

106TH CONGRESS
1ST SESSION

H. RES. 128

Condemning the murder of human rights lawyer Rosemary Nelson and calling for the protection of defense attorneys in Northern Ireland.

IN THE HOUSE OF REPRESENTATIVES

MARCH 23, 1999

Mr. SMITH of New Jersey (for himself, Mr. GILMAN, Mr. KING, Mr. CROWLEY, Mr. PAYNE, Mr. MENENDEZ and Mr. WALSH) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Condemning the murder of human rights lawyer Rosemary Nelson and calling for the protection of defense attorneys in Northern Ireland.

Whereas on September 29, 1998, Rosemary Nelson, a prominent Catholic defense attorney in Northern Ireland, who testified before the Subcommittee on International Operations and Human Rights of the Committee on International Relations of the House of Representatives, stated that she had been harassed and intimidated by the Northern Ireland police force, the Royal Ulster Constabulary (RUC) in her capacity as a defense attorney, and that she had been “physically assaulted by a number of RUC officers” and that the difficulties with the RUC in-

cluded “at their most serious, making threats against my personal safety including death threats”;

Whereas Param Cumarswamy, the United Nations Special Rapporteur on the independence of judges and lawyers, also testified before the Subcommittee on International Operations and Human Rights citing the grave dangers faced by defense attorneys in Northern Ireland and stated that “there have been harassment and intimidation of defense lawyers by RUC officers” and that “these harassments and intimidation were consistent and systematic”;

Whereas the United Nations Special Rapporteur recommended that authorities other than the RUC conduct “an independent and impartial investigation of all threats to legal counsel in Northern Ireland” and “where there is a threat to physical integrity of a solicitor” the “Government should provide necessary protection”;

Whereas despite the threats and the intimidation, Rosemary Nelson courageously continued to represent the rights of Catholic clients in high profile cases, including the residents of Garvaghy road in their bid to stop controversial marches in their neighborhood and the family of Robert Hamill who was beaten to death by a sectarian mob in 1997;

Whereas, because of her human rights work, Northern Ireland solicitor Rosemary Nelson, the mother of three young children, suffered the ultimate harassment and intimidation and was brutally murdered on March 15th, 1999, by a bomb placed on her car;

Whereas all those involved in the targeting and killing of defense attorney Rosemary Nelson, including the Red Hand Defenders, an anti-Catholic group that is opposed to the

peace process and that has claimed responsibility for the murder, must be brought to justice;

Whereas the success of the peace process is predicated on the ability of the people of Northern Ireland to believe that injustices such as the murder of Rosemary Nelson will be investigated thoroughly, fairly, and transparently;

Whereas the murder of Rosemary Nelson is reminiscent of the 1989 murder of human rights attorney Patrick Finucane, who, according to the United Nations report, had also received numerous death threats from RUC officers;

Whereas the United Nations Special Rapporteur reported that since the Patrick Finucane murder, further information that seriously calls into question whether there was official collusion has come to light; and

Whereas Rosemary Nelson's fear of the RUC, the United Nations report, and other unresolved investigations necessitate the establishment of inquiry into Rosemary Nelson's murder that will be completely independent of the RUC so that the police force she herself feared will not be the prime source used to gather evidence, conduct interviews, follow leads, or produce final reports: Now, therefore, be it

- 1 *Resolved*, That the House of Representatives—
- 2 (1) recognizes the historic significance of the
- 3 1998 Good Friday Peace Accords and commends the
- 4 people of Northern Ireland for their commitment to
- 5 work together in peace;

12 (B) to institute an independent judicial in-
13 quiry into allegations that defense attorneys are
14 systematically harassed and intimidated by se-
15 curity forces; and

16 (C) to implement the United Nations Spe-
17 cial Rapporteur's recommendation for an inde-
18 pendent inquiry into the possibility of collusion
19 in the killing of defense attorney Patrick
20 Finucane.

○