

Helsinki Commission Hearing:

Prerequisites for Progress in Northern Ireland

Wednesday, March 21, 2012

Statement of Representative Christopher H. Smith, Chairman

This Helsinki Commission hearing will look at the current situation regarding Northern Ireland, where there has been progress in recent years but where unfulfilled commitments may be holding back and more consolidated peace and reconciliation.

It is impossible to begin this afternoon without noting, with very deep sadness, the absence of Representative Donald M. Payne from the dais. Don Payne, who passed away on March 6, was a neighboring colleague from New Jersey, a ranking colleague on the House Foreign Affairs Subcommittee that I chair, and a supportive colleague who genuinely cared about human rights and wanted people here in the United States, in Northern Ireland and around the world, all to be treated with respect and dignity. He cared about Northern Ireland deeply and, although not a member of the Helsinki Commission participated in last year's hearing on outstanding individual cases.

In his opening remarks at that hearing, Don Payne said: “[W]ithout justice it’s difficult to have true peace. I don’t think ... that time stands in the way. The loss of a life is for eternity, and therefore I think that we must keep the lines open so that we can get to the bottom of these cases.” The point he made then is the reason we are here today. I am certain that Don would have joined us here this afternoon to reiterate his call for justice, and I hope we keep his words in our minds and him in our hearts today and forever.

There has been unquestionable progress in Northern Ireland in recent years, sufficient progress that in February the Irish Foreign Minister, in his capacity as Chairman-in-Office of the OSCE, informed us of his plans to use the Northern Ireland experience as a case study for addressing conflict situations and post-conflict reconciliation elsewhere in Europe. I think that is a commendable task: taking lessons learned near to home and teaching them where they are still needed further afield. I support Minister Gilmore in his work.

Our goal at this hearing is to assess the progress made in Northern Ireland to date with a focus on what more can be done to ensure that peace is self-sustaining, that people can reconcile their difference to build a better future together, and that justice ultimately prevails. This takes a 100 percent commitment, not a sixty or even an eighty percent commitment to fulfill promises made.

Unfortunately, we know already that one key promise remains unfulfilled: the promise of the British Government to conduct public inquiries into recommended cases where collusion is suspected. This has not happened specifically in regard to the 1989 murder of human rights

lawyer Patrick Finucane, despite the recommendation of the internationally respected jurist and former Canadian Supreme Court Justice Peter Cory in 2004. The deliberate decision not to proceed with a public inquiry is glaring. It is a source of enormous frustration to Patrick Finucane's family and friends. It resonates throughout Northern Ireland as a question of London's true commitment to peace and reconciliation, despite other positive steps taken. Above all, it emboldens those responsible for this heinous crime and perhaps others in the dangerous belief that time does, in fact, provide impunity from justice.

We therefore want to look today at the prerequisites for further progress in Northern Ireland, and we have an excellent panel of witness to updates us on developments and provide useful suggestions for further action.

First, we have Geraldine Finucane, the widow of Patrick Finucane. Geraldine was there, along with their three children, when assassins entered the Finucane home and took her husband's life. We are grateful for your presence here today, Geraldine, to tell us about your meeting with the British Prime Minister last October and your subsequent efforts to reverse his decision not to proceed with a public inquiry.

Next, we have Christopher Stanley, a senior staffer with British Irish Rights Watch since 2009. His extensive experience as a lawyer has made him an effective advocate for cases British Irish Rights Watch manages, and an expert on penal policy reform and the Bill of Rights for Northern Ireland. We look forward to his insights and recommendations for encouraging progress.

Finally, we have Mark Thompson, who is the Director of Relatives for Justice and will describe for us the impact justice can have on healing the wounds of violence in Northern Ireland, and what happens when justice is not forthcoming and those wounds are left open and exposed.