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Meeting with Families Acting for Innocent Relatives delegation in Government Buildings on 10 May, 2000.

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Attendance:
Mr. Éamon Ó Cúiv, Minister of State
Mr. Walter Kirwan, Department of the Taoiseach
Mr. Paul McGarry, Department of the Taoiseach
Mr. Michael Flahive, Department of Justice, Equality & Law Reform

FAIR delegation led by:
Mr. William Frazer, Fair
Mr. Gareth Porter, Hurt Group, North Armagh
Mr. Mervyn Storey, DUP

Mr. Kirwan opened the meeting by saying that he was aware of the views expressed by the group publicly, but the Taoiseach had not being evading meeting with them. The Taoiseach had a feeling and sympathy for victims and groups representing victims. This State had done everything it could to prevent and combat campaigns of violence, under all Governments. However, it was a matter of fact that despite the best efforts of our security forces and those in Northern Ireland a great many people in the Unionist and Protestant community had lost their lives, been wounded and bereaved.

Regarding the recent specific allegations that the Gardaí had colluded with the IRA, a letter had being received from Mr. Trimble. In view of the seriousness of the allegations, even though previous enquiries had established that there was no tangible evidence that such collusion had taken place, the Minister for Justice, Equality & Law Reform had announced that an investigation had been established headed by senior Gardaí. The Taoiseach had informed Mr Trimble. He also drew the attention of the group to the fact that Sir John Herman had expressed his view that collusion had not taken place.

Minister Ó Cúiv said that the Irish Government had a very open policy towards meeting groups and individuals. It was not unusual for groups to meet with officials first, in order to crystallise issues before a meeting would take place with a Minister. Meetings with officials were usually very useful in crystallising issues.

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It was his view that there was, very often, a difference between how we approached issues in the South, as against how people looked at them in the North, but we wanted the same outcome. All of us wanted an end to violence. All of our efforts had been focused on achieving a political solution to the problems that were there and it was important to accept each other's bone fides in that regard. On the question of victims, particularly innocent victims, all of us in the South across the political divide had a huge sympathy. We very much welcomed meetings of this type. We wanted to have an open exchange of views and we wanted to hear what groups were thinking. While we all came from different backgrounds, we wanted to create conditions where no one was ever killed or injured again.

Minister Ó Cúiv went on to say that Sinn Féin would have very strong suspicions of him. De Valera had cracked down hard on Sinn Féin. Constitutionally, there could be only one security force in this State. Our first priority with the Good Friday Agreement was to end violence. We had talked to loyalists as well as republican paramilitaries. We knew many people in Northern Ireland found this hard to accept.

Mr. Frazer thanked the Minister for his explanation. However, he said that they did understand the thinking, but they didn't agree with it. They were preparing a report which would put genuine cases where they believed Garda ineptitude or collusion by rogue Gardaí was involved. Gerry Adams had said that there would be no peace in Ireland without justice. But, justice should be across the board. Conflict arose when you didn't get justice. They had to be seen to be trying to get justice. They believed that there was a lack of security along the border and this involved Gardaí not doing their duty when they should have done it. They wanted an acknowledgement that this had happened. They were not saying that it was Government policy or that it was organised by the Government, but they were saying that it happened.

Mr. Frazer added that he had lost five family members. The car used to kill his father was in Dundalk for three weeks after the murder, before it was found. Friends had being killed and property had been damaged. Since the Good Friday Agreement, there was still violence. Young Protestant people were bitter. The Governments were afraid of victims groups in Northern Ireland. They were afraid that the victims groups would set the agenda. This was not about money. It was about wanting recognition from the Irish Government that what they had done was inadequate. Security on the border during the BSE crisis had shown what could have been done.

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Mr. Porter said it was vital that this meeting had taken place. The victims issue in Northern Ireland had the potential to destabilise the situation. Prisoner releases had been a de facto amnesty. There was, however, huge embarrassment about victims. He believed that victims issues should be put above prisoners issues. The core issue for them was recognition of victims.

There was collusion between rogue Gardaí, the British security forces and terrorists and there had been a lack of effort to combat terrorism. The importation of Libyan arms had been the biggest security disaster in history. The judicial system had failed the people of the North, particularly on extradition cases. The Republic was a safe haven. Prison escapees could live openly in the South. Wounded terrorists had been helped. Torture houses where human rights abuses had taken place, had never been uncovered. These issues had to be addressed. They were not out for self gain, they had no political agenda. They wanted justice. Why had their loved ones been killed? Why had there been no extradition? These were festering sores. They were worried about the next generation. They, as victims groups, shouldn't have to go to Europe go get money. Representatives of prisoners groups were attending victims conferences. This was re-traumatising for real victims.

Mr. Frazer said that they intended establishing a centre in their area, which would only be for ordinary victims. For example, where only sons had been killed and the name would die out, there was a need to have a place where people could remember. He believed that there had been no peace dividend for victims and this had aligned them with the no camp. In the British community in Northern Ireland, only nine jobs had being provided in the victims sector.

Minister Ó Cúiv responded that the wider political scene was relevant. The views of those in the unionist community who didn't believe in the Good Friday Agreement must be respected. It was important not to take a simplistic political view, we couldn't ignore the no view. We wanted to engage with all of the unionist community.

The Minister continued that the discussion was breaking down to a recognition of what had happened in the past and looking to the future. The group had raised serious issues and he recognised the courteous way they were doing it - they were not saying that the Government was directly responsible. It was particularly important to listen to the younger generation. We must try to ensure that people remembered, but that they were also reconciled. We had to do this in the Civil War. Our experience was that it could only happen if there was respect for all traditions.

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Mr. Frazer said that the problem, as he saw it, was that Sinn Féin had not changed. They believed that they had the right to bear arms.

The Minister said that we had a different understanding of what Sinn Féin were saying. We believed that they wanted an end to the conflict, but from an Irish Republican perspective they could not accept British instructions. In his view the nationalist community and public opinion would not accept that the IRA had a right to go back to violence.

Mr. Kirwan said that the Irish Government did not accept that the IRA had a right to bear arms. We accepted that the leadership wanted to pursue exclusively peaceful means. We wanted to persuade as many people out of violence as possible. We believed that the communities would not accept a return to violence and they would act as a watchdog.

Minister Ó Cúiv said that was what happened in 1926. The people then bought into the solution and the vast majority of nationalist community were now buying into the political dispensation.

Mr. Storey said that the perception of people in Northern Ireland was that legitimacy had been given to the IRA campaign by the Irish Constitution and by the Irish Government. Neither the Dublin nor the British Government could wash their hands of what happened. Victims have been side-lined and people like David Ervine had being put on a pedestal. On his return from the US, Mr. Ervine had spoken about redefining morality. What was happening was that there was an appeasement of those who had the ability to bomb Downing Street or O'Connell Street. In his view David Ervine and Gary MacMichael were the same as Gerry Adams and Martin McGuinness. If Sinn Féin thought that the use of violence was expedient, they would use it. People across the border counties were suffering. They were reliving their pain. The psyche of the republican movement was that the end justified the means. There had to be redress. All they wanted was for children to be able to live in freedom.

Mr. Kirwan said that during the negotiation of the Good Friday Agreement, the focus was naturally on the most difficult issues. The Dublin Government would agree that victims needs had to be addressed. He referred to the report being prepared by the group and he asked them to crystallise the issues that they would wish to raise with the Taoiseach. The Forum for Peace and Reconciliation had considered the needs of victims and we had had reports from the Victims' Commissioners, North and South. Consideration had been given to the question of a day of reconciliation, which could only happen in a very favourable context. He also said that the question of the Governments

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issuing a statement around this issue could be considered. There were issues about who were victims. Mr. Wilson took the view that there could not be differentiation among the bereaved.

Mr. Frazer said if there was a day for victims, the question was would real victims be left out.

Minister Ó Cúiv said his first experience of talking to groups in the North was in West Belfast. There he met with representatives of victims of Bloody Sunday and, among others, Niall Farrell, Mairéad Farrell's brother. There was also a victim who had been hit by a plastic bullet. He would take the view that all of these were victims. There was a moral issue here, but the Minister could not make a moral judgement. However, he could recognise that there was a qualitative difference. We were removed from a situation and the British Government was removed from it. We didn't live with the hurt. John Robb had written that everybody is a victim and everyone is guilty. Mr. Porter said that victims did not want to be put all together in some choreographed situation.

Mr. Storey said that there was an issue of choice in this. The problem was compounded if you were asking people to accept that no one across the border was involved. The constitutional imperative gave legitimacy to the IRA campaign.

Mr. Ó Cúiv said that Ruairí Ó Brádaigh had never accepted the Constitution of 1937. Article 29 of the constitution says that international disputes must be resolved by peaceful means and international arbitration. De Valera's reply to Churchill in 1945 set out the position. We believed that Irish unity was the best option, but it had to be achieved through political endeavour, peacefully and by persuasion. Sinn Féin could not take succour from any act or statement of this State for its campaign. The 1920 Act had stated that anything that happened on the island of Ireland was a matter for Westminster and the Crown. The Good Friday Agreement was about the sovereignty of the people of Ireland. Civil War politics was dead, because the people looked to the future.

Mr. Porter said that the Irish Government had been involved in calls for enquiries into nationalist cases. They saw an imbalance here. They also believed that paramilitary organisations were increasing their membership - they were saying they wanted peace but they were preparing for war.

Mr Kirwan said that the Government called for enquiries only when there was substantial evidence of wrongdoing or injustice, as in the case of Bloody

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Sunday. The Minister said that as the Sinn Féin vote grew they were being sucked into a peaceful situation - the people would not support a campaign of violence.

In conclusion, the Minister said that it was good to meet with the group and he asked that they crystallise the points - those that are doable and achievable - that they wanted to raise with the Taoiseach.

The group agreed to keep in touch and they said that they would forward the report that they are preparing at the moment.

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