

109TH CONGRESS
2D SESSION

S. RES. 493

Calling on the Government of the United Kingdom to establish immediately a full, independent, public judicial inquiry into the murder of Northern Ireland defense attorney Pat Finucane, as recommended by international Judge Peter Cory as part of the Weston Park agreement and a way forward for the Northern Ireland Peace Process.

IN THE SENATE OF THE UNITED STATES

MAY 24, 2006

Mr. DEWINE (for himself and Mr. DODD) submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

Calling on the Government of the United Kingdom to establish immediately a full, independent, public judicial inquiry into the murder of Northern Ireland defense attorney Pat Finucane, as recommended by international Judge Peter Cory as part of the Weston Park agreement and a way forward for the Northern Ireland Peace Process.

Whereas human rights defense attorney and solicitor Patrick Finucane was brutally murdered in front of his wife and children at his home in Belfast on February 12, 1989;

Whereas numerous international bodies and nongovernmental human rights organizations have made note of serious al-

legations of collusion between loyalist paramilitaries and British security forces in the murder of Mr. Finucane;

Whereas, in July 2001, the Irish and British Governments made new commitments in the Weston Park Agreement to hold public inquiries into high profile murders if the Honorable Judge Peter Cory recommended such action, and both governments understood that such an inquiry would be held under the United Kingdom Tribunals of Inquiry (Evidence) Act 1921;

Whereas Judge Cory found sufficient evidence of collusion to warrant a public inquiry into the murder of Patrick Finucane and recommended that such an inquiry take place without delay;

Whereas, in his conclusions, Judge Cory set out the necessity and importance of a public inquiry into the Finucane case and that the failure to hold a public inquiry as soon as reasonably possible could be seen as a denial of the agreement at Weston Park;

Whereas, on May 6, 2004, Judge Cory testified in Congress before the United States Helsinki Commission and presented his report, which is replete with evidence of possible collusion relating to activities of the army intelligence unit and the Royal Ulster Constabulary (RUC) in the Finucane case;

Whereas the United Kingdom adopted new legislation after the public release of the Cory Report, the United Kingdom Inquiries Act of 2005, which severely limits the procedures of an independent inquiry and which has been rejected as inadequate by Judge Cory, the Finucane family, the Irish Government, and human rights groups;

Whereas, on March 15, 2005, Judge Cory submitted written testimony to the Committee on International Relations of the United States House of Representatives stating that the new legislation is “unfortunate to say the least” and “would make a meaningful inquiry impossible”;

Whereas the written statement of Judge Cory also stated that his recommendation for a public inquiry into the Finucane case “contemplated a true public inquiry constituted and acting pursuant to the provisions of the 1921 Act” and not the United Kingdom Inquiries Act of 2005;

Whereas section 701 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107-228) and House Resolution 128, 106th Congress, agreed to April 20, 1999, support the establishment of an independent, judicial inquiry into the murder of Patrick Finucane; and

Whereas the Senate expresses deep regret with respect to the British Government’s failure to honor its commitment to implement recommendation of Judge Cory in full: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) commends the Finucane family, wife Geraldine and son Michael, who have testified 5 times before the United States Congress (Geraldine in 2000, 2004, and 2005 and Michael in 1997 and 1999), for their courageous campaign to seek the truth in this case of collusion;

8 (2) welcomes the passage of a resolution by the 9 Dail Eireann on March 8, 2006, calling for the es-

1 establishment of a full, independent, public judicial in-
2 quiry into the murder of Patrick Finucane as the
3 most recent expression of support for the Finucane
4 family by the Government of Ireland;

5 (3) acknowledges the United States Helsinki
6 Commission charged with human rights monitoring
7 for their work in highlighting this case;

8 (4) supports the efforts of the Honorable
9 Mitchell Reiss, special envoy of President Bush for
10 the Northern Ireland Peace Process, in pushing for
11 the full implementation of the Weston Park Agree-
12 ment and the establishment of an independent, judi-
13 cial inquiry into the murder of Patrick Finucane;
14 and

15 (5) calls on the Government of the United
16 Kingdom—

17 (A) to reconsider its position on the
18 Finucane case to take full account of the objec-
19 tions of the family of Patrick Finucane, Judge
20 Cory, officials of the United States Govern-
21 ment, other governments, and international
22 bodies, and amend the United Kingdom Inquir-
23 ies Act of 2005; and

24 (B) to establish immediately a full, inde-
25 pendent, public judicial inquiry into the murder

1 of Patrick Finucane, as recommended by Judge
2 Cory, which would enjoy the full cooperation of
3 the family of Patrick Finucane and the wider
4 community throughout Ireland and abroad.

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