



Legislation Text

File #: Res 1093-1999, **Version:** *

Res. No. 1093

Resolution urging the United Nations to initiate an independent investigation into the murder of civil rights attorney Rosemary Nelson, conduct an independent judicial inquiry into the murder of civil rights attorney Patrick Finucane and investigate the alleged systematic abuses, especially towards defense attorneys, conducted by the Royal Ulster Constabulary.

By The Speaker (Council Member Vallone) and Council Members Carrion, Dear, Eisland, Espada, Freed, Henry, Lopez, Nelson, Perkins, Abel, Golden; also Council Members Fisher, Foster, Harrison, Koslowitz, Leffler, McCaffrey, O'Donovan, Quinn, Spigner and Wooten

Whereas, The already heinous and deplorable murders of Patrick Finucane in 1989 and Rosemary Nelson in March, 1999, in Northern Ireland, have been made even more disturbing by the alleged lack of proper inquiries made during the investigations; and
Whereas, Both Mr. Finucane and Ms. Nelson were highly visible defense and human rights attorneys who were repeatedly threatened by extremists and security force members that held opinions opposite to theirs and many of their own clients; both were brutally murdered as a result of their professional endeavors, criticism of systematic injustice and dedication to ensuring equal justice under the law; and
Whereas, In April, 1998, the United Nations Special Rapporteur on the Independence of Judges and Lawyers, Mr. Data Param Kumaraswamy, presented a startling report to the United Nations Human Rights Commission which raised questions as to possible official collusion in the murder of Patrick Finucane; and

Whereas, The report also suggested corruption within the Royal Ulster Constabulary (R.U.C.), the police force of Northern Ireland, in regard to its handling of the Finucane case and its role in systematic abuses of defense lawyers in Northern Ireland; and
Whereas, The details of the United Nations report, along with repeatedly aired and documented complaints by criminal defense lawyers in Northern Ireland, have led several international human rights organizations and legal societies including the Lawyers Committee for Human Rights and the National Association of Criminal Defense Lawyers to suggest that the R.U.C. has engaged in a systematic pattern of intimidation and harassment of members of the Northern Ireland defense bar and in the case of Patrick Finucane, may have even aided in his brutal death; and

Whereas, In respect to these findings, many have questioned the fairness of the R.U.C. investigation of the murder of Patrick Finucane, who was shot to death by Ulster Freedom Fighters in front of his wife and children, and have called for an independent judicial inquiry, a necessary, impartial tool in revealing the truth behind this terrible crime and travesty of justice and a move that is long overdue; and

Whereas, Less than six months prior to her murder, a result of injuries sustained by a car bomb explosion, Rosemary Nelson, a prominent human rights attorney in Northern Ireland, provided chillingly prescient testimony before the U.S. Congress' International Operations and Human Rights Sub-committee of the House International Relations Committee Hearing on Human Rights in Northern Ireland, in which she alleged rampant abuses of the R.U.C. that included disallowing defense attorneys such as herself from being present during R.U.C. interviews with their clients and physical and verbal assaults carried forth against her by R.U.C. officers; and

Whereas, Ms. Nelson's testimony on September 29th, 1998 also detailed death threats made against her and members of her family and reminded Congress of the murder of Patrick Finucane and the unsatisfactory R.U.C investigation that followed; and

Whereas, Earlier on the day that she was murdered, Rosemary Nelson raised concerns about the misuse of power perpetrated by the R.U.C. in regard to the protection of her clients, residents of Garvaghy Road in Portadown, from the systematic intimidation and violence that had become commonplace since a Protestant Orange Order march was re-routed away from the predominantly Catholic neighborhood in the summer of 1998; and

Whereas, Given the documented details of the adverse relationship between the R.U.C. and one of its most vocal critics, Ms. Nelson, the only way to properly reveal the truth behind her murder is to conduct an independent investigation; and

Whereas, It is also necessary to act on the advice of the United Nations Special Rapporteur, members of the United States Congress and several worldwide human rights organizations, legal societies and legislators to conduct an independent inquiry into the murder of Patrick Finucane and the alleged systematic abuses conducted by the Royal Ulster Constabulary; now, therefore

Be It Resolved: That the Council of the City of New York urges the United Nations to initiate an independent investigation into the murder of civil rights attorney Rosemary Nelson, conduct an independent judicial inquiry into the murder of civil rights attorney Patrick Finucane and investigate the alleged systematic abuses, especially towards defense attorneys, conducted by the Royal Ulster Constabulary.

Adopted.

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