

House Foreign Affairs Committee  
Tom Lantos Human Rights Commission

Hearing  
on  
NORTHERN IRELAND: ACCOUNTABILITY AT RISK

FEBRUARY 15, 2022, 1.00 p.m.  
VIRTUAL VIA CISCO WEB EX

STATEMENT SUBMITTED FOR THE RECORD

Submitted by:

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Justice for the Forgotten (JFF) was founded 26 years ago in 1996, initially to campaign for justice for the victims and survivors of the Dublin and Monaghan bombings. These coordinated no-warning attacks caused the greatest loss of life in a single day of the conflict – 34 civilians were killed, including two babies and a full-term unborn baby. Three bombs exploded in Dublin during the Friday evening rush-hour on 17 May 1974 and a fourth bomb exploded in Monaghan town less than 1.5 hours later. In total, 27 died in Dublin while seven lost their lives in Monaghan.

For the past 11 years JFF has been affiliated to the Pat Finucane Centre (PFC).

JFF is the only organization supporting victims of the conflict in the Republic of Ireland. Since 1996 we have expanded greatly and now support almost 60 families and over 200 individuals. The majority of the families we support lost their loved ones in cross-border (where the perpetrators travelled from Northern Ireland to the Republic of Ireland, carried out attacks and returned to Northern Ireland) bombings and shootings. Most of these families suffered their loss in the early-mid 1970s. Because of the age profile, family members are, unfortunately, dying every year. Nobody has ever been convicted of any of these attacks.

Six of our cases, representing a total of 39 deaths, along with many others where the deaths occurred in Northern Ireland, are being reviewed by Mr. Jon Boutcher's Operation Denton (part of Operation Kenova) team and five of those six cases (38 deaths) are also being investigated by the Police Ombudsman for Northern Ireland (PONI). A more recent case where the relative's death occurred in the 1990s was accepted for investigation by PONI eight years ago. It has not yet been commenced due to PONI's lack of resources. Starving PONI of resources appears to be British Government policy to restrict its capacity to investigate cases where London may find the conclusions embarrassing. The Dublin and Monaghan bombings families are taking a civil case in the High Court, Belfast against the MOD and the Chief Constable of the RUC. This case has

been delayed for several years and we are awaiting a ruling on whether the case can proceed due to jurisdictional and time issues. If these families are successful in having their case heard, families of other attacks will follow.

Several other cases have no avenues open to them. We had been relying on the Stormont House Agreement (SHA) being implemented so as to provide these families with some opportunity for truth recovery. Had it been established, we would have pressed the Irish Government to set up a corresponding Historical Inquiries Unit (HIU) in the Republic of Ireland which was not planned for in 2014.

The British Government's Command paper of 14 July 2021 entitled 'Addressing the legacy of Northern Ireland's Past' sets out a series of proposals, foremost among them the granting of a statute of limitation, which amounts to an amnesty in all but name and a far-reaching amnesty at that. Its other proposals would see an end to all coronial inquests, civil cases before the courts and PONI investigations. The detail on the proposed Information Recovery Body is vague, tenuous and lacking in detail and, as it stands, is not something we could recommend to families given London's bad faith in refusing to implement the SHA.

While the British Government is clearly very anxious to protect its veterans by granting a blanket amnesty, we believe it has an even more pressing reason for introducing this legislation.

It is greatly alarmed by, for example, the findings of the Ballymurphy Inquest; the Patrick McElhone Inquest; the PONI reports into the murders at the Heights Bar, Loughinisland, 18 June 1994; Police handling of loyalist paramilitary murders in the north west of Northern Ireland (1989-93); Police handling of loyalist paramilitary murders and attempted murders in south Belfast (1990-98).

In the Ballymurphy and McElhone Inquests, the victims were totally exonerated and the soldiers responsible for their deaths were found to have acted unjustifiably; in the three PONI reports, numerous collusive behaviors by members of the former RUC were found. The British Government has neglected to welcome these PONI reports or even comment on them in any way – heightening our belief that they want to shut down all further such inquiries.

As noted above, we are awaiting the completion of Operation Denton and PONI investigations as well as developments in the Dublin/Monaghan civil case. If the British proposals are implemented it will mean a blocking of all avenues to truth and justice for the families we support. This will have a devastating effect on them all.