

AMNESTY INTERNATIONAL

Open Letter

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Public judicial inquiries into the killings of Robert Hamill, Billy Wright and Rosemary Nelson

An Open Letter from Amnesty International, British Irish RIGHTS WATCH and the Committee on the Administration of Justice

Ref: TG EUR 45/04/20

Rt Hon Tony Blair MP
Prime Minister
Prime Minister's Office
10 Downing Street
London SW1A 2AA

30 September 2004

Dear Prime Minister,

We understand that your government is close to making appointments of the three Chairs for the public inquiries into the killings of Robert Hamill, Billy Wright and Rosemary Nelson.

We are writing to you at the very outset of the establishment of each inquiry to raise matters of considerable importance to their effectiveness. In this connection, we urge that those who agree to chair the inquiries be notified of the very serious concerns raised in this letter as soon as they have agreed to undertake that role.

If the inquiries are to effectively probe and lay to rest the allegations of state collusion in these three killings, it is vital that they command the confidence and secure the participation of the families, not only for the sake of the families themselves but also in the wider public interest. To that end, it is crucial that the families are content with the terms of reference, the membership and the proposed conduct of the relevant inquiry. The Northern Ireland Office has assured the families that they will have an opportunity to meet the Chair of the relevant tribunal and discuss the terms of reference, the membership and the proposed arrangements for the conduct of the proceedings before they are finalised. However, we have recently received reports that the Northern Ireland Office intends to renege on the above-mentioned commitment it made to the families of Robert Hamill, Billy Wright and Rosemary Nelson. We urge you to ensure that this be not the case.

It is also essential to ensure public confidence in the ability of the inquiries to uncover the truth and finally allay the significant public concern about allegations of state collusion and impunity in these cases.

The United Kingdom authorities' failure to conduct prompt, thorough, effective, independent and impartial investigations into these killings has resulted in the need for public inquiries. The primary objective of these inquiries now must be to ensure that there be independent public scrutiny of those agents and institutions of the state who may have been implicated in these killings, and that those responsible be held to account, without fear or favour. In order to enhance both family and public confidence in the transparency, effectiveness, independence and impartiality of the tribunals, we urge that at least one member of the panel should be a non-UK national.

We also urge that the terms of reference of the inquiries should be drawn sufficiently widely to enable a proper examination of all the circumstances surrounding these three killings in order that all aspects of collusion can be thoroughly scrutinised and lessons be learnt.

This open letter does not address the fourth case that Judge Cory recommended should be the focus of a public inquiry -- that of Patrick Finucane -- since your government has chosen to treat it differently. However, we would like to place on record our serious concern at your government's recent announcement that an inquiry into the Finucane case necessitates separate legislation. Apart from the delay thereby to be incurred, we are concerned that under new legislation the ability of the inquiry to shed light on state collusion in the killing of Patrick Finucane, on allegations that his killing was the result of an official policy and that different government authorities played a part in the subsequent cover-up of collusion in his killing, will be irreparably curtailed.

Yours sincerely,
Nicola Duckworth
Director
Europe and Central Asia Programme

On behalf of

Amnesty International

British Irish RIGHTS WATCH

The Committee on the Administration of Justice

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