

An Chartlann Náisiúnta
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DRAFT **10 February 1998**

Liaison Sub-Committee on Confidence Building Measures

Speaking Points on Paramilitary Activity

I would like to start my contribution by expressing the total condemnation of the Irish Government at last night's brutal murder in Belfast. We express our sincere sympathy to the bereaved family and hope that those responsible will be brought quickly to justice.

The Irish Government welcomes this opportunity to discuss paramilitary activity and in particular steps which should be taken by paramilitary groups to build confidence. All participants at the talks have committed themselves to the principles of democracy and non-violence as set forth in the Report of the International Body. The Mitchell principles, as we have come to know them, require parties to affirm their total and absolute commitment to six key principles of democracy and non-violence.

Rule 29 of the Rules of Procedure for the Negotiations provide a mechanism for dealing with breaches of the Mitchell principles. This procedure was, of course, most recently invoked to consider the continued participation of the UDP following an open admission by the UFF that they had participated in sectarian murders. While the decision to expel the UDP was a difficult one for the Governments in the context of our desire to promote an inclusive settlement, it was the only decision the Governments could have taken.

This political process on which we have embarked must be based on a total and absolute commitment to democratic principles in word and deed. Once the

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Mitchell principles were demonstrably breached, as they were by the UFF, a stand had to be taken.

Having said this, both Governments acknowledge the positive role of the UDP as a political party in the Talks so far, and as we have indicated, the possibility of a return to the negotiating table in the right circumstances remains open.

The Government shares the sense of anger and outrage at the recent spate of sectarian murders carried out in Northern Ireland. All murders are obscene, but the random nature of recent murders has been particularly shocking. As I have said earlier, we condemn the most recent murder last night, the full circumstances of which will have to be investigated.

This catalogue of murders has underlined just how unacceptable are the alternatives to democratic dialogue. They serve as a stark reminder of how easy it is for the spiral of violent action and counter action to resume.

We are concerned that many recent actions have been carried out by fringe or breakaway groups which are not observing any cease-fire and do not therefore see themselves as bound by the commitments given by those who have formally observed cessations.

There are other areas of alleged paramilitary activity which are equally unacceptable. The practice of "so-called" punishment attacks and beatings is one which requires attention.

The Government has made clear on many occasions its total abhorrence of these practices. Their persistence remains a matter of grave concern. Such acts are

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totally reprehensible and anti-democratic. The actions of those involved in organising and carrying them out are repugnant and entirely inconsistent with the rule of law.

The inflicting of punishment beatings is also incompatible with the principles and objectives of the peace process. The Mitchell principles call on all participants in the negotiations "to urge that punishment killings and beatings stop and to take effective steps to prevent such actions".

The ending of punishment beatings would be a significant confidence building measure. We have made clear on a number of occasions the importance of parties who are in a position to influence paramilitary organisations using whatever influence they have to put an end to these attacks. We note that these parties have said that they are opposed to such attacks. It is important that they use their influence fully to end these odious practices.

We have also spoken out about the issue of missing persons. As recently as last week, the Taoiseach addressed this issue in the Dáil and said it would be a very helpful confidence building measure if a serious attempt were made to resolve this issue. Given the passage of time, we are not saying that it can be easily resolved, but we believe that there are people who must know the possible location and whereabouts of the missing persons. The least the families of those concerned deserve is to be allowed bury their loved ones in dignity.

It is also unacceptable that people are forced to leave their homes by threats to their safety. We believe it would represent a significant confidence building measure if no further threats were issued and if those who have fled were free to return home without fear of further intimidation.

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It has been and will remain the case that all parties to the Talks commit themselves fully to the principles of democracy and non-violence which underpin the process. The process is dedicated to the idea that a comprehensive political settlement can once and for all eradicate all political violence from Northern Ireland. We look forward to continuing to work to bring about this settlement. The paramilitary organisations must all play their part in ensuring full respect for the Mitchell principles and in helping to build a peaceful and agreed society.

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Confidential

Meeting of the Liaison Sub-Committee on Confidence Building Measures

Belfast, 10 February 1998

Paramilitary Activity

Background Note

Rules of Procedure

1. Rule 29 of the Rules of Procedure for the Negotiations agreed on 29 July 1996 states:

> If, during the negotiations, a formal representation is made to the Independent Chairman that a participant is no longer entitled to participate on the grounds that they have demonstrably dishonoured the principles of democracy and non-violence as set forth in the Report of 22 January 1996 of the International Body, this will be circulated by the chairmen to all participants and will be subject to appropriate action by the Governments, having due regard to the views of the participants.

The Mitchell Principles

2. The Relevant passage of the International Body's Report reads:

> Accordingly, we recommend that the parties to such negotiations affirm their total and absolute commitment:
>
> - To democratic and exclusively peaceful means of resolving political issues;
> - To the total disarmament of all paramilitary organisations;
> - To agree that such disarmament must be verifiable to the satisfaction of an independent commission;
> - To renounce for themselves, and to oppose any effort by others, to use force, or threaten to use force, to influence the course or the outcome of all-party negotiations;
> - To agree to abide by the terms of any agreement reached in all-party negotiations and to resort to democratic and exclusively peaceful methods in trying to alter any aspect of that outcome with which they may

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disagree; and.

- to urge that "punishment" killings and beatings stop and to take effective steps to prevent such actions.

Paramilitaries

3. On 9 February 1998 a man was shot dead as he left a restaurant on the Lisburn Road in Belfast. The man has been named as Brendan Campbell. A woman who was with Campbell at the time of the shooting was wounded in the attack. On 6 January 1998 Campbell was wounded in a gun attack at Meadows Tavern on Boucher Road, South Belfast, which was understood to have been carried out by Direct Action Against Drugs (DAAD,) a cover name used by the IRA. It is believed that this killing was drugs related and there is wide speculation that this murder was also carried out by DAAD.

4. In recent months the most serious expression of paramilitary activity has been the spate of murders which has claimed the lives of nine people since the killing, by members of the INLA, of the LVF leader Billy Wright in the Maze prison, on 27 December 1997. Eight of those murdered since Wright's killing have been Catholic civilians, killed by either the LVF or the UFF. The other victim was Jim Guiney, a member of the UDA who was shot by the INLA. In total since the renewal of the IRA ceasefire in July 1997 sixteen people have died as a result of paramilitary violence, of which eleven were Catholic and five were Protestant (see attached lists for organisations responsible).

5. On 26 January 1998 the UDP withdrew from the multi-party talks in advance of their expulsion by the two Governments, following the admission by the UFF that it had been responsible for a number of murders during the previous week. Indications are that the UFF ceasefire is now holding following the reinstatement of its ceasefire on 23 January 1998. The UDP are expected to seek re-entry to the talks at an early stage.

6. Over the last number of weeks there have been a number of threats and counter-threats made by paramilitary organisations. The LVF threatened to "unleash an unholy war" against the nationalist community unless a death threat against the family of Billy Wright was lifted. A week previously the LVF stated that it was suspending attacks on "ordinary

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Catholics". A number of other threats have also been made recently, including those against Mr. Andrew Davidson, a Unionist member of Derry City Council, which has forced him to leave Derry, and also a threat received from the "Catholic Reaction Force" at the Northern Ireland Department of the Environment office in Newry against Protestants working on the roads in South Armagh. In addition, threats have been received by Presbyterian clergymen in Co. Monaghan, also from the "Catholic Reaction Force".

7. Speaking in Dáil Éireann on 3 February 1998, the Taoiseach expressed his concern at the prospect of "freelance" terrorists threatening the peace process. The Taoiseach said that there had been warnings both from "known as well as unknown organisations". The Taoiseach went on to say that "apparently, there are a number of younger members of these organisations who are freelancing to quite an extent - and that is a concern".

Punishment Attacks

8. Punishment attacks have also been a feature of paramilitary activity over the last number of months (see attached list). Since the restoration of the IRA ceasefire there have been 68 punishment-style attacks, of which 29 have involved shooting incidents. In recent months the proportion of shootings in relation to beatings has increased quite notably.

9. The group Families Against Intimidation and Terror (FAIT) have very strongly campaigned against punishment beatings and shootings continuing during the paramilitary ceasefires. At present, FAIT are circulating an "Anti-Violence Charter" to members of political parties, throughout Ireland, to show their total abhorrence of violence. It is understood that the Taoiseach has agreed to meet with this group in order to discuss their on-going work. FAIT is financially supported by the NIO.

Missing Persons

10. A number of groups including FAIT and Families of the Disappeared have been actively campaigning for the return of bodies secretly buried by paramilitaries over the last 25 years. There are approximately 14 people whose bodies have disappeared since 1972, the vast majority at the hands of paramilitaries. Calls on the paramilitary organisations

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(mainly the IRA) to provide information on the whereabouts of these missing bodies were stepped up during the first IRA ceasefire and have been renewed with the coming into being of the second IRA ceasefire.

11. It is believed by the Families of the Disappeared that one of the victims may have been abducted by the members of the British Army. Brendan McGaw was abducted from Twinbrook in 1978 by nine men in grey boiler suits. He had been a witness to the shooting dead of a republican, Jack McCartan, in an operation widely believed to have been carried out by the British Army. The list also includes SAS Captain Robert Nairac, believed abducted and killed by members or associates of the IRA in Armagh.

12. Most recently the Taoiseach stated in the Dáil on 4 February 1998 that the issue of disappeared persons "comes within that category of issues that I believe are genuinely confidence-building. The issue is on both sides. There are missing persons on both sides of the community". The Taoiseach went on to say "I call on those, whoever they are and might know something about this, to use their influence and assist those families who have been through enough of torture over the years".

13. Paramilitary groups have also over the years resorted to 'exiling' individuals on fear of punishment or death. Information in terms of numbers and individuals remains sketchy at present.

Security Section
Anglo-Irish Division
10 February 1998

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Fatalities in Northern Ireland 1998

Date	Name (Age)	Status	Location	Info	Claimed by	No
11.1.98	Terence Enright	RC Civ	"Space Club", Talbot St., off Donegall St., Belfast	Shot	LVF (UFF?)	1
18.1.98	Fergal McCusker (28)	RC Civ	Maghera, Co. Derry	Shot	LVF	2
19.1.98	Jim Guiney (38)	Prot UDA	Kingsway, Dunmurry	Shot	INLA	3
19.1.98	Larry Brennan (52)	RC Civ	Belfast	Shot	as yet unclaimed (UFF?)	4
21.1.98	Benedict Hughes (55)	RC Civ	Belfast	Shot	as yet unclaimed (UFF?)	5
23.1.98	Liam Conway (39)	RC Civ	Belfast	Shot	as yet unclaimed	6
24.1.98	John McColgan (33)	RC Civ	Belfast	Shot	LVF	7
9.2.98	Brendan Campbell	RC Civ	Lisburn Rd., Belfast	Shot	DAAD ?	8

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Fatalities in Northern Ireland 1997

Date	Name (Age)	Status	Location	Info	Carried out By	No
12.2.97	Stephen Restorick (23)	BA	Bessbrook	Shot	IRA	1
14.3.97	John Slane (44)	Civ RC	Falls Road	Shot	UDA	2
24.3.97	Rev. David Templeton	Civ Prot	Newtownabbey	Beating	Loy	3
8.5.97	Robert Hamill	Civ RC	Portadown/Bel	Beating	Loy	4
9.5.97	Darren Bradshaw	RUC	Belfast	Shot	INLA	5
12.5.97	Seán Brown	Civ RC	Randalstown	Shot	LVF	6
1.6.97	Gregory Taylor	RUC	Ballymoney	Beaten	Loy	7
11.6.97	Robert "Basher" Bates	Loy	Shankill	Shot	Loy	8
16.6.97	Roland John Graham (34)	RUC	Lurgan	Shot	IRA	9
16.6.97	David Johnstone (30)	RUC	Lurgan	Shot	IRA	10
7.7.97	Brian Morton[1]	UDA	S Belfast	Bomb	UDA	11
14.7.97	Bernadette Martin (18)	Civ RC	Aghalee	Shot	LVF	12
24.7.97	James Morgan (16)	Civ RC	Clough	Beaten	Loy	13
25.10.97	Glen Greer (28)	Civ Prot	Bangor	Car bomb	Loy (UDA?)	14
8.11.97	Robert John "JR" Kerr (54)[2]	Civ Prot	Newry	Boat explosion	Loy ? (LVF?)	15

[1]A bomb Morton was handling exploded prematurely

[2]Body found beside exploded cabin cruiser - Not confirmed as murder

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9.11.97	Raymond McCord (22)[3]	Civ Prot	Newtownabbey	Beaten	Loy?	16
5.12.97	Gerry Devlin (36)	Civ RC	Glengormley	Shot	LVF (UFF?)	17
27.12.97	Billy Wright	LVF Prot	Maze Prison	Shot	INLA	18
27.12.97	Seamus Dillon (47)	Civ RC	Glengannon Hotel, Dungannon	Shot	LVF	19
31.12.97	Edward Trainor (31)	Civ RC	Clifton Tavern, Cliftonvill Road, Belfast	Shot	LVF (UFF)?	20

[3]Responsibility has not been claimed

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"Punishment" Beatings since the IRA ceasefire

Date	Loyalist	Republican	Unclear	Total
1994				
September	5	5	1	11
October	3 (1)[1]	2	0	5 (1)
November	3	3	1	5
December	0	4	0	4
Total	**11 (1)**	**14**	**2**	**27 (1)**
1995				
January	7	5	0	12
February	4	24	0	28
March	3	12	3	18
April	2	4	0	6
May	12	16	2	30
June	3	11	0	14
July	8	10	3	21
August	5	11	0	16
September	5	12	3	20
October	3	21	0	24
November	7	12	0	19
December	3 (5)	9	6	18 (5)
Total	**62 (5)**	**147**	**17**	**226 (5)**
1996				
January	8 (1)	13	0	21 (1)
February	6	16	0	22
March	5 (2)	19	1	25 (2)

[1]Figures in parentheses indicate incidents of Loyalist and Republican punishment shootings since the ceasefires.

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April	4	15	0	19
May	9 (3)	8	2	19 (3)
June	2 (2)	19	3	24 (2)
July	4 (1)	12	2	18 (1)
August	6 (1)	13	2	21 (1)
September	6 (3)	8	1	15 (3)
October	22 (4)	5	1	28 (4)
November	10 (5)	12	0	22 (5)
December	5 (2)	14	1	20 (2)
Total	**87 (24)**	**154**	**13**	**254 (24)**
1997				
January	4 (8)	10 (1)	0	14 (9)
February	4 (3)	13	2	21 (3)
March	2 (7)	2	1	5 (7)
April	3 (3)	4 (1)	2	10 (4)
May	5 (2)	3	2	9 (2)
June	2 (5)	1 (2)	1	4 (7)
July	3(2)	0 (7)	0	3 (9)
August	0 (3)	1 (1)	0	1 (4)
September	0 (2)	6	8	14 (2)
October	0	1	3 (1)	4 (1)
November	1 (2)	0	6 (3)	7 (5)
December	(1)	0	3 (8)	3 (9)
Total	**24 (38)**	**41 (12)**	**28 (12)**	**93 (62)**
1998				
January		(1)	6 (12)	6 (13)
February			4 (1)	4 (1)
Total		**(1)**	**10 (13)**	**10 (14)**
Grand Total	184 (68)	356 (13)	70 (25)	610 (106)

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DEPARTMENT OF FOREIGN AFFAIRS

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TO: CASTLE BUILDINGS FROM: H.Q.

FOR: SECRETARY GALLAGHER FROM: A. GIBBONS

REF: YOUR / MY

SUBJECT: LIAISON SUB-COMMITTEE ON CBMs.

COMMENTS: DRAFT SPEAKING POINTS AND BACKGROUND NOTE ON PARAMILITARY ACTIVITY.

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