, 12<sup>th</sup> February 1989. An ordinary day for most but, for us, it was the day our world changed forever.

Since that day, my family and I have travelled the globe seeking the help of others to uncover the truth behind Pat's murder. I have testified before Congress about the evidence in our case, as have my sons John and Michael. The first time Michael testified before the House of Representatives was in 1997 and both he and his brother, who are both practising lawyers, have gone on to speak about our case on many

occasions since. We believe that the circumstances surrounding the murder are sufficiently serious to warrant the establishment of such an inquiry.

We have succeeded in litigating the issue against the British Government on several occasions at both domestic and international level.<sup>1</sup> Notwithstanding this, the British Government has refused to establish an inquiry into Pat's murder. It has blocked our efforts for years to try to dissuade us from continuing our campaign by means of constant delay and obstruction.

In recent years, we have seen them try to take advantage of this delay by claiming the issue is too old and must be confined to the past. However, I think it is true to say that, even in the midst of investigating so many cases of human rights abuses by Britain in Ireland over many years, the truth behind the murder of my husband still represents a genuinely shocking indictment: we now know that Britain is guilty of colluding in the murder of an officer of its own courts. The magnitude of this statement still invokes a feeling of near disbelief because, quite simply, it is true, and we have proved it.

In December 2012, the Prime Minister, David Cameron, addressed the House of Commons with a speech on the findings of a report dealing with British State collusion in Pat's murder. In Westminster, Mr. Cameron's stated the following:

**“The collusion demonstrated beyond any doubt..., which included the involvement of state agencies in murder, is totally unacceptable. We do not defend our security forces,...by trying to claim otherwise. Collusion should never, ever happen. So on behalf of the Government, and the whole country, let me say again to the Finucane family, I am deeply sorry.”**

Even with this public apology in its own Houses of Parliament, the British Government continued to refuse to establish a public judicial inquiry, as we had insisted. I was forced, once again, to litigate the issue and in February 2019, I won my case before the UK Supreme Court. It was declared that all investigations so far held were inadequate because they did not meet the standard required by the European Convention on Human Rights.<sup>2</sup> We thought that this would force the British

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<sup>1</sup> *Finucane v. United Kingdom* (2003) 37 EHRR 13

<sup>2</sup> *In the matter of an application by Geraldine Finucane for judicial review* [2019] UKSC 7

Government, finally, to establish an inquiry. Instead, they refused, and are now embarking on a course of action that would not only preclude an inquiry into Pat's case but all cases involving the conflict in Northern Ireland.

Article 2 of the European Convention on Human Rights protects the right to life and requires that an investigation be held when the State bears responsibility for a death. The Convention identifies five criteria that make up a proper investigation: it must be prompt, public, independent, effective and it must involve the family or next of kin. All of these criteria are designed to ensure that one overarching element is present in inquiries and investigations: accountability. The State must be accountable for its actions and this is demonstrated through proper investigations that people can see and hear for themselves.

In a modern democratic society that proclaims to hold the rule of law in high esteem, one would think that holding an investigation that meets basic human rights standards is the least we can expect. However, it is these very standards that the British Government seeks to erase by enacting new laws to prevent any investigations from being carried out. It is no exaggeration to say that Britain simply wants to sweep its actions and responsibilities under the carpet forever with no risk of any exposure. Inquests would be banned, civil actions halted, prosecutions discontinued, Police Ombudsman investigations would be ended and the Legacy Investigation Branch of the PSNI abolished.

It must be remembered that none of these measures have been proposed because of a lack of evidence of wrongdoing. In fact, it is precisely because of the existence of compelling – in some cases overwhelming – evidence of British State complicity in abuses that the move to close down investigations and inquiries has been so comprehensive.

My family and I will not cease in our efforts to prevent this from happening and I know that we can rely on the support of our friends worldwide to ensure that this does not happen.

It is not an easy thing to campaign for thirty-three years to uncover the truth. It has involved a great deal of effort, patience, and resilience. At times, the stubborn refusal of the British Government to establish an inquiry seems insurmountable but we have

found the strength to carry on. It is because of the support of our friends worldwide that we have been able to do so. The US House of Representatives, the Senate and even several US presidents have been an invaluable source of strength and sustenance when the struggle is hard to maintain. Your support has been unflinching, bi-partisan and a lifeline for us when progress has seemed impossible. My family and I cannot thank you enough for the solidarity you have shown to us and the many, many families who struggle on today in pursuit of truth and justice for their loved ones.

Proper examination of past issues does represent progress in contemporary society. It allows people to resolve traumas in their lives and lay to rest the ghosts that haunt them and society as a whole. It is not always necessary to punish or to seek retribution. For many people – perhaps even most people – the truth about what happened is enough. We have not yet learned the full truth of what happened to Pat. But I believe we are getting closer and one day, hopefully soon, I very much hope I will be testifying before this Commission about achieving that goal.

The recent turbulence in the world as a result of the Covid 19 pandemic has tested us all. Only now is the world emerging from its grip. If the pandemic and its effects have shown us anything, it is that only by working together and helping each other that we can meet and solve the great challenges of our times. We must ensure that the truth behind the events of the conflict is uncovered, preserved and presented to the world, before it is too late. The legacy of conflict in Northern Ireland cannot be allowed to become clouded forever in secrecy. I have long believed that the truth must be told about the murder of my husband in order for the whole of society to have any chance of moving beyond conflict permanently.

Far too many were taken from us far too soon for that to be allowed to happen. We must work together to ensure that it does not.

Thank you very much.”

**Ends .../**