

Open letter from Justice for the Forgotten, the Pat Finucane Centre and Relatives for Justice

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To the Editor

We are responding to the announcement by former Northern Secretary Peter Hain MP of the establishment of a panel to consult on the legacy of the conflict.

We have serious concerns about this NIO initiative, the principal one being that it has been designed by one of the parties to the conflict, the British Government. The process is based on the premise that the British Government was/is a neutral broker, which is reinforced by Hain's reference to his own role as that of 'an outsider'. This is clearly an attempt to distance the British Government from any responsibility to join with others in a truth recovery process and to portray the conflict as one between two warring tribes. The British Government was an active combatant and cannot be regarded as an outsider in terms of state violence and collusion. There is a real fear that this initiative may be intended to result in 'death by consultation'. Any attempt to 'draw a line in the sand' and deny families their right to truth and acknowledgment will frustrate any hope of genuine reconciliation between the people of these islands.

We are disturbed by the failure to discuss this proposal in advance with victims' and survivors' groups, the context in which it was announced, the proposed narrow focus of the consultation and the lack of representation on the panel of precisely those sectors relevant to this consultation. For such a consultation to attract widespread support the following elements are an essential requirement:

- International involvement, which is absolutely necessary in terms of confidence building. However, this has been sidelined to that of two 'advisers';
- Representatives of victims of the conflict should be consulted and a number of them appointed to the panel;
- Any process attempting to deal with the legacy of the conflict should be transparent, inclusive and island wide. The current terms of reference are restricted to the North and ignore the legacy of the conflict south of the border where more than 130 people lost their lives and hundreds were injured. The proposal also excludes consultation in Britain on the needs of victims and survivors there including the families of British soldiers.

In the lead up to this announcement a number of individuals and organisations have been arguing forcefully that is too expensive, or too dangerous, or impossible to deal with the past. The less than subtle message that has been given is that those who have lost loved ones should dry their proverbial eyes and 'move on'. British Government ministers and former civil servants complain incessantly of the cost of the Bloody Sunday Inquiry but fail to mention that it was the constant legal interventions of the MoD that caused such costs to soar. The Barron Inquiries into the Dublin, Monaghan and Dundalk bombings were a model in terms of cost effectiveness, yet the British authorities treated this Commission with utter contempt.

Others have joined the debate with relentless attacks on any form of re-investigation or inquiry. The Police Federation and Retired Police Officers' Association have attacked the Office of the Police Ombudsman while others have questioned the personal integrity of the Police Ombudsman. It would appear that the Operation Ballast report got too close to the truth. Surely one of the more bizarre developments is the spectacle of those who spent their professional lives as police officers asking questions of others now refusing to answer questions about their own activities when asked to co-operate by the Ombudsman!

The Public Prosecution Service, with impeccable timing, has done its bit to convince us that the past is a place where we should not, shall not and dare not go.

It is the considered view of our organisations that an independent, international truth commission is the mechanism of truth recovery that would benefit the greatest number of families who have been bereaved through the conflict.

Maya Angelou reminds us that, 'History, despite its wrenching pain cannot be unlived, but if faced with courage, need not be lived again.' It is time that the British Government showed the necessary courage.

Yours,

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(JFTF, PFC and RFJ work on behalf of more than 800 families bereaved through the conflict.)

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