

ESTABLISHING THE HOUSE DEMOCRACY ASSISTANCE COMMISSION FOR THE 110TH CONGRESS; AND CALLING ON THE GOVERNMENT OF THE UK TO IMMEDIATELY ESTABLISH A FULL, INDEPENDENT, AND PUBLIC JUDICIAL INQUIRY INTO THE MURDER OF NORTHERN IRELAND DEFENSE ATTORNEY PATRICK FINUCANE IN ORDER TO MOVE FORWARD ON THE NORTHERN IRELAND PEACE PROCESS

MARKUP

BEFORE THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

ONE HUNDRED TENTH CONGRESS

FIRST SESSION

ON

H. Res. 24 and H. Con. Res. 20

JANUARY 23, 2007

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TUESDAY, JANUARY 23, 2007

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The committee met, pursuant to notice, at 3:00, p.m., in room 2172, Rayburn House Office Building, Hon. Tom Lantos (chairman of the committee) presiding.

Chairman LANTOS. We have one very important but non-controversial bill on the agenda.

It is the intention of the Chair to consider this measure by unanimous consent and authorize the Chair to seek consideration of the bill under suspension of the rules. All members are given leave to insert remarks on the measure into the record should they choose to do so.

Accordingly, I will now recognize two of our colleagues, two of our most widely respected and distinguished colleagues. One of them is, at the moment, at the Rules Committee, my friend and colleague from California, and I am now delighted to recognize my friend and most valued member of this body, Representative Price.

Mr. PRICE OF NORTH CAROLINA. Thank you, Mr. Chairman.

Mr. Chairman, Ms. Ros-Lehtinen, distinguished colleagues, I am grateful for the opportunity to speak before you briefly today about the House Democracy Assistance Commission and the resolution, H. Res. 24, to reauthorize its work.

As most of you know, the House Democracy Assistance Commission, "HDAC," as we call it, was inspired by the work of the Frost-Solomon Task Force which worked with legislatures in states emerging from communism during the early 1990s. Our commission has undertaken the same kind of work, building on the institutional capacities of legislatures in emerging democracies by working to develop research and budget analysis, oversight, legislative drafting, and other capabilities.

In contrast to the Frost-Solomon Task Force, however, our scope is worldwide. In the commission's first 2 years we have undertaken partnerships with legislatures in 12 nations, many of which hold great interest for this committee—Afghanistan, Colombia, East Timor, Georgia, Haiti, Indonesia, Kenya, Lebanon, Liberia, Mac-

edonia, Mongolia, and Ukraine. Mr. Chairman, a report of our work in the 109th Congress has been filed with your committee.

We view our work as a small but important niche in the United States mission to spread democracy around the world. This fall, the American Enterprise Institute held a symposium to consider the question, How much do we really know about democracy promotion? Among the speakers was Garth Evans, President of the International Crisis Group. Evans named four key lessons about democracy promotion and I found the lessons very instructive and quite relevant to the work HDAC is carrying out with our 12 partner nations. Let me just briefly tell you what they are.

First, Evans argued that democracy is best conceptualized as a human rights issue. Nothing better encapsulates what is at stake in many of these partner nations. In countries like Liberia, Haiti, and Afghanistan conflict and authoritarian government have left citizens deprived of the most basic rights and needs. Democracy represents the great hope to bring peace and stability, sustenance and freedom.

HDAC is working with partner legislatures in accordance with the belief that developing democratic institutions is essential to prepare legislators to face the public policy challenges of confronting poverty, resolving conflicts, sharing resources, and supporting families.

Evans' second lesson was that, in promoting democracy, consistency is a virtue. He went on to explain that we would not always like the outcomes of democracy, but we must support the process. We have certainly experienced that process firsthand with HDAC.

In many of our partner legislatures, people with dubious pasts continue to hold key posts, but we have witnessed the democratic elections and the motley assembly of personalities that often results in serving to bring reconciliation and unity to nations. Our great hope is that in these nations conflicts can be solved not on the battlefield but on the floor of the legislature.

The third lesson is especially pertinent to our work. Democracy is about more than elections. This, in fact, is the great mantra of our commission. The true work of democracy promotion is done between elections as elected officials work to mold their institutions into bodies that are responsive to the people they represent. This is the focus of our work.

Finally, Evans concluded modesty is the best policy. Our commission has been particularly vigilant in heeding this advice. We recognize that we do not have all of the answers. Our own democracy is a work in progress. We think we have an important story to tell, but we approach each of these legislatures in a true spirit of partnership, learning from them as they learn from us.

We also know that we do not have a corner on the market of democracy promotion, and we coordinate closely with USAID and with the State Department and with other actors in the field to ensure that our efforts complement and enhance theirs.

So, Mr. Chairman, we have high expectations for the programs we hope to implement in 2007 with the support of this committee. During the last 2 years, our focus has been on assessing candidate legislatures and seeking to establish partnerships. Now we plan to move toward consolidating those relationships by expanding and fo-

cusing programming. We plan to conduct advanced seminars on critical legislative capabilities to enable sustained communications between members and staffs of our legislatures, to identify and support pro-democracy reformers in partner legislatures and to provide small-scale material assistance in cases of significant need.

While we are still open to considering new candidate legislatures, we do not want to over commit our limited resources. We believe we have chosen 12 legislatures in which our efforts can make a tangible difference, and we look forward to building on the work that we have begun.

Let me close by thanking my colleague, Representative David Dreier, for his leadership as chairman of the commission for the last 2 years. He has led us with vision and with a remarkably inclusive and bipartisan spirit. We had hoped that Mr. Dreier could be with us today, but with your permission, I would like to ask that his statement be included in the record at this point.

Chairman LANTOS. Without objection.

[The prepared statement of Mr. Dreier follows:]

PREPARED STATEMENT OF THE HONORABLE DAVID DREIER, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF CALIFORNIA

Chairman Lantos and Ranking Member Ros-Lehtinen, thank you very much for the opportunity to come here today to testify on H. Res. 24. I believe that the House Democracy Assistance Commission began very important work in the 109th Congress, and I appreciate the opportunity to speak on behalf of its reauthorization.

I had the privilege to serve as Chairman of HDAC for nearly two years in the last Congress. I have worked very closely with my good friend, colleague and co-Chair, David Price. Together we have worked to develop what I believe are excellent programs with emerging and re-emerging legislatures in virtually every region of the globe. We have six programs already underway—in Indonesia, East Timor, Lebanon, Kenya, Macedonia and Afghanistan. And we have six programs set to begin this year—in Liberia, Haiti, Ukraine, Georgia, Colombia and Mongolia.

I know I don't have to tell anyone in this room how important the spread and the strengthening of democracy are. We know very well how critical the rule of law, political pluralism, transparency in government, and self-determination are to ensuring a safe, peaceful and prosperous world. And we know all too well that we ignore tyranny to our peril. Strengthening democratic institutions around the globe is essential to both our national security and to improving the quality of life for millions who previously knew only oppression.

A number of U.S. agencies, NGOs and international groups are doing a great deal of work in democracy building in general, and in legislative strengthening in particular. We work closely with a number of these groups, particularly USAID, IRI and NDI, and we could not do what we do without their assistance and guidance.

But HDAC offers something unique—the perspectives and experiences of Members of the U.S. House of Representatives. Our exchanges provide the opportunity for Members of this body to work directly with Members of legislatures in burgeoning democracies, to offer our experiences and our support at a time when democracy is still fragile. These direct exchanges and personal relationships are invaluable to those on both sides of the table. Our partners can learn from our experience, and we can benefit from the perspectives of fellow Members who have only just begun to embark on their democratic experiment.

Our Commission has only existed for a short time—less than two years—and we have only had programs fully underway for a year. Yet we have already begun to see some small but important successes. In general terms, we have begun a dialogue with our colleagues in six different legislatures, and can see the seeds that have been planted.

As these legislatures turn to us on a continual basis for guidance on issues such as ethics reform, oversight and committee strengthening, we can immediately see the value of this ongoing relationship.

And we have seen concrete examples of the positive impact the Commission is having. One example comes from the Kenyan parliament. Our assessment team strongly emphasized the importance of independent budget analysis and we chose to make that a focus of our program. Through our guidance, the parliament chose

to establish a budget committee, and in fact officially launched it during our delegation visit in July of last year.

Another example comes from the Macedonian parliament, where we have focused on the need to strengthen the committee structure and devote adequate resources there. When our assessment team visited the parliament, it found committee facilities and resources to be extremely lacking. By the time our Member delegation visited in November of last year, we saw newly renovated and equipped committee hearing rooms. It was clear that their Leadership was committed to ensuring that committees had the resources they need to be effective in their legislative and oversight roles.

These are incremental but significant successes, demonstrating the value of building these Member-to-Member, legislature-to-legislature relationships. For the sake of our six partnerships that are set to begin this year, it is imperative we get our plans underway. And for the sake of our existing partnerships, it is imperative that we build upon the foundation that has been built over the last two years.

We have heard time and again from our partners that they value enormously this engagement. But they have also emphasized the need for continuity.

It's not enough for us to send one delegation there, bring one delegation here, and then call it quits. Seeds have been planted, but a lot of hard work remains to ensure that our gains continue to grow.

For brand new legislatures, like in Afghanistan and Liberia, the stakes of an enduring democracy cannot be overstated. And for more mature institutions with newfound authority, like in Ukraine and Colombia, we have an opportunity to ensure that our allies in key regions stay on the path of reform. I thank you for your consideration of this resolution, and I urge you to reauthorize the House Democracy Assistance Commission so that we as an institution can continue this important work.

Mr. PRICE OF NORTH CAROLINA. I also, Mr. Chairman, want to thank you and this committee, the ranking member—all of you—for your leadership and support. Many of you have cosponsored the resolution before us H. Res. 24. Representatives Wilson, Boozman and Fortenberry had been members of the commission in the 109th Congress.

So with your support at reauthorizing the commission, I believe that HDAC offers Members of the House a promising opportunity to directly contribute to the important work of championing democracy around the world, and I thank you for your willingness to consider this resolution in such a timely manner. Thank you.

Chairman LANTOS. Thank you very much, Congressman Price.

Let me just say we could not have picked two more able colleagues than you and David Dreier to head up this commission. It is one of the finest works of the Congress, and I remember more than a decade and a half ago how excited we were when we first provided assistance to our new colleagues in the Czech Republic, Slovakia, Poland, Hungary, Romania, Bulgaria, and others, and you have carried on this work with extraordinary effectiveness. We are deeply in your debt.

Accordingly, without objection, the chairman is authorized to seek consideration of two bills under suspension of the rules, and the amendment to the measures which the members have before them shall be deemed adopted.

The first one is H. Res. 24, establishing the House Democracy Assistance Commission for the 110th Congress. The second one, authored by Congressman Smith of New Jersey, co-sponsored by many colleagues on both sides of the aisle, calls on the government of the United Kingdom to immediately establish a full, independent and public judicial inquiry into the murder of Northern Ireland defense attorney, Patrick Finucane. This is H. Con. Res. 20.

Without objection, the chairman will seek consideration of this bill under suspension of the rules, and if there is no further comment, I am pleased to recognize my friend from New Jersey.
[The information referred to follows:]

110TH CONGRESS
1ST SESSION

H. RES. 24

Establishing the House Democracy Assistance Commission for the One
Hundred Tenth Congress.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2007

Mr. PRICE of North Carolina (for himself, Mr. DREIER, Mrs. CAPPS, Mr. HOLT, Mr. BURTON of Indiana, Mr. WEXLER, Mr. BOOZMAN, Mr. REYES, Mr. FORTENBERRY, Mr. SNYDER, Mr. BLUMENAUER, Mr. LANTOS, Ms. WATSON, Ms. WOOLSEY, Mr. ACKERMAN, Mr. HONDA, Mr. SCHIFF, Ms. ROS-LEHTINEN, Mr. WILSON of South Carolina, Mr. PAYNE, Mr. COLE of Oklahoma, Mr. HOYER, Mr. KIRK, Mr. POMEROY, Ms. JACKSON-LEE of Texas, Ms. BORDALLO, and Mr. DAVIS of Alabama) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Establishing the House Democracy Assistance Commission
for the One Hundred Tenth Congress.

1 *Resolved,*

2 **SECTION 1. ESTABLISHMENT OF COMMISSION.**

3 There is established in the House of Representatives
4 a commission to be known as the House Democracy As-
5 sistance Commission (hereafter in this resolution referred
6 to as the “Commission”).

1 **SEC. 2. MEMBERSHIP OF COMMISSION.**

2 (a) NUMBER AND APPOINTMENT.—The Commission
3 shall be composed of 20 Members of the House of Rep-
4 resentatives, of whom 11 shall represent the majority
5 party and be appointed by the Speaker of the House of
6 Representatives and 9 shall represent the minority party
7 and be appointed by the Minority Leader of the House
8 of Representatives.

9 (b) TERMS OF MEMBERS OF THE HOUSE OF REP-
10 RESENTATIVES.—Each member of the Commission shall
11 be appointed for a term that is concurrent with the Con-
12 gress in which the appointment is made. Such a member
13 may be reappointed for one or more subsequent terms in
14 accordance with the preceding sentence.

15 (c) CHAIRPERSON.—The Chairperson of the Commis-
16 sion shall be designated by the Speaker of the House of
17 Representatives from among the members appointed by
18 the Speaker of the House of Representatives under sub-
19 section (a).

20 **SEC. 3. DUTIES.**

21 (a) ACTIVITIES.—The Commission shall work with
22 the legislatures of partner countries, as determined pursu-
23 ant to subsections (b) and (c)(3), on a frequent and reg-
24 ular basis in order to—

25 (1) enable Members, officers, and staff of the
26 House of Representatives and congressional support

1 agencies to provide expert advice and consultation to
2 members and staff of the legislatures of partner
3 countries;

4 (2) enable members and staff of legislatures of
5 partner countries to study the operations of the
6 House of Representatives and its support agencies;
7 and

8 (3) provide recommendations to the Adminis-
9 trator of the United States Agency for International
10 Development regarding the provision of material as-
11 sistance, such as modern automation and office sys-
12 tems, information technology, and library supplies,
13 as the Commission determines to be needed by a leg-
14 islature of a partner country in order to improve the
15 efficiency and transparency of its work, and to over-
16 see the provision of such assistance.

17 (b) SELECTION OF PARTNER LEGISLATURES.—

18 (1) IN GENERAL.—In order to carry out the ac-
19 tivities described in subsection (a), the Commission
20 may conduct, as needed, studies on the feasibility of
21 programs of assistance for legislatures of countries
22 described in paragraph (2) for the purpose of
23 strengthening the legislative infrastructure of such
24 countries. Such studies shall assess—

1 (A) the independent and substantive role
2 that each legislature plays, or could reasonably
3 be expected to play, in the legislative process
4 and government oversight;

5 (B) the potential benefit to each legislature
6 of expert advice from and consultation with
7 Members and staff of the House of Representa-
8 tives in areas such as the development of re-
9 search services and legislative information sys-
10 tems, legislative procedure, committee oper-
11 ations, budget process, government oversight,
12 and constituent services; and

13 (C) the need in each legislature for mate-
14 rial assistance, such as modern automation and
15 office systems, information technology, and re-
16 search materials, in order to improve efficiency
17 and transparency.

18 (2) COUNTRIES DESCRIBED.—The countries re-
19 ferred to in paragraph (1) are countries that have
20 established, have re-established, or are developing
21 democratic legislatures which would benefit from the
22 assistance described in this resolution.

23 (3) ADDITIONAL PARTNER LEGISLATURES.—
24 From any countries studied in accordance with para-
25 graph (1), the Commission may select one or more

1 legislatures to receive assistance under the provi-
2 sions of this resolution, subject to a written expres-
3 sion of interest from the highest ranking office with-
4 in the legislature of a selected country.

5 (c) REPORTS.—

6 (1) IN GENERAL.—Not later than December 31,
7 2007, and each December 31 thereafter, the Com-
8 mission shall prepare and submit to the Speaker of
9 the House of Representatives, the Minority Leader
10 of the House of Representatives, appropriate House
11 committees, the Office of Interparliamentary Affairs
12 of the House of Representatives, and the Adminis-
13 trator of the United States Agency for International
14 Development, an annual report on the Commission’s
15 activities, including a review of the activities of the
16 Commission in the current year and a proposal for
17 the activities of the Commission in the upcoming
18 year, as described in subsection (a).

19 (2) DEFINITION.—In this subsection, the term
20 “appropriate House committees” means the fol-
21 lowing committees of the House of Representatives:

22 (A) The Committee on International Rela-
23 tions.

24 (B) The Committee on Appropriations.

1 (C) The Committee on House Administra-
2 tion.

3 (D) The Committee on Rules.

4 **SEC. 4. ROLE OF THE COMMITTEE ON INTERNATIONAL RE-**
5 **LATIONS.**

6 (a) IN GENERAL.—The Commission shall carry out
7 the duties described in section 3 using the staff and re-
8 sources of the Committee on International Relations, in-
9 cluding the use of consultants or temporary employees,
10 such as individuals with expertise in development of demo-
11 cratic parliaments, legislative systems management, legis-
12 lative research, parliamentary procedure, related legisla-
13 tive matters, and technology systems management, as ap-
14 propriate.

15 (b) PARTICIPATION OF LEGISLATIVE BRANCH EM-
16 PLOYEES.—At the request of the Commission, the head
17 of any office of the House of Representatives or any con-
18 gressional support agency may assist the work of the Com-
19 mission by—

20 (1) detailing personnel to the staff of the Com-
21 mittee on International Relations or another stand-
22 ing committee of the House of Representatives; or

23 (2) authorizing personnel to participate in ac-
24 tivities of the Commission.

1 **SEC. 5. TRANSITION FROM FORMER COMMISSION.**

2 (a) CONTINUATION OF EXISTING PROGRAMS.—The
3 Commission may continue programs of assistance with
4 legislatures of partner countries which were initiated by
5 the former Commission.

6 (b) TRANSFER OF AUTHORITIES AND RESOURCES.—
7 Any authorities and resources of the former Commission
8 which remain available as of the day before the date of
9 the adoption of this resolution, including unobligated
10 funds, shall be transferred and made available to the Com-
11 mission.

12 (c) DEFINITION.—In this section, the “former Com-
13 mission” means the House Democracy Assistance Com-
14 mission established under the House Democracy Assist-
15 ance Commission Resolution (House Resolution 135, One
16 Hundred Ninth Congress, agreed to March 14, 2005).

○

AMENDMENT TO H. RES. 24
OFFERED BY MR. LANTOS OF CALIFORNIA

Page 5, beginning on line 22, strike “International Relations” and insert “Foreign Affairs”.

Page 6, line 21, strike “International Relations” and insert “Foreign Affairs”.

110TH CONGRESS
1ST SESSION

H. CON. RES. 20

Calling on the Government of the United Kingdom to immediately establish a full, independent, and public judicial inquiry into the murder of Northern Ireland defense attorney Patrick Finucane, as recommended by Judge Peter Cory as part of the Weston Park Agreement, in order to move forward on the Northern Ireland peace process.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2007

Mr. SMITH of New Jersey (for himself, Mr. ENGEL, Mr. WALSH of New York, Mr. NEAL of Massachusetts, Mr. KING of New York, Mr. PAYNE, Mr. GARRETT of New Jersey, Mr. PALLONE, Mr. CROWLEY, Mr. McNULTY, and Mr. ROTHMAN) submitted the following concurrent resolution; which was referred to the Committee on Foreign Affairs

CONCURRENT RESOLUTION

Calling on the Government of the United Kingdom to immediately establish a full, independent, and public judicial inquiry into the murder of Northern Ireland defense attorney Patrick Finucane, as recommended by Judge Peter Cory as part of the Weston Park Agreement, in order to move forward on 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 many international bodies and nongovernmental human rights organizations, including Amnesty International, British Irish Rights Watch, the Committee for the Administration of Justice, and Human Rights First, have called attention to serious allegations of collusion between loyalist paramilitaries and British security forces in the murder of Mr. Finucane;

Whereas in July 2001 the Governments of Ireland and the United Kingdom under terms of the Weston Park Agreement appointed retired Canadian Judge Peter Cory to investigate the allegations of collusion between loyalist paramilitaries and British security forces in the murder of Mr. Finucane and other individuals;

Whereas Judge Cory reported to the Governments of Ireland and the United Kingdom in April 2004 that sufficient evidence of collusion existed to warrant a full, independent, and public judicial inquiry into the murder of Mr. Finucane and recommended that a public inquiry take place without delay;

Whereas the Government of the United Kingdom in April 2005 adopted the Inquiries Act 2005 which empowers the Government to block scrutiny of state actions and limits independent action by the judiciary in inquiries held under its terms, and, after the enactment of this legislation establishing new limited inquiry procedures, the Government announced that an inquiry into the murder of Mr. Finucane would be established which would operate under terms of the new legislation;

Whereas Judge Cory, in a written statement presented to the Committee on International Relations of the House of Representatives in 2005, stated that his 2004 recommendation for a public inquiry into the murder of Mr.

Finucane had “contemplated a true public inquiry constituted and acting pursuant to the provisions of the 1921 Act” (the Tribunals of Inquiry (Evidence) Act 1921), and also stated that “it seems to me that the proposed new Act would make a meaningful inquiry impossible”;

Whereas the family of Mr. Finucane has rejected the limited authority of an inquiry conducted under terms of the Inquiries Act of 2005;

Whereas Amnesty International, British Irish Rights Watch, the Committee for the Administration of Justice, and Human Rights First have likewise rejected any proposed inquiry into the murder of Mr. Finucane established under procedures of the Inquiries Act of 2005 and have called for the repeal of the Act;

Whereas the Dáil Éireann (Parliament of Ireland) adopted a resolution on March 8, 2006, calling for the establishment of a full, independent, and public judicial inquiry into the murder of Patrick Finucane; and

Whereas the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228) and House Resolution 128 (April 20, 1999) support the establishment of a full, independent, and public judicial inquiry into the murder of Patrick Finucane: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring), That Congress—*

3 (1) expresses to the family of Patrick Finucane
4 deepest condolences on his death, commends their
5 steadfast pursuit of justice in his brutal murder, and
6 thanks his wife Geraldine and son Michael for their

1 willingness to testify on this matter before commit-
2 tees of the House of Representatives on numerous
3 occasions;

4 (2) supports the efforts of the Administration
5 in seeking the full implementation of the Weston
6 Park Agreement and the establishment of a full,
7 independent, and public judicial inquiry into the
8 murder of Patrick Finucane;

9 (3) calls on the Government of the United
10 Kingdom to reconsider its position on the matter of
11 an inquiry into the murder of Mr. Finucane, to
12 amend the Inquiries Act of 2005, and to take fully
13 into account the objections of Judge Cory, objections
14 raised by officials of the United States Government,
15 other governments, and international bodies, and the
16 objections raised by Mr. Finucane's family; and

17 (4) urges the Government of the United King-
18 dom immediately to establish a full, independent,
19 and public judicial inquiry into the murder of Pat-
20 rick Finucane which would enjoy the full cooperation
21 and support of his family, the people of Northern
22 Ireland, and the international community as rec-
23 ommended by Judge Cory.

○

Mr. SMITH OF NEW JERSEY. I want to first thank you for scheduling this so expeditiously, and let me just say I like your shirt.

On a serious matter——

Chairman LANTOS. Mrs. Lantos has taken due notice.

Mr. SMITH OF NEW JERSEY. My wife bought this one as well.

The resolution before us today, Mr. Chairman, is similar to my legislation, H. Res. 740, that passed the House last year, 390 to 5. Very simply, it calls on the British Government to live up to its commitment, as you pointed out, as part of the Northern Ireland peace process to implement a public, independent, judicial inquiry into the murder of human rights attorney Patrick Finucane. Mr. Finucane, who represented Catholics in Northern Ireland, was gunned down in his home in 1989 in front of his wife and children.

For years, numerous international bodies and nongovernmental organizations and human rights groups have raised allegations that Mr. Finucane's murder resulted from collusion between loyalist paramilitaries and British security forces.

In 2004, retired Canadian Supreme Court Judge Peter Cory, who was appointed by the Governments of Ireland and the United Kingdom to examine these allegations under the Weston Park Agreement, reported that sufficient evidence of collusion existed to warrant a full, independent and public judicial inquiry without delay. Unfortunately, the British Government has yet to comply.

Many of my colleagues know that, as chairman of the Subcommittee on Human Rights, and as chairman of the Helsinki Commission, I have held 11 hearings on the peace process in Northern Ireland. Central to each of these hearings has been the ongoing concern of the human rights abuses by members of the police service in Northern Ireland. The Finucane family has testified. Judge Cory has testified. The U.N. Special Rapporteur on Independence of Judges and Lawyers has testified as well as numerous human rights leaders. All have advocated for a special investigation into the possibility of collusion into the Finucane murder.

Finally, let me say that the Bush administration—Ambassador Mitchell Reiss—has testified here that he and the administration have urged for the establishment of a credible investigation into the Finucane murder.

Mr. Chairman, I do want to thank those who have cosponsored, including Ms. Ros-Lehtinen, Mr. Engel, Mr. Gallegly, Mr. Payne, Mr. Burton, Mr. Crowley, Mr. Rohrabacher, Mr. Ackerman, Mr. Sires, and Mr. Wexler and others who I am sure might want to join before we go to the floor, but I thank you for scheduling this. I think this is the key to peace in Northern Ireland that the police be absolutely honest, transparent and not take sides and be part of collusion and murder.

I yield back the balance. Thank you.

Mr. PAYNE. Mr. Chairman, would you yield for a moment?

Chairman LANTOS. I would be delighted to yield, Mr. Payne.

Mr. PAYNE. Mr. Chairman, let me commend Mr. Smith for re-introducing this legislation.

As you may recall, last year human rights was a part of our subcommittee, and I participated in the hearings that we had in regard to Pat Finucane and Rosemary Nelson and just a whole group of hearings dealing with the problems in the north of Ireland, and

so I certainly concur with this legislation and urge all members to support it.

I yield back.

Chairman LANTOS. Thank you very much.

Mr. ENGEL. Mr. Chairman?

Chairman LANTOS. Yes, Mr. Engel.

Mr. ENGEL. Thank you, Mr. Chairman.

I, too, would like to commend Mr. Smith and voice my strong support for this resolution. I am happy to be the second name on the resolution after Mr. Smith.

I have for many years been meeting with the Finucane family. They have been here in Washington, in my office, and they are convinced that unless this inquiry is done in the way that this resolution calls for it will not be a fair and free inquiry. In fact, if the inquiry is not done this way, then whatever happened to Mr. Finucane, it is brutal assassination. We will never really know the truth, and any conclusion that comes out of any other type of investigation, in my opinion, will be tainted, and so I think it is very, very important that this committee and this Congress go on record in full support of calling on the Government of the United Kingdom to establish an independent, full and public judicial inquiry. That is what the family wants. That is what justice demands and we can demand no less.

Thank you, Mr. Chairman.

Chairman LANTOS. Thank you very much.

Is there any colleague on the Republican side who seeks recognition? If not, I would like to call on my friend, Mr. Ackerman.

Mr. ACKERMAN. Thank you very much, Mr. Chairman.

I am in support of both resolutions before us, and I concur with everything that has been said.

I do want to thank Representative Price for being here. He is certainly, along with Mr. Dreier, among the most thoughtful Members of our Congress and sometimes coming from different directions. I just wanted to add that to the record and echo those words that Chairman Lantos said.

I would commend your consideration of the commission your having mentioned, David, operating under the four principles that you summarized—the first one that democracy is a human right—that we have to at one point address the issue of what happens during a democratic process where, when everything is agreed to that it was completely democratic, that a society decides to change itself into a theocracy, that decision having been democratically derived, “theocracy” being nondemocratic institutions.

Is it the human right of the individuals in that society to make that collective decision to abolish the system that they had before and that we recognize as democratic and democratically establishing something other than that?

So there is a lot on your plate, but I think we are moving into the era of that notion being considered.

Chairman LANTOS. Is there anybody else who would like to speak? If not, before we close this meeting, I want to personally express my appreciation to Mr. Smith.

Having worked with him over more than two decades, his passionate commitment to human rights is extraordinary, and vast

numbers of individuals across the world are in his debt, as we all are, for his passionate advocacy of human rights everywhere, and we are deeply grateful to you.

The committee is adjourned.

[Whereupon, at 3:15 p.m., the committee was adjourned.]

