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To: HQ  
For: Second Secretary O hUlginn

From: Belfast  
From: Joint Secretary

Subj: NIO paper on paramilitary activity in Northern Ireland

1. We have been given the attached copy of a paper on continuing paramilitary activity in Northern Ireland which the NIO has prepared on the basis of material already in the public domain and which it has passed to the delegation accompanying President Clinton.
2. The British also intend to draw on this document for media briefing purposes.
3. As you will see, it is a tendentious propaganda document, aimed at buttressing the Washington Three condition, which is heavier on rhetoric than on facts and has all the signs of hasty production. Little trouble has been taken to provide documentation in support of the various assertions (e.g. the extortion point is covered by a quotation from Joe Hendron, three months ahead of the ceasefire). The document even manages to misquote para 10 of the Joint Declaration. You will note also the recurrence of the point about the IRA's failure to stand down its volunteers (a NIO favourite).

**"THE HAVEN'T GONE AWAY, YOU KNOW" - PARAMILITARY ACTIVITY IN NORTHERN IRELAND**

The paramilitary ceasefires in late 1994 transformed life in Northern Ireland. Twenty five years of conflict had led to over 3000 deaths in an area with a population of only some 1.5m (equivalent to perhaps 400,000 in a country the size of the USA).

On 31 August 1994, the IRA declared a "total cessation of hostilities". On 13 October of the same year, the Combined Loyalist Military Command (CLMC) similarly announced it would "universally cease all operational hostilities".

In the period since these announcements, the security forces have been able to respond to the lower threat level. Almost 2,000 troops have been withdrawn from Northern Ireland. Border roads have been opened. The police are now able to patrol the towns of Northern Ireland without army support, and general army activity in support of the police is down by some 75%.

Attention is now focussing on the path to all-party negotiations on the future of Northern Ireland. This route had been mapped out by the British and Irish governments before the ceasefires. In October 1993, the Prime Minister and the Taoiseach, Albert Reynolds declared:

"there can be no talks or negotiations between their governments and those who use, threaten or support violence for political ends".

Paragraph 10 of the Downing Street Declaration set out in the route parties associated with paramilitary organisations were to follow.

the British and Irish governments reiterate that the achievement of peace must involve a permanent end to the use of, or support for, paramilitary violence. They confirm that, in these circumstances, democratically mandated parties which established a commitment to exclusively peaceful methods and

which have shown that they abide by the democratic process, are free to participate fully in democratic politics, and to join in dialogue in due course between the governments and the political parties on the way ahead".

The British government has made it clear that, to be viable, negotiations have to take place in an atmosphere of confidence. The government has set out in the so-called "three Washington criteria" how it believes this confidence can be built. These criteria are:

- \* a willingness in principle to disarm progressively
- \* agreement on how this decommissioning of illegal weapons will take place in practice
- \* the actual decommissioning of some arms as a sign of good faith, and to signal the start of a process.

No group genuinely committed to constitutional aims should have any difficulty with these criteria. They are merely designed to ensure that talks can take place on an equal basis - that is without the actual or implicit threat of violence should any group fail to get its way at the negotiating table.

Unfortunately, the difficulty some have had with these proposals is only one sign of a wider ambiguity in the paramilitaries' attitudes to violence. When a heckler at a Sinn Fein rally called "bring back the IRA!", Gerry Adams, President of Sinn Fein replied "they haven't gone away, you know". He was right.

#### Attitude to violence

In his book, "Free Ireland: Towards a Lasting Peace", published in May of this year, that is 9 months after the ceasefire, Adams commented:

"the Irish people have the right to armed struggle in the context of seeking Irish independence, and in the conditions of British occupation of the Six Counties"

This is despite the fact that a substantial majority of the people of Northern Ireland wish to remain part of the UK. At a recent press conference, Adams even argued the case for violence had strengthened since the ceasefires:

"[the British stance] in many ways has reinforced the argument for physical force republicanism, because here the British have had an opportunity which they have continually spurned over the last 15 months".

As for loyalist paramilitaries, they have reserved the right to return to violence should the IRA do the same. In their ceasefire announcement, the CMLC declared:

"the permanence of this ceasefire will be completely dependent on the continued cessation of all Nationalist/Republican violence. The sole responsibility for a return to war lies with them" (CMLC's emphasis).

Unlike other ceasefire announcements, for example at the end of the Irish civil war in 1923, and the IRA's border campaign in 1962, the IRA has not announced that its "volunteers" are to be stood down. Far from it. The period since the ceasefire has seen uninterrupted activity across the board by both republican and "loyalist" terrorists. Paramilitary groups have continued to intimidate opponents within their communities, target potential victims, and train to improve their terrorist techniques. At the same time, the extortion and other racketeering needed to fund these activities have continued on both sides.

## Intimidation

So-called "punishment beatings" have been a feature of life in Northern Ireland for some time. But far from diminishing since the ceasefire, the problem has actually worsened. In total, Republican attacks over the last 16 months have been running at almost twice the level at the equivalent period last year (ca 150 against ca 85). Loyalist attacks are down by about 20% (ca 100 against ca 120).

These attacks are designed to assert paramilitaries' authority in their community. They therefore have a distinctly political element. The assailants act as prosecutor, judge, jury and executioner. Victims include those accused of crimes, but also those against whom individual paramilitaries may have grudges, and those brave individuals who have dared criticise the practice.

The attacks have become increasingly savage. While firearms are rarely used, doctors report that the injuries inflicted by attacks with hurley sticks, baseball bats and planks with nails driven in are often worse than those caused by shootings.

Attacks are not only brutal, but they are often terrifyingly arbitrary. There are plenty of examples of attacks carried out on apparently the "wrong" person. For example, a 16 year old girl was dragged from her home in West Belfast, threatened with a gun, tied to a lamp post and had her hair cut off and paint poured over her. The attackers were allegedly looking for her sister, who had not lived at that address for some time

An example of the sort of treatment paramilitaries have meted out to their critics is provided by Councillor Hugh Lewsley, from the Catholic and Nationalist SDLP. Lewsley, a vocal critic of paramilitary attacks was attacked by a group of men claiming to be from the IRA, who told him "we are going to stop your ....ing TV appearances". He was unconscious on arrival at the Royal Victoria Hospital in Belfast, and was treated for a hairline fracture to the jaw, severe cuts and bruising.

## Sectarian violence

Since the ceasefire, there have been a number of attacks on church property, Orange halls and premises of the Gaelic Athletic Association (GAA). These have been widely blamed on paramilitary organisations. Four men have been charge with a series of attacks in Castlederg, Co Tyrone, and also with IRA membership. Refusing bail, the judge described the attacks as "a catalogue of very serious offences" which bore the hallmarks of being orchestrated to cause sectarian strife in a peaceful community.

A number of organisations whose premises have been attacked have applied for "Chief Constable's certificates". These entitle the recipient to state compensation, and are issued in cases where the Chief Constable believes the damage was "as a result of an act committed maliciously by a person acting on behalf of or in connection with an unlawful association". This is defined as "any organisation which is engaged in terrorism". So far, over 30 such certificates have been issued.

## Targetting

There have been continual reports of other types of intimidation, including "targetting" of potential victims from paramilitaries on both sides. Since 1994, the level of threat to 28 police officers has been judged sufficiently high to justify moving them from their homes. In the period since the ceasefires, there have been also been 139 reported threats on prison staff, coming from both within and outside the prisons.

## Training

Reports of paramilitary training activity have also been common. Irish security forces have also uncovered evidence of training and research work by IRA technicians. For example, on 16 May, the Irish security forces discovered near Scotsdown, Co Monaghan a Mk15 mortar tube and a Mk 14 mortar bomb beside it. The tube showed signs of being recently fired. The next day, a second Mk 14 mortar bomb was

recovered approx 250m away. These finds indicated that the IRA has continued in its development of its mortar capability during the ceasefire, and may be seeking to increase the versatility of its Mk15 mortar system (the IRA's standard heavy mortar) through using a lighter warhead.

### Extortion

This sort of level of paramilitary activity needs to be funded. In June 1994, Joe Hendron, the SDLP MP for West Belfast said in a radio broadcast that it was well known that the "provisional IRA and many of their close associates including Sinn Fein" were involved in racketeering such as extortion, drug dealing and running illegal and semi-legal drinking dens. He continued "If peace comes I cannot see these people walking away from what to them is the good life".

Extortion activities extend throughout the Northern Ireland economy. At its simplest, paramilitary organisations have been responsible for many armed robberies. The most tragic case since the ceasefires was an armed robbery on a Post Office in Newry in November 1994 during which a catholic worker, Mr Frank Kerr, was murdered. An IRA acknowledged responsibility, but claimed the attack had not been fully authorised. The money has never been recovered.

The period since the ceasefires has seen a sharp increase in the availability of drugs in Northern Ireland. Det Sup Kevin Sheehy, the Head of the RUC's drugs squad, confirmed to a conference in October that terrorists continued to deal in drugs despite attempts to improve their image. Billy Hutchinson, leader of the PUP, a party with close links to the loyalist UVF admitted in May 1995 that senior loyalist paramilitaries were involved in the drugs trade, and called on the CMLC to expel "gangsters who are hiding in the organisation".



Protection rackets are also common. Since the ceasefires, 78 cases of extortion have been reported to the police. 28 people have been arrested. But fear of reprisals makes many reluctant to complain publicly.

Another source of income is counterfeiting. Since the ceasefires, the police have recovered many millions of pounds worth of goods including music cassettes and CDs, videos of the latest Hollywood films and large quantities of currency.

### Conclusion

Paramilitary organisations have not gone away. In fact, signs like the increasing number of punishment attacks demonstrate that they are all the more determined to assert their power since the ceasefires. A combination of the capacity to return to violence, and the stated belief that violence remains a legitimate way of seeking political objectives have proved a formidable obstacle to generating the confidence necessary for talks to begin. As John Hume MP leader of the SDLP once said, talks cannot take place with guns "on the table, under the table or outside the door". It is for this reason that the British Government is calling on those associated with paramilitary groups to demonstrate the genuineness of their adherence to democratic principles, and engage in creating the confidence that violence is over, and over for good.