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Proscription of UDA

The British Ambassador called this morning at 11.35 a.m. to hand in a copy of the attached letter dated 10 August from the Secretary of State for Northern Ireland to the Minister for Foreign Affairs. He told me that he had already called on Mr. David Donoghue at Iveagh House to whom he had also given a copy of this letter.

He said that an announcement about the proscription of the UDA would be made at noon today by way of a brief press statement. The Secretary of State would be giving as his reason for making the Order his belief that the UDA is actively and primarily responsible in the commission of criminal and terrorist acts and so meets the criterion for proscription.

The Ambassador said that the Order would be laid before Parliament under the Emergency Provisions Act. It would come into effect from midnight tonight.

As to the question - why make the Order now? - the Secretary of State would be saying that he was satisfied that the UDA now meets the criterion for proscription. As to whether the Sinn Fein organisation should also be proscribed, the British view was that their position was very different. The final paragraph of the Secretary of State's letter also refers in this regard.

The Ambassador apologised for the short notice in giving us this information. I thanked him for his call and said I would pass the information to the Taoiseach.

We had a short discussion on the President's forthcoming visit to Derry. I indicated that the visit had been agreed by the Taoiseach subject to agreement with the British authorities on the principle and timing of the visit, including the questions of an overnight stay and travel from Derry to Fermanagh. I said that Mr. Colm Butler of this Department was arranging the President's programme, in consultation with the Department of Foreign Affairs and others.

I also availed of the Ambassador's call to mention the invitation received by the President from Leeds City Council to attend Leeds Centenary Celebrations in Leeds on 13 February, 1993. I said that our view was that this invitation should be declined for a number of reasons. The only Presidential visit to Britain which we had on the stocks at present was the receipt of an Honorary Degree from the University of Wales in Cardiff on 30 November 1993.

FM

Frank Murray,
10th August, 1992.

c.c. Mr. Walter Kirwan & Mr. David Donoghue, Dept. of Foreign Affairs.

Secretary to the Taoiseach (on all matters)

Do see please

FM 11/8/92

**TEXT OF A LETTER DATED 10 AUGUST
FROM THE RT HON SIR PATRICK MAYHEW QC MP,
SECRETARY OF STATE FOR NORTHERN IRELAND,
TO MR DAVID ANDREWS TD, MINISTER FOR FOREIGN AFFAIRS**

ULSTER DEFENCE ASSOCIATION (UDA)

I am writing to tell you that I have today made an Order under Section 28(3) of the Northern Ireland (Emergency Provisions) Act 1991 adding the UDA to the list of proscribed organisations for the purposes of that Act.

The Order comes into effect at midnight tonight. From then on, it will be unlawful to be a member of the UDA or to engage in a range of activities including recruitment and fund raising for it. The Order will need to be approved by both Houses of Parliament once the summer recess is over.

I have no doubt that there will be some hostile reaction from within the majority community and perhaps allegations that I have been pressured into this by the Irish Government, the SDLP and so on. If such allegations are made, I intend to make quite clear that the decision was that of the United Kingdom Government alone, as is the case, although I shall, if asked, say that I have notified you of the making of the Order.

Almost certainly this step will also lead to calls for the same action to be taken against Sinn Féin. I intend to resist on the basis that Sinn Féin, however abhorrent its stance on the use of violence may be, does not meet our published criterion for proscription. However, as we always do in the case of bodies known to have links with terrorist organisations, I shall explain that the question is being kept under review.