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**Recent Developments in the Investigation of the
Murder of Human Rights Attorney Patrick Finucane**

*Subcommittee on Africa, Global Health,
Human Rights and International Organizations
Rep. Chris Smith, Chairman
Wednesday, March 21, 2012
Excerpts of remarks*

Good morning and welcome to our witnesses and everyone joining us today – I see many old and close friends in the room today – welcome to all.

Our purpose today is to assess progress on the unfulfilled British commitment – broken commitment, unless the British government reverses course – in the Finucane collusion case, and how this affects the peace process in Northern Ireland.

In connection with the Good Friday peace agreement, the British government promised to conduct public inquiries into the Finucane and three other cases where government collusion in a paramilitary murder was suspected. Subsequently the British government backtracked in regard to the Finucane case – the 1989 murder of human rights lawyer Patrick Finucane. The British backtracking came despite the recommendation to hold an inquiry, which, again, the British government agreed to abide by, of the internationally respected jurist and former Canadian Supreme Court Justice Peter Cory in 2004.

And at this point I'd like to thank Judge Cory again, who testified about his recommendation, at a congressional hearing which I chaired in May of 2004. That is now nine years ago – and we are all still trying to get the British government to live up to its commitment. The Finucane family has testified at many hearings – Geraldine, Patrick's widow, and his son John - Michael Finucane, who is testifying today, first testified before Congress on this in 1997, in a hearing before this subcommittee, so that is sixteen years. And of course there have been many others— and all of these witnesses, advocates, and experts have advocated a full, independent, and public judicial inquiry into the police collusion with loyalist paramilitaries responsible for brutally murdering Pat Finucane.

Over these years the dedicated human rights activists and experts have established much of what happened, and, after facts have been established, the British government has acknowledged many of them. In 2011 the British government admitted that it did collude in the Finucane murder and apologized for it.

Much of the credit for this admission goes to the many of you who have done the work on all the reports that documented collusion, until it was pointless for the British government to continue denying it.

So that is progress. But the work is not done because the British government has reserved one final, yet massive injustice: it continues to protect those responsible for the murder of Pat Finucane. Prime Minister Cameron told the Finucane family that the government would not conduct the promised public inquiry into the collusion.

The deliberate decision not to proceed with a public inquiry is a glaring, public breach of faith. It is the source of enormous frustration to Patrick Finucane's family and friends. It resonates throughout Northern Ireland, calling into question the British government's commitment to peace and reconciliation.

This is particularly sad because the British government has taken so many other positive, truly honorable steps, many of which were painful for large sectors of British public and official opinion – such as the Bloody Sunday inquiry, released in 2010. To call all that into question by renegeing on the promised Finucane inquiry is a tragedy.

Most recently, in December 2012, Sir Desmond De Silva released a new report on collusion in the Finucane murder – really a review of existing case files rather than the gathering of new evidence that the promised inquiry would produce. The De Silva report detailed what Prime Minister Cameron admitted were “shocking” levels of state collusion in the murder, including that it was RUC officers who proposed the killing of Finucane, passed information to his killers, and obstructed the investigation, and that British domestic security had intelligence of the murder threats months before the actual crime yet took no steps to protect him.

It is admirable that Prime Minister has admitted collusion and apologized for it, but it is really too much to admit a government crime and then to say it will not be investigated – particularly when the government has undertaken a commitment to do so. The question asks itself – after so many positive steps, is the British government really going to diminish the good it's done since 1998 in order to protect the identity of people who share responsibility for a murder?

At this moment I'd like to say that I will be asking Members of Congress to sign a letter to Prime Minister Cameron urging him to conduct the promised inquiry. Many members of Congress have repeatedly called for this, including the passage of two of my Congressional resolutions, H. Res. 740 (109th Cong.) and H. Con. Res. 20 (110th Cong.). I'm sure Congress will continue to maintain a strong voice on this case, which goes to the core of human rights and rule of law.

Now I'll introduce the witnesses.

First we'll hear from Michael Finucane, the son of Patrick Finucane. Michael was there, along with his Mom and two siblings, when assassins entered the Finucane home and took his father's life. Today Michael is a solicitor in Dublin with his own legal practice. He has been deeply involved in the Finucane family's efforts to secure the full, independent, public judicial inquiry that was promised in 2001. We are grateful for your presence here today, Michael, to tell us about where we are in the quest for justice in your father's case – which of course has a direct impact on the quest for peace and reconciliation in Northern Ireland.

Then we'll hear from Jim Cullen, a retired Brigadier General of the U.S. Army Judge Advocates General's Corps. In addition to his military career and career in private law practice, Mr. Cullen has been involved for many years with human rights groups focusing on Northern Ireland, including the Brehon Law Society of New York, of which he served as the first president.