



## SECTION 4



**NATIONAL ARCHIVES****IRELAND**

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2001/8/1

TaoiseachA Note on North-South Policy

1. Long since we abandoned force as a means of undoing Partition, and rightly so because (1) the use of force to overcome Northern Unionists would accentuate rather than remove basic differences and (2) it would not be militarily possible in any event. We were, therefore, left with only one choice, a policy of seeking unity in Ireland by agreement in Ireland between Irishmen. Of its nature this is a long-term policy, requiring patience, understanding and forbearance and resolute resistance to emotionalism and opportunism. It is none the less patriotic for that. This is the policy enunciated and followed by Mr. Lemass as Taoiseach and it underlies the contacts made by him and by the present Taoiseach with Captain O'Neill and the members of his Government.

2. De facto, at any rate, we have recognised that Northern Ireland is at present part of the United Kingdom and that the Government of Northern Ireland exercises responsibility there to the extent of the devolution granted by Westminster. The British Parliament has determined and guaranteed the constitution of Northern Ireland. We do not - or at any rate need not - expect the British Government or Parliament to repeal the Acts of 1920 and 1949 and expel Northern Ireland from the United Kingdom against the wishes of the majority in Northern Ireland. The British are not blameless, as far as the origins of Partition are concerned, but neither are they wholly to blame. Nobody can read the history of the past century in these islands without some understanding of the deep, complex and powerful forces which went into the making of Partition. It is much too naive to believe that Britain simply imposed it on Ireland. For the



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Northern Unionists the main motive binding them to the United Kingdom is fear rather than loyalty - fear of loss of power, property, privilege and even religious independence if they were subject to a Dublin Parliament. They are also conscious (as are many Nationalists, too) of the superior financial advantages, in terms of agricultural subsidies, social services, etc., of being part of the United Kingdom rather than an independent dominion or part of an Ireland receiving no annual subventions from Westminster. At present, the annual subsidy from Westminster (over and above entitlement based on N.I. tax contributions) is of the order of <sup>190</sup>~~200~~ million.

3. We have already drawn the conclusion that all we can expect from the British is a benevolent neutrality - that no British interest will be interposed to prevent the re-unification of Ireland when Irishmen, North and South, have reached agreement. This, of itself, will be cold comfort if we cannot, in addition, achieve a good "marriage settlement", in the form of a tapering-off over a long period of present British subsidisation of N.I. Otherwise, we in the South will be imposing on ourselves a formidable burden which many of our own citizens, however strong their desire for Irish unity, may find intolerable. We cannot lay certain social ills in the North at the door of Partition without acknowledging (at least in private) that conditions for the Catholics in N.I. would be far worse if Partition were abolished overnight. We could not for a long time offer more than partial compensation for the loss of the enormous U.K. grants and subsidies.

4. It is unwise to suppose that the reaction of the British Government and Parliament, of the press and public opinion, to evidence of discrimination in housing and jobs and an inequitable

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local franchise in N.I. will favour the ending of Partition. The concern aroused is rather about the image of Britain and the reaction will be to hasten the righting of social and political injustice in the local jurisdiction. The British merely want to clean up what they regard as an unpresentable back-yard. It is possible that some British Labour Party members would like to see N.I. cut adrift from the U.K. in order to reduce the Conservative - Unionist vote and, perhaps, save money for other purposes. But these are probably a minority even in the Labour Party; any such British saving would, in any case, be at our expense in the South; and there can be no doubt that the British Parliament would overwhelmingly refuse to expel a "loyal" N.I. from the U.K. We must treat all British manoeuvres in relation to N.I. as being inspired by (1) short-term political party motives and (2) the longer-term desideratum of cleaning up a "back-yard" which gives Britain a bad image in the eyes of the world. We should, above all, be most careful, bearing in mind both our own long-term interest in "reaching agreement in Ireland between Irishmen" and our short-term economic incapacity, never to appear to suggest to the British that N.I. could be brought to heel by financial sanctions, such as the reduction or withdrawal of present grants and subsidies. The mere suspicion in N.I. (amongst Catholics no less than Protestants) that we were trying such tactics would be extremely damaging to our interests; besides, even if tried, the tactics would (fortunately) be ineffective.

5. The meetings between the Prime Ministers and other Ministers, North and South, have been directed towards fostering good-will and co-operation. They have expressly had no constitutional or



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political content. Neither side has in any way abandoned its political principles or ideals. Mr. O'Neill and his Government remain Unionists. Their aim presumably is to reduce tensions between Nationalists (North and South) and Unionists and to make N.I. a thriving, efficient entity within the U.K. in which all the inhabitants, regardless of religion or political loyalties, will be happy to live together.

6. We, for our part, remain dedicated to the ideal of a united Ireland. We need not torment ourselves by the thought that Mr. O'Neill's policy might succeed, that even Northern Nationalists would some day be seduced, by the elimination of discrimination and satisfaction of employment and housing needs, into becoming happy citizens of a N.I. within the U.K. We should rather remind ourselves how Mr. O'Neill's policy, besides being best for our Nationalist brethren in the short-run, is the most likely to loosen the roots of Partition and prepare the way for agreement between North and South on some form of re-unification. The longer-term factors are working for us. So far as Partition (and Northern "loyalty" to the U.K.) rests on fear, the grounds for this will be progressively removed by the growing prosperity of both parts of Ireland, the approach to full employment and satisfaction of housing needs, the disappearance, in other words of the root causes of discrimination. All the modern trends are towards liberalisation, towards greater concern with human rights and conditions, towards looser regional political groupings, towards greater tolerance (or indifference) in religious matters. These cannot but affect the North; indeed, they are already patently at work. There is also a growing desire, even within the U.K., for greater local autonomy and there is little doubt

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that the N.I. Government envies our distinctive statehood as shown by our independent representation on international bodies and our comprehensive responsibility for administering our own affairs and following our own economic and fiscal policies.

7. In our approach to North-South relations, it is important that we should not be the prisoners of old ideas, even as to the form that re-unification might take. Some of these ideas are no doubt still fruitful but we may have to be more original and ingenious if we are to accommodate ourselves to the realities of the present day and more particularly to the conditions that may exist when the question becomes a live one. The recent emphasis on the need for fresh thinking is timely. Our minds should be open to explore all kinds of possibilities - confederation, federation, external association, condominium, the Benelux arrangement, the political integration principles evolved in EEC. The financial subsidisation problem is only one of the reasons why a very special formula may have to be found. It need not involve any surrender of our present independence. From the standpoint of North-South relations it is unfortunate that our 1937 Constitution appears to claim for Dublin such a premature and dogmatic right, without reservations as to form, to rule the whole of Ireland. But there is nothing we can do about this, in present circumstances, except to forget it!

8. The most forceful argument in favour of the patient good-neighbour policy aimed at ultimate "agreement in Ireland between Irishmen" is that no other policy has any prospect of success. Force will get us nowhere; it will only strengthen the fears, antagonisms and divisions that keep North and South apart. Relying on Britain to solve Partition is also futile; the very



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most we can expect is generous goodwill, financial and political. Trying to get Britain to put pressure on the N.I. Government will pay no dividends politically; they are interested only in cleaning up their own image, while we will incur the antagonism of both Unionists and Nationalists if we seem to be exploiting the social rights issue for our own political ends. There is, in fact, no valid alternative to the policy of "agreement in Ireland between Irishmen"; any other policy risks creating a deeper and more real partition than has ever existed in the past. We were in real danger that such a partition would be created during the IRA raids when the people of North and South almost ceased visiting one another and the Border resembled the Berlin Wall. Misunderstanding and suspicion can be broken down only by friendly and frequent contact, just as discrimination can be abolished only by working together to create better prospects of jobs and houses for all. We can leave it mostly to public opinion and to pressure from the British Parliament and Government, to prod the N.I. Government into more vigorous and effective reforms regarding social conditions and the local franchise. If progress continues to be slow, we might consider what we could do vis-a-vis the Belfast, in preference to the London, Government.

*M. J. Whitaker*

11 Nov. 1968



# Irish Parliamentary Attitudes Toward Northern Ireland

## Evidence from Three Original Surveys

Submission to the Report by Senator Mark Daly for The Joint Committee  
on the Implementation of the Good Friday Agreement

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University of Notre Dame  
17 February 2017

### Abstract

This report examines the political aspirations for Irish reunification and concrete steps required for unification. The study relies on evidence drawn from three parliamentary surveys that interviewed nearly two-thirds of Ireland's TDs after the 2007, 2011 and 2016 general elections. Although the survey asks TDs to think about a broad range of questions and issues, this submission focuses solely on the questions pertaining to Northern Ireland. We asked individual TDs to locate themselves, their party and their average constituent on a scale ranging from 0 (immediate insistence on a united Ireland) to 10 (abandonment of this goal). The evidence confirms what scholars have long assumed but rarely substantiated – that there is broad consensus among political parties in the Republic of Ireland in support of Irish reunification. Support for unity 'in principle', though, is quite different from taking the concrete steps necessary to alter constitutional and legal arrangements in Ireland, Northern Ireland and the United Kingdom to fulfil such aspirations. The need for citizens to approve unification via referendum in both the North and South ensures that actual unity will only occur once popular will demands it. However, the complexity and long-term nature of the solution, the need for widespread support North and South, and the fact that little separates parties on this issue suggests that little will happen to alter the status quo. The lack of electoral incentive for politicians in the Republic to campaign aggressively to support this longer-term goal reinforces inaction and avoidance as a key strategy. We conclude that despite the long-standing importance of unity for many Irish voters and parties, the status quo is unlikely to change unless an abrupt, perhaps external, shock dramatically alters perceptions of and insistence upon reunification.



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# Introduction

The political issues posed by Northern Ireland have been salient since the foundation of the Irish Free State, but they have been conspicuously absent as decisive factors in most Irish general elections.<sup>1</sup> According to decades of election-year opinion polls, a majority of Irish voters consistently report that Northern Ireland is an important issue to them personally.<sup>2</sup> Nevertheless, survey data reveal that although voters continue to express high levels of concern about Northern Ireland, this issue seldom influences vote choice. Pat Lyons explains that although support for future Irish reunification has been stable in the Republic, public opinion fluctuates depending on whether voters are asked about uniting Ireland in principle or about specific policies required to unify Ireland.<sup>3</sup> It is not difficult for voters and politicians to aspire to and nominally support a future united Ireland. However, it is much more challenging and complex to outline the specific steps that would be required by the Irish, UK, and Northern Irish governments in order to achieve a smooth and peaceful process of reunification (let alone to define the roles or powers to be exercised by and among the three governments afterward). Therefore, while Irish voters and politicians may readily, and often officially, express their endorsement of a future united Ireland, proposals and policies aimed at fundamental preparation for even the possibility thereof are paradoxically avoided, if not outright rejected, by most.

The Northern question has certainly been critically important to Irish political parties for decades – and even explains the genesis of several parties. However, attitudes toward Northern Ireland rarely influence party appeals during election campaigns. In fact, Ireland's leading parties have rarely appealed to their historic roots to mobilise voters. Well-known political party scholar Peter Mair, relying on the distinction developed by Sani and Sartori (1983) between domains of identification (identity) and domains of competition (issues and ideologies), underscores how Irish parties have resorted to mobilising voters who are unattached to a particular party, reflecting heightened competition for votes in the period since the late 1970s.<sup>4</sup> The three historic parties – Fianna Fáil, Fine Gael and Labour – rarely compete over this core issue during elections because

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<sup>1</sup> Sean D. McGraw, *How Parties Win: Shaping the Irish Political Arena* (Ann Arbor: University of Michigan, 2015), pp. 26-27.

<sup>2</sup> McGraw (2015), pp. 26. Refer also to the 2007 Irish National Election Study, available at: [http://www.tcd.ie/ines/index.php?action=browser\\_detail&group=7&question=212&tag=235&detail](http://www.tcd.ie/ines/index.php?action=browser_detail&group=7&question=212&tag=235&detail)

<sup>3</sup> Pat Lyons, *Public Opinion, Politics, and Society in Contemporary Ireland*, (Dublin: Irish Academic Press, 2008), pp. 160-161.

<sup>4</sup> G. Sani and G. Sartori, "Polarization, Fragmentation, and Competition in Western Democracies" *Western European Party Systems: Continuity & Change*, eds. H. Daalder and P. Mair, (London: Sage Publications, 1983); and Peter Mair, *The Changing Irish Party System: Organization, Ideology and Electoral Competition* (London: Pinter, 1987).

voters know who these historic parties are and where they stand. Therefore, the issue loses its salience as a deciding factor during campaigns. Additionally, parties may be more reluctant to take clear-cut positions on Northern Ireland because of a legitimate desire to maintain the peace process and to avoid flaring tensions in the North. Ultimately, however, the lack of clear and direct electoral incentives for parties to mobilise voters based on Northern Ireland policies contributes to inaction and avoidance by most politicians.<sup>5</sup> Consequently, party positioning regarding Northern Ireland remains highly centrist, falling between an insistence on immediate reunification to a complete abandonment of a desire for a united Ireland. Voters have noticed (and also paralleled) this shift, identifying as centrist even Fianna Fáil, the party that has historically emphasised Irish reunification. With the exception of Sinn Féin, most Irish politicians have avoided taking a strong stance on Northern Ireland in recent elections. The fact that only Sinn Féin is perceived as having a unique position on Northern Ireland implies a decreased salience in Ireland's founding political cleavage and reveals the reluctance of the major parties (i.e. Fianna Fáil, Fine Gael and to a lesser extent Labour) to campaign on an issue promising only limited progress or returns within a given election.<sup>6</sup> Unless consideration of Northern Ireland is electorally advantageous in a given constituency, major parties tend to avoid the subject and focus instead on social and economic issues.

There have been very few studies that measure or analyse Irish party positioning on Northern Ireland to understand whether parties hold ideologically cohesive stances on reunification or whether these positions evolve from election to election and this report aims to correct this.<sup>7</sup> Evidence confirms, however, that individual TDs routinely adapt their ideological appeals and policy positions to increase their appeal among voters and to counter competitive positions of other candidates and parties.<sup>8</sup> Both TDs' views and their campaign priorities regarding the issues of Northern Ireland can likewise vary based on personal conviction and the particular political situation within each election.

This report relies on evidence drawn from a parliamentary survey that was administered over the last three elections. Although the survey asks TDs to think about a broad range of questions and issues, this report will focus solely on the questions pertaining to Northern Ireland. In the subsequent sections, we will first specify the question TDs were asked. Next, we discuss the survey results on the Northern Ireland question both by election year (to compare interparty positions) and by party (to compare intraparty changes over time).<sup>9</sup> We will briefly discuss how a given party's stance as perceived by their TDs compares to stated party policies, as well as how political considerations

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<sup>5</sup> McGraw (2015), pp. 26.

<sup>6</sup> McGraw (2015), pp. 37-38.

<sup>7</sup> See Mair (1987).

<sup>8</sup> McGraw (2015) and Sean McGraw, "Ideological Flexibility and Electoral Success: An Analysis of Irish Party Competition", *Irish Political Studies*, Vol. 31, Issue 4, 2016, pp. 461-82.

<sup>9</sup> We will devote individual attention to the three major parties and Sinn Féin.

during a given election have affected and will most likely continue to affect party positioning on Northern Ireland.

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## Survey Background, Methodology and Question Wording

Three originally designed parliamentary surveys of Irish TDs were conducted in 2010, 2012, and 2016, corresponding to the 2007, 2011, and 2016 Dáil elections, respectively.<sup>10</sup> In face-to-face interviews, respondents were asked an extensive array of questions pertaining to their electoral strategies in the respective general election to determine how candidates (and their parties) compete along ideological, institutional, and organisational dimensions in different political contexts.<sup>11</sup> TDs were asked to place themselves and their parties (and, in the 2016 survey, their “average” constituent) on a 0-10 scale along several policy dimensions, including Northern Ireland. The survey was designed to mirror the questions most consistently included in election surveys of Irish voters and to reflect the most salient policy dimensions within Irish politics and society. The survey sample in each year was broadly representative of key social and political demographics, such as age, gender, religious denomination, education levels, party, type of geographic constituency, previous experience in office, etc. Although methodological problems pose unavoidable obstacles to direct comparison of the results from the three surveys (because the surveys consist of different individual TDs), the individual TD responses within each survey provide a rich source of data for our analysis, and indirect inferences can be made when analysing the aggregate positions of the parties in all three elections.<sup>12</sup>

In terms of Northern Ireland policy, we asked individual TDs in each survey to rate his or her position on a scale ranging from 0 (insistence on a united Ireland) to 10 (abandonment of this goal). The question stated: ‘Some people think we should insist on a united Ireland now while other people think we should abandon this aim altogether. Others have positions that fall somewhere in between. If insistence on a united Ireland were a ‘0’ and abandoning this position was a “10”’.<sup>13</sup> Politicians were then asked to locate their respective party’s position on the same scale. In the 2016 survey, TDs were also asked to place where they thought the average constituent would position themselves on

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<sup>10</sup> Henceforth referred to as the “2007 Survey”, “2011 Survey”, and “2016 Survey” respectively.

<sup>11</sup> We sent a personalized letter to all TDs inviting them to participate in each survey. We followed up with at least five phone calls to parliamentary assistants to arrange a time to conduct the interview. The sample in all surveys reflects those who were willing to meet in person to complete the survey.

<sup>12</sup> For a more complete analysis of the parliamentary surveys and the argument as to the insight they provide into Ireland’s political system and parties, please see McGraw (2015).

<sup>13</sup> Question 22A. Where would you locate yourself? 22B. Where would you locate your party’s current position? 22D. Where would you locate the typical voter in your constituency in the 2016 election?

the same scale. Therefore, Questions 22A and 22B were asked in all three surveys, while Question 22D, asking TDs to place their average constituent on the same scale, was asked only in the 2016 survey.

It is worth noting that the wording of the question does not explicitly define what position a ‘5’ on the scale represents. Individual TDs may have interpreted this differently as a principled centrist stance, i.e. support for united Ireland but at an unspecified time in the future; or a laissez-faire acceptance of the status quo potentially wanting neither to abandon nor to initiate concrete steps toward unification because such moves would be controversial and plagued by uncertainty. Therefore, our conclusions are merely suggestive of relevant trends in TD and party positions on Northern Ireland. Nevertheless, understanding how parties and individual politicians position themselves toward Northern Ireland in general elections helps contextualise the challenges and opportunities facing parties as they seek to address this fundamental issue within Irish politics.

For each general election, we present the mean, median, and standard deviation for each party’s overall position. In addition to sharing basic summary tables, the data will also be displayed visually using box plots to depict the actual distribution of attitudes within parties, thereby revealing the levels of internal dispersion that exist within each party.<sup>14</sup> The thick, vertical bars represent the middle 50 per cent of the positions in each party (the interquartile range), with the thick black line indicating the median of the dataset. Longer bars signify greater diversity of views within a party, while shorter bars indicate greater cohesion. The thin vertical lines represent the range of attitudes outside the party’s middle 50 per cent (the upper and lower quartiles). A long line indicates a greater dispersion of responses, while a lack thereof displays greater cohesion on that respective side of the median. Small dots outside the box plots represent outliers (more than one and a half times the interquartile range). The analysis now turns to examining results for each election independently before addressing more longitudinal shifts.

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## Election Profiles

This section focuses on interparty and intraparty differences on the issue of Northern Ireland based on TDs’ self and party placement in our parliamentary surveys. We compare party positions

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<sup>14</sup> We aggregated the results for Independents and include them here even though they do not seek to present coherent policy positions. Their diversity of views highlights the various platforms these Independents hold within Irish politics. We must be cautious about any interpretations based on these latter parties given the limited number of respondents; however, their policy approach does appear to contrast with that of Ireland’s major parties because they maintain much stronger internal party ideological cohesion.

across the 2007, 2011, and 2016 elections to examine the degree to which the economic and political context of campaigns shape TD attitudes toward unification. We also observe how parties interact and compete to attract voters based on their positions on Irish reunification. Analysing the results in this way allows us to better understand potential ideological shifts as well as the dynamic nature of partisan competition in Ireland. We also highlight levels of intraparty cohesion or division toward unification to reveal how internal debates may influence party strategies.

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## The 2007 Election

The 2007 election occurred during the final days of the Celtic Tiger when the economy was still roaring and political debate centred on maintaining economic growth and delivering services more effectively. According to exit polls, the top five issues influencing vote choice were health, crime, the economy, the cost of living, and choice of Taoiseach.<sup>15</sup> Northern Ireland barely surfaced as an issue except as a means for incumbent Taoiseach, Bertie Ahern, to campaign on his vital role in the peace process. Even the restoration of Stormont's devolved parliament did not bring 'the issue of Irish unity' back into the media spotlight or mainstream political conversation.<sup>16</sup> Rather, Fianna Fáil's continued popularity was based on their promise to preserve recent economic gains through tax cuts, reduced regulation, and a 'soft landing' for the property market.<sup>17</sup> In that contest, Fianna Fáil secured an unprecedented third straight national electoral victory in the era since 1973 and formed an unlikely coalition with the Green Party.

In this, the first of the three parliamentary surveys, we interviewed 102 out of the 166 TDs elected in 2007. Table 1 reveals the responses to the Northern Ireland question. Question 22A invited TDs to place themselves on a scale ranging from 0 (insistence on a united Ireland) to 10 (abandonment of this goal), and the mean of these individual placements is reported here. Question 22B asked each TD to place their party on this same scale, and the results listed here provide the mean of those responses.

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<sup>15</sup> M. Gallagher and M. Marsh, *How Ireland Voted 2007: The Full Story of Ireland's General Election*. (Basingstoke: Palgrave Macmillan, 2008), pp. 111.

<sup>16</sup> Gallagher and Marsh, pp. 176

<sup>17</sup> D. McCarthy and B. Healy, *The Week in Politics: Election 2011 & the 31st Dáil*. (Dublin: RTÉ, 2011), pp. 8.

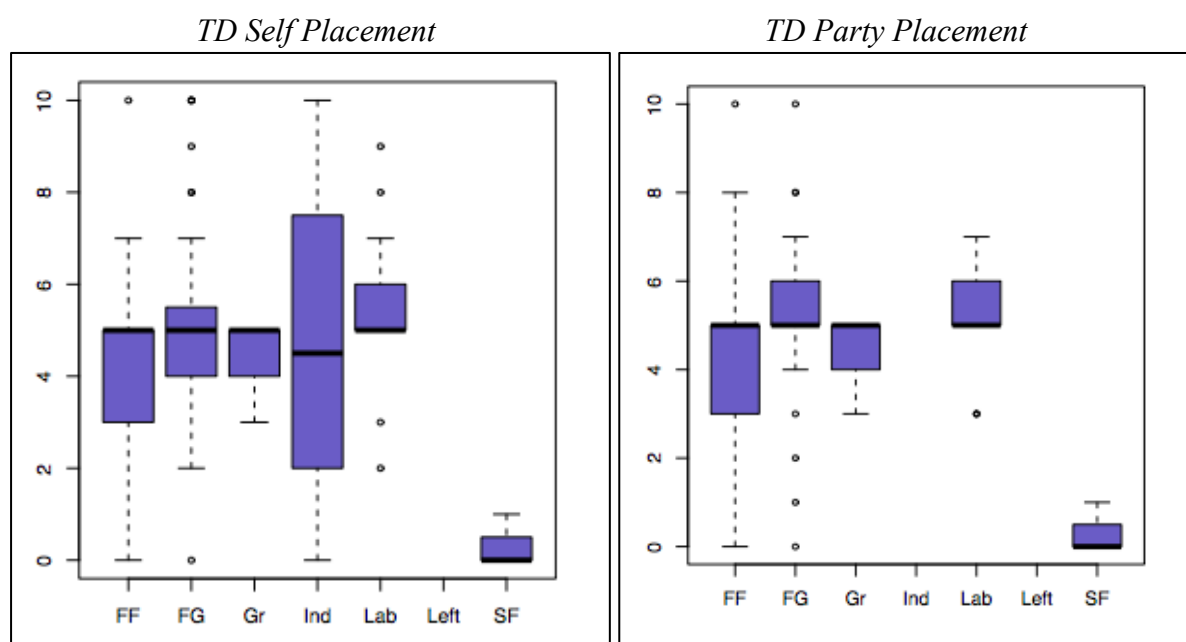
**Table 1 Northern Ireland Attitudes in the 2007 Election**

Party	TDs Interviewed	Total TDs	Q 22A Mean	Q 22A SD	Q 22B Mean	Q 22B SD
Fianna Fáil	44	78	<b>3.93</b>	2.18	<b>4.31</b>	2.03
Fine Gael	31	51	<b>5.19</b>	2.17	<b>5.07</b>	1.95
Labour	16	20	<b>5.38</b>	1.71	<b>5.19</b>	1.11
Sinn Féin	3	4	<b>0.33</b>	0.58	<b>0.33</b>	0.58
Green	4	6	<b>4.50</b>	1.00	<b>4.50</b>	1.00
Independents	4	7	<b>4.75</b>	4.11	N/A	N/A

Perhaps not surprisingly, none of Ireland's political parties appear ready to abandon the goal of a united Ireland based on their mean scores on both questions. Labour (5.38) and Fine Gael (5.19) were the most centrist, while the Independents (4.75), Greens (4.50), and Fianna Fail (3.93) were slightly more supportive of seeking to unite Ireland. Only Sinn Féin (0.33) reported strong attitudes that insisted on a united Ireland immediately.

It is also important to examine levels of intraparty difference on the Northern Ireland questions because ideological similarity at the national level (as measured by looking at the mean party placement) can mask wide variations within the parties and among party TDs. Figure 1 reveals that many of Ireland's political parties are internally divided on Northern Ireland.

**Figure 1 Intraparty Positions on Northern Ireland (2007)**



Fianna Fáil TDs were the most dispersed in their responses to both questions, ranging from '0' to '7' (Q 22A) and '0' to '8' (Q 22B), indicating a lack of intraparty cohesion. However, 50 per cent of Fianna Fáil TDs were concentrated between '3' and '5' on both questions, signifying a primarily centrist position leaning more toward insistence than abandonment on the issue of a united Ireland. At the time, Taoiseach Bertie Ahern was lauded by Prime Minister Tony Blair and former US President Bill Clinton for his work in delivering peace to Northern Ireland. Ahern led the Irish government contingent at the opening of the new Northern Ireland power-sharing assembly, met with the nationalist *bête noir* Ian Paisley at the site of the 1690 Battle of the Boyne (a decisive victory for Protestants over Catholics) and became the first Irish prime minister to speak to a session of the joint House of Parliament in London. Fianna Fáil TDs may have been reluctant to offer even more assertive demands for Irish unification because Bertie Ahern was already gaining widespread accolades and support for the party due to his role in the peace process and there seemed to be no need to push the process further.

Although internal divisions over Northern Ireland existed in every party, they were less pronounced than those within Fianna Fáil. For example, 50 per cent of Fine Gael TDs indicated their party's stance as being between '5' and '6' and almost all were located between '4' and '7' on the issue. Individually, Fine Gael TDs were slightly more varied and insistent on unity than their perception of their party's overall position.

Except for a few outliers, Labour TDs overwhelmingly positioned themselves and their party identically on the scale, centred firmly between '5' and '7' (at least 50 per cent responding '5'). Typical of a minority party, the four Green TDs were also consistent between their personal and party identification, concentrated entirely between '3' and '5'. Unsurprisingly, the Sinn Féin TDs were invariably insistent upon a united Ireland, all three responding between '0' and '1' to both questions. The singular '1' response to each question may more likely indicate a hesitation to use the word 'now' in relation to united Ireland than any dilution of the party's insistence thereupon.

The wide dispersion and/or prevalence of scattered outliers within Fianna Fáil and to a lesser extent within Fine Gael on Northern Ireland indicates a lack of a clearly enforced or articulated party stance on the issue. It also confirms that individual TDs enjoy certain degrees of ideological flexibility and autonomy to adapt their positions based on what is electorally convenient for their constituencies.



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## The 2011 Election

In contrast to 2007, the 2011 election occurred in the shadows of the €86 billion EU/IMF/ECB bailout of the Irish government and the worst economic crisis in modern Ireland. In this turbulent context, the 2011 election was the third most volatile in post-war Europe. Fianna Fáil was targeted by opponents as the party to blame for the crisis and subsequently experienced unprecedented defeat, with a first preference vote share sinking to only 17 per cent, a staggering 24 percentage point decline from 2007. Its coalition partner, the Greens, were completely decimated. Overnight, the once impregnable Fianna Fáil was reduced to being the third largest party in the Dáil with 20 seats compared to their 78 in the previous parliament. As a resurgent Sinn Féin and a record number of Independents secured comparable numbers, Fianna Fáil barely gained enough seats to lead the opposition.

The 2011 campaign was centred on policies to reform the political system and reverse the disastrous consequences of the crash, with most parties agreeing that ‘economic recovery should take priority over all other goals’.<sup>18</sup> Parties’ policy positions on fiscal issues subsequently shifted dramatically. Party leaders from across the spectrum bemoaned the restricted policy options associated with the loan conditions imposed by the international financial community and the resulting dearth of resources available internally to tackle Ireland’s growing social problems. Fine Gael and Labour, the main opposition parties and the most intuitive and identifiable choice to replace Fianna Fáil in a coalition government, advocated for a renegotiation of the terms of the loan. Sinn Féin and the ‘Left’ parties argued for a complete repudiation of the debt and rejection of the European bailout, gaining a substantial ‘protest vote’ in the process.<sup>19</sup>

In the second parliamentary survey, we interviewed 115 out of the 166 TDs in 2012. Table 2 reports the mean results for individual and party placement for the 2011 election. Curiously, only the Fianna Fáil TDs significantly shifted their positions on Northern Ireland since the previous election.

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<sup>18</sup>Refer to Michael Gallagher’s commentary on the 2011 Election at:  
[https://www.tcd.ie/Political\\_Science/staff/michael\\_gallagher/Election2011.php](https://www.tcd.ie/Political_Science/staff/michael_gallagher/Election2011.php)

<sup>19</sup> Ibid.

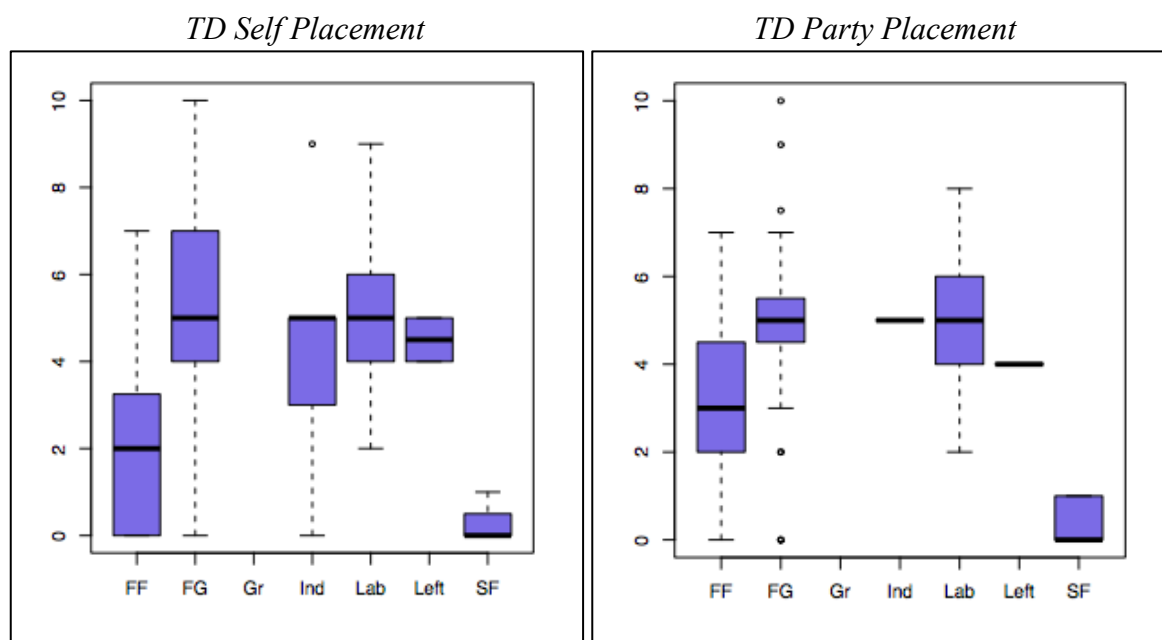
**Table 2 Northern Ireland Attitudes in the 2011 Election**

Party	TDs Interviewed	Total TDs	Q 22A Mean	Q 22A SD	Q 22B Mean	Q 22B SD
Fianna Fáil	15	20	<b>2.17</b>	2.15	<b>3.03</b>	1.97
Fine Gael	46	76	<b>5.12</b>	2.60	<b>4.91</b>	1.82
Labour	27	37	<b>5.22</b>	1.85	<b>5.10</b>	1.37
Sinn Féin	12	14	<b>0.25</b>	0.45	<b>0.33</b>	0.49
Left <sup>20</sup>	3	4	<b>4.5</b>	0.71	<b>4.00</b>	0.00
Independents	12	15	<b>4.08</b>	2.43	<b>5.00</b>	0.00

Whereas Sinn Féin, Fine Gael, Labour and other leftist TDs reported very similar scores to those they assumed in 2007, Fianna Fáil TDs shifted toward more stringent insistence on achieving a united Ireland moving from a 3.93 mean in 2007 to a 2.17 mean score in 2011. Given that a majority of voters blamed Fianna Fáil for Ireland's economic collapse and another 36 per cent reported that feeling angry and let down by the government influenced their vote, it was not surprising that Fianna Fáil TDs adopted positions in line with their longer term republican ideals.<sup>21</sup>

Intra-party dispersion appeared to increase slightly for many of Ireland's parties in the 2011 election. Figure 2 illustrates this internal party dispersion for all parties in this election.

**Figure 2 Intra-party Positions on Northern Ireland (2011)**



<sup>20</sup> The positions of the Socialist and People Before Profit TDs are aggregated as 'Left' on the 2011 box plots.

<sup>21</sup> RTÉ Exit Poll, 2011.

Although the range of dispersion is similar ('0' to '7') from 2007 to 2011, Fianna Fáil TDs shifted dramatically toward the lower end of the scale in both their personal and perceived party positions.<sup>22</sup> Approximately 75 per cent of TDs identified themselves between '0' and '3' and identified their party decidedly under '5', reflecting a marked departure from the 2007 results. A shift toward more republican ideals by Fianna Fáil TDs appears to have been one of their only means of attracting votes during this time of national and party crisis.

Fine Gael TDs experienced greater dispersion in 2011 than in 2007. Fifty per cent of Fine Gael TDs placed themselves from '4' to '7', and the remaining 50 per cent were spread throughout the scale. Comparing this to their reported party position, the vast majority of Fine Gael TDs placed the party between '4' and '6'. The lack of party cohesion on Northern Ireland suggests that Fine Gael TDs operated within diverse constituencies and also that they may have sought to win over Fianna Fáil or 'floating' voters for whom an insistence on united Ireland might be more attractive.

Labour's mean aggregate position stayed relatively stable and centrist in 2011; however, the dispersion on either side of centre increased consistently for individual TDs and the party. This suggests that, although the increase in the number of Labour TDs may have widened the spectrum of views, Labour did not change its overall position toward united Ireland. Given the state of the economy and widespread frustration with the bailout, it is not surprising that Labour TDs focused their attention on those issues as opposed to highlighting Northern Ireland policy.

Socialist and People Before Profit TDs (aggregated and analysed as 'Left') likewise indicated a centrist stance on both questions, concentrated around '4'. This reflects their higher prioritization of economic issues, social welfare, and an anti-corruption campaign in both the North and South.

In 2011, Sinn Féin gained 10 seats in the Dáil, arguably bringing them from the margins into the mainstream of Irish politics. While some might argue that this indicates increased public support for a united Ireland given the centrality of the issue for the party, it appears that Sinn Féin succeeded largely as a result of their taking the lead as the primary protest voice. Sinn Féin is the only party whose supporters show a strong demographic pattern in recent elections. Young, poor, and unemployed voters are more likely to support Sinn Féin than other voters, further emphasising their role as a protest party. In our survey, neither Sinn Féin TDs' individual stances nor overall party position on united Ireland changed significantly from 2007 to 2011. The slight increase in '1' responses in reference to party position may indicate a recognition of political concerns more immediate than Irish reunification.

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<sup>22</sup> This may reflect the differing views of individual TDs interviewed in each survey (as well as the difference in actual number of Fianna Fáil TDs). Nonetheless, the comparative results are relevant as they display the overall shift in aggregate position of party representatives.

The disaffected sentiment among the Irish electorate was the key driver in the 2011 election. Whereas other parties focused on the economy and effective governance and political reform, Fianna Fáil turned to restoring its republican ideals as one of the few ways to stop the electoral bleeding. Given the survey findings in 2007 and 2016, however, the overall trend toward increased insistence on a united Ireland can more likely be interpreted as a calculated campaign strategy than the result of a genuine or deep-seated ideological shift.

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## The 2016 Election

Although Ireland's economy was improving and the Fine Gael/Labour coalition government appeared to have helped Ireland out of its darkest days, both parties suffered considerable electoral losses in 2016, with Labour experiencing its worst ever electoral result. Their steep decline was due in part to the economic recovery not being felt evenly (or at least not being perceived evenly) across the country, with many blaming the government for 'accentuating inequality'.<sup>23</sup> For many voters, Fine Gael appeared to be resting on its laurels and emphasising 'continuity' over change. Fianna Fáil and minor parties capitalised on Fine Gael's plummeting poll numbers to contest key constituencies and position themselves as the alternative to the out-of-touch political establishment. The 2016 election would, to the surprise of many pollsters and politicians alike, turn out to be a 'change election', as disaffected voters swung in the final days of the campaign, leaving Fine Gael scraping by with a bare and potentially unstable majority.<sup>24</sup> The resurgence of Fianna Fáil, as well as the considerable support for Sinn Féin, several small, left-leaning parties and Independents in turn made government formation the most drawn out and most complicated in the history of the Irish state.

In the third parliamentary survey, we interviewed 96 out of the 158 TDs in 2016. This survey included Question 22D, which asked TDs to identify where the average constituent would locate themselves on the united Ireland scale from '0' (insistence) to '10' (abandonment). These latter results will be displayed and discussed under each respective party later in the report. In terms of average positions, TDs from all parties positioned themselves and their parties between '0' and '5' in the 2016 election (Table 3).

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<sup>23</sup>Refer to Michael Gallagher's commentary on the 2016 election at: [https://www.tcd.ie/Political\\_Science/staff/michael\\_gallagher/Election2016.php](https://www.tcd.ie/Political_Science/staff/michael_gallagher/Election2016.php) and Pat Leahy, "How Fine Gael Lost the 2016 General Election", *The Irish Times*, December 17, 2016, <http://www.irishtimes.com/news/politics/how-fine-gael-lost-the-2016-general-election-1.2907225>.

<sup>24</sup> Leahy (2016).

**Table 3 Northern Ireland Attitudes in the 2016 Election**

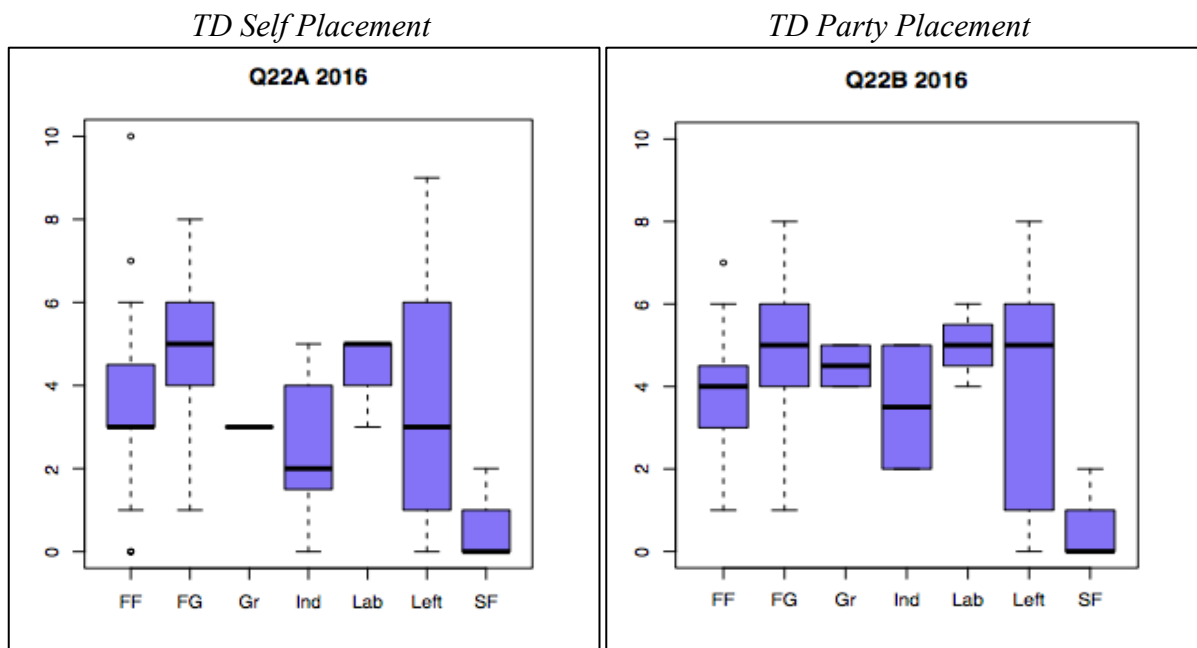
Party	TDs Interviewed	Total TDs	Q 22A Mean	Q 22A SD	Q 22B Mean	Q 22B SD	Q 22D Mean	Q 22D SD
Fianna Fáil	36	44	<b>3.58</b>	1.92	<b>3.69</b>	1.37	<b>5.22</b>	1.73
Fine Gael	22	49	<b>4.59</b>	1.65	<b>4.82</b>	1.76	<b>4.77</b>	1.69
Labour	3	7	<b>4.33</b>	1.15	<b>5.00</b>	1.00	<b>5.00</b>	0.00
Sinn Féin	16	23	<b>0.38</b>	0.62	<b>0.56</b>	0.73	<b>4.19</b>	1.38
Green	2	2	<b>3.00</b>	0.00	<b>4.50</b>	0.71	<b>5.50</b>	0.71
Left <sup>25</sup>	10	13	<b>3.78</b>	3.38	<b>4.00</b>	2.98	<b>4.67</b>	1.87
Independents	7	18	<b>2.57</b>	1.90	<b>3.50</b>	2.12	<b>4.43</b>	1.99

Not surprisingly, Sinn Féin TDs were once again the most insistent on a united Ireland both in terms of where they located themselves (0.38) and their party (0.56).

Interestingly, the smaller, left-leaning TDs, including the Greens, Anti-Austerity Alliance-People Before Profit, Social Democrats, and Independents for Change, all placed themselves and their parties slightly further toward insistence than did the three historic parties.<sup>26</sup> These smaller party TDs located themselves closer to a ‘3’, whereas Fianna Fail TDs averaged 3.58, Fine Gael TDs 4.59 and Labour TDs 4.33.

In terms of internal cohesion, the larger parties actually appeared more aligned on Northern Ireland in 2016, while the small, left-leaning parties were more internally divided (Figure 3).

**Figure 3 Intraparty Positions on Northern Ireland (2016)**



<sup>25</sup> The positions of AAA/PBP, Independents 4 Change, and Social Democrats are aggregated as ‘Left’ on the 2016 box plots.

Fianna Fáil's TDs in 2016, as compared to 2007 and 2011, were the most cohesive as a group (the smallest standard deviation) and the most coherent between personal and party position on the issue of Northern Ireland (means of 3.58 and 3.69 respectively). This coherence, with over 50 per cent of their TDs concentrated between '3' and '5', indicates a party-wide shift back toward centrism (which, excluding polar-opposite outliers on individual placement, is even less widely dispersed than Fianna Fáil of 2007).

Fine Gael's TDs were also the most cohesive that they have been through the course of our analysis, with no outliers and an almost exact match between individual and party identification on the '0' to '10' spectrum. Unsurprisingly, with their focus on 'continuity' and maintenance of their majority, centrism reigned on the issue of Irish reunification with 50 per cent locating themselves and the party between '4' and '6'.

Labour's TDs likewise did not take a strong stance on the issue of Northern Ireland. All TDs identified their party as decidedly centrist, with 100 per cent positioning the party between '4' and '6'. Individually, 75 per cent reported themselves between '4' and '5'. The shrinking of previous dispersion toward either end of the spectrum may be due largely to the loss of 30 seats in the 2016 election.

Sinn Féin gained nine TDs in 2016 for an unprecedented total of 23 seats. This increase in representatives, combined with their campaign's emphasis on leftist economic and social policy, may explain the very slight increase in mean position on Northern Ireland, shifting from 2011's 0.25 (Q 22A) and 0.33 (Q 22B) to 0.38 and 0.56, respectively. Despite Sinn Féin's vote and seat increase, the party's clear and consistent positions on Northern Ireland do not seem to be shared by many of their voters as later analysis will corroborate.

Overall, there is continued and broad consensus among Irish parties toward Northern Ireland, with no parties advocating abandoning the goal of a united Ireland. With the exception of Sinn Féin, the rest of Ireland's parties offered centrist positions toward Northern Ireland in 2016. Given the lack of clear-cut party differences on Northern Ireland, voters would have difficulty deciding how to vote based on this issue. As stated at the outset, Ireland's political parties continue to lack any major electoral incentives to adopt more assertive positions toward a united Ireland and this leads to further avoidance or inaction on their part.

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# Party Profiles

This section turns from examining results from each election to an analysis of party profiles to determine the degree to which each party is fulfilling its stated claims toward Northern Ireland and whether their positions evolve across elections. We also study the relationship between how TDs from each party perceive their party's position in relation to where the typical voter in their constituency is located. This provides perspective on how electoral incentives and other factors shape the positions each party assumes toward Irish unification and gives us hints as to how parties might act in upcoming elections.

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## Fianna Fáil

From the outset, Fianna Fáil (Soldiers of Destiny) fashioned itself organizationally as a great national movement rather than as a mere political party, seeking to extend its reach to every family and community in the country.<sup>26</sup> Local organizational development was crucial from the beginning. The movement depended on tightly knit, activist communities throughout the country, united in their willingness to support the party leader at all costs in order to win and wield power.<sup>27</sup> Fianna Fáil, the argument goes, was essentially a secular echo of the organizational space occupied by the Catholic Church in Irish society.<sup>28</sup> Even today, Fianna Fáil perceives itself as having a 'can do' attitude. The party's website claims that its outlook has and will continue to be positive and never defeatist in its thinking. Fianna Fáil claims as its goal 'to unite all in a common identity of self-confident Irish men and women in a dynamic, vibrant, prosperous nation.'<sup>29</sup>

At its inception in 1926, Fianna Fáil declared that securing 'the Unity and Independence of Ireland as a Republic' was the first of its seven core goals. The party was deeply committed to maintaining the original Treaty division – a political and nationalist cleavage – as the main division within Irish politics rather than allowing other divisions such as class or religion to frame partisan

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<sup>26</sup> David Farrell, "Ireland: Centralization, Professionalization and Competitive Pressures," in *How Parties Organize: Change and Adaptation in Party Organizations in Western Democracies*, ed. Richard S. Katz and Peter Mair (London: Sage, 1994), pp. 219.

<sup>27</sup> Dick Walsh, *The Party: Inside Fianna Fáil* (Dublin: Gill and Macmillan, 1986), pp. 4.

<sup>28</sup> R. K. Carty, *Party and Parish Pump: Electoral Politics in Ireland* (Ontario: Wilfred Laurier University Press, 1981.), pp. 142-3.

<sup>29</sup> See Fianna Fáil Party website: <https://www.fiannafail.ie/about-fianna-fail/>



competition.<sup>30</sup> For pragmatic purposes, Fianna Fáil, the ‘Republican Party’, has consistently altered the volume of its rhetoric toward Northern Ireland – sometimes highlighting and other times ignoring – to serve its electoral aims.<sup>31</sup> Yet, Fianna Fáil effectively made the decision from the beginning that an end to partition could not be brought about by force, thereby tacitly adopting a policy of unity by consent.<sup>32</sup> Furthermore, despite all Fianna Fáil’s rhetoric and even legitimate desires to achieve Irish unity, this goal depends on consent within Northern Ireland and a shift in the institutional arrangements within Ireland, Northern Ireland, and the United Kingdom for this core goal to be achieved. The party’s acceptance of the Belfast Agreement, which required dropping the claim to the whole territory of Ireland in the Irish Constitution, confirms Fianna Fáil’s ability to adapt to popular will and institutional change, especially at a time when it suits its electoral interests as well.<sup>33</sup> Thus there is a debate within the party. For some, the party’s position in Northern Ireland is utterly pragmatic and has served them well electorally for nine decades. For others, the party has become ‘defeatist’ because it has accepted the current status quo of Northern Ireland’s union with the United Kingdom without continuing the political pursuit of reunification central to its constitution and foundational ideals.

Similar to its desire to overcome internal differences in views and strategies, Fianna Fáil also faces the challenge of maintaining its broad, catch-all appeal within the electorate. The question is how to position itself given the goal of attracting unattached voters who share strong republican beliefs, those who may not have a strong opinion on Northern Ireland, and those who may be opposed to unification altogether. When asked in the 2016 survey to place their ‘average constituent’ on the same 0-10 scale, 50 per cent of Fianna Fáil TDs located this average constituent between ‘4’ and ‘6’, with a mean of 5.22 (see Figure 4).

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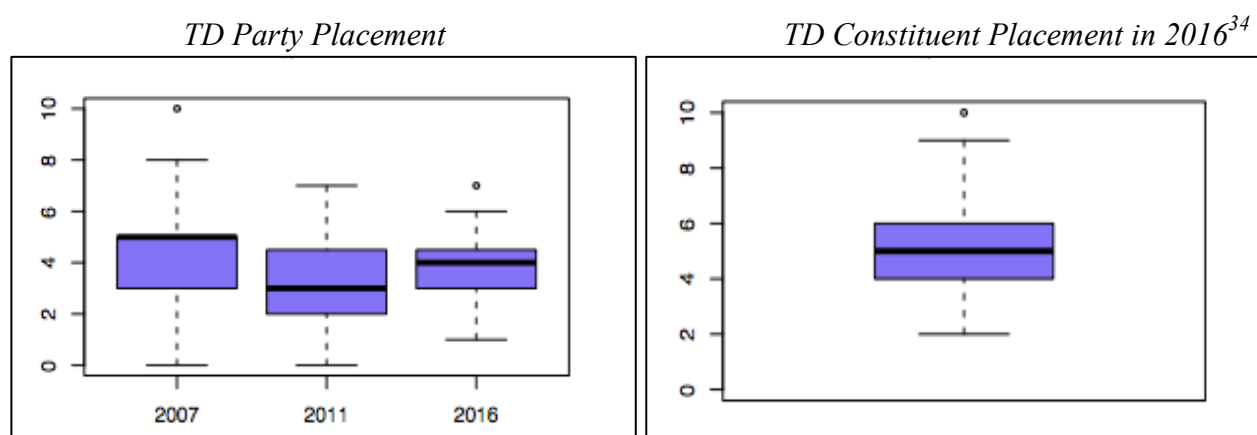
<sup>30</sup> O’Malley, Eoin and McGraw, Sean, “Fianna Fáil: The Glue of Ambiguity,” *Irish Political Studies*, Volume 32, Number 1, March 2017, pp. 10.

<sup>31</sup> “Republican here stands both for the unity of the island and a commitment to the historic principles of European republican philosophy, namely liberty, equality and fraternity.” (From Fianna Fáil Party website: <https://www.fiannafail.ie/about-fianna-fail/>)

<sup>32</sup> O’Malley and McGraw (2017), pp. 18.

<sup>33</sup> O’Malley and McGraw (2017), pp. 20.

**Figure 4 Fianna Fáil Perceptions of Average Constituent Position on Northern Ireland**



Irrespective of whether the typical voter is actually centrist or TDs simply aggregated the diverse set of perspectives to arrive at a centrist position, voters appear more centrist than Fianna Fáil TDs perceive their party’s overall position (3.69) in the same election. The attempt to create such a broad electoral coalition over a wide-ranging set of issues makes it more difficult for the party to have more radical or clear-cut positions on any one issue. The demands of local politics and the need to appeal to voters without strong party identification may be reason enough to see why Fianna Fáil TDs abandon or moderate their republican ideals. There appears little electoral incentive to pursue more assertive policies toward Irish unification. Even when TDs adopted positions demanding greater insistence on a united Ireland in 2011, nothing changed once in elected. Thus, TDs may have campaigned on it as being important to them and their party, but once elected, it seems that the issue was shelved right next to Sinn Féin’s ‘Green Paper’ as being beyond reach in their term, and therefore beyond their remit.

## Fine Gael

Fine Gael (Family of Gaels), similar to Fianna Fáil, espouses the common principle of an independent united Ireland, but they have clashed since the beginning of the Irish Free State on how to achieve this ultimate solution, even fighting the Civil War over this issue. Supporters of Cumman na nGaedheal, which later became Fine Gael, adopted a “stepping-stone” approach, accepting the partition of Ireland into the twenty-six counties (which eventually became the Republic of Ireland) and the six counties of Northern Ireland (that remained part of the United Kingdom). Fine Gael is

<sup>34</sup> Question 22D in 2016 Parliamentary Survey.

often perceived as the respectable ‘law and order’ party of the bourgeoisie, a party that has sought incremental and peaceful constitutional solutions to an eventual united Ireland.

Constitutional changes affecting the role of the Catholic Church, combined with growing moderation among the general public in terms of attitudes toward hot-button issues such as abortion and divorce (and later, LGBT issues) diminished the salience of issues that previously impeded unification. The dropping of the ‘Special Relationship’ clause regarding the Catholic Church in the Irish Constitution and overturning of the ban on divorce were often cited as necessary changes in order for many in Northern Ireland to even consider unification as a viable political option. Fine Gael leader Garret FitzGerald gave an interview on RTÉ in 1981 in which he outlined his vision for a ‘Constitutional Crusade’ to make the Republic a society where the majority ethos would be expressed in such a way so as not to alienate Protestants living in Northern Ireland.<sup>35</sup> Divorce was one of the first priorities included in this agenda, and this was eventually passed via referendum in 1995. This approach has persisted in many ways. The focus on social issues is perceived as a more immediate and plausible way to work toward unification than engaging Northern Ireland issues more explicitly. This passive, or more incremental and indirect way of preparing for unification is consistent with the original stepping-stone approach. The goal is to make the Republic more attractive to Northerners in the hope that eventually they will consent, by means of a referendum, to the institutional changes required for unification.

In 2016, Taoiseach Enda Kenny declared Fine Gael’s continued support for a united Ireland:

The Good Friday Agreement and its successor agreements contain a very clear measure to the effect that if people north and south of the border decide by referendum that there should be a united Ireland, they should have that opportunity. We support this measure. This measure must be part of a continued guarantee of the negotiations that will take place between the European Union and on our future relationship with the United Kingdom.<sup>36</sup>

Thus, Fine Gael supports a united Ireland, but it is dependent on the consent and will of the Northern Irish people before anything would be done in the Republic.

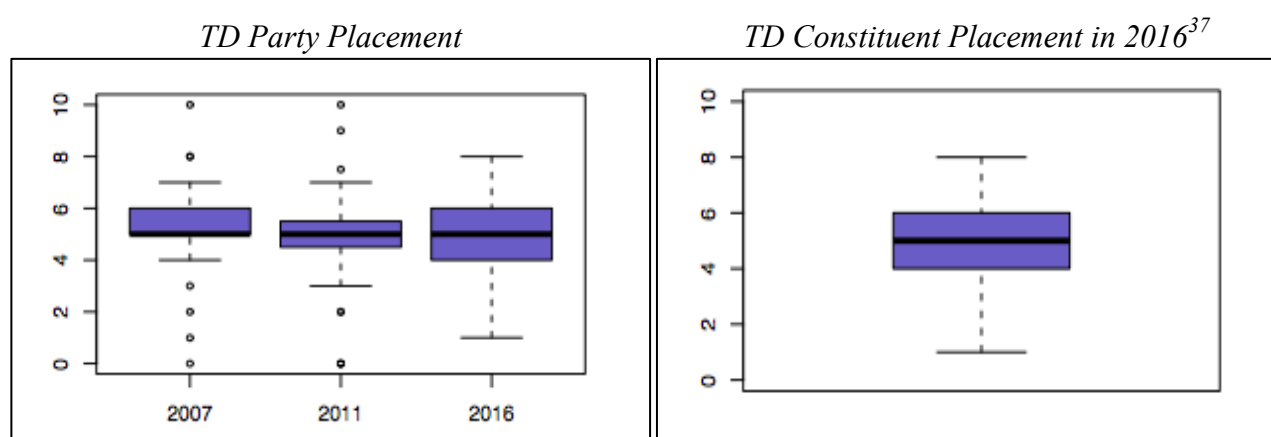
Based on our parliamentary survey, there is very little difference between where Fine Gael TDs locate themselves and the average voter in their constituency (Figure 5).

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<sup>35</sup> Paul Bew, *Ireland: The Politics of Enmity*, (Oxford: Oxford University Press, 2007), pp. 534.

<sup>36</sup> See *The Journal*’s post-Brexit survey of every TD on the prospect of a border poll: <http://www.thejournal.ie/united-ireland-border-poll-3136932-Dec2016/>

**Figure 5 Fine Gael Perceptions of Average Constituent Position on Northern Ireland**



Fine Gael party placement and their TDs' perceptions of the average constituent were virtually identical in 2016, each with 50 per cent located between '4' and '6' and means of 4.82 and 4.77, respectively. Thus, Fine Gael TDs appear to believe that their party's overall position on this issue mirrors the electorate's overall opinion. Nevertheless, the widening of party dispersion among Fine Gael TDs since 2011 also suggests that individual TDs assume more varied positions toward unification as a means of broadening their own local appeal and/or dealing with competition from other candidates. The overall centrist trend seems likely to continue in subsequent elections. Given the current positioning of voters in most constituencies, Fine Gael lacks clear electoral incentives to alter its position unless something fundamentally alters the landscape of Irish politics, North and South, to make unity seem within reach.

## Labour

Until the 2016 election the Labour Party has historically been the third largest party in Ireland. Although Labour does not consistently maintain the vote threshold of 15 per cent necessary to be considered a 'major party' by comparative standards, it is the oldest party in Ireland and has been Fine Gael's most consistent coalition partner since 1948. Labour had the weakest organisation of the major parties and was for some time largely considered less of a modern mass-based political party and more of a loose coalition of like-minded independent TDs.<sup>38</sup> The Labour Party's failure to compete in the initial competitive elections of 1918 is often cited by scholars of Irish politics as a

<sup>37</sup> Question 22D in 2016 Parliamentary Survey.

<sup>38</sup> Mair (1987), 124.

key factor that hindered its subsequent ability to attract supporters because their decision allowed nationalist issues to frame party competition and elections during the earliest phase and this mode of competition became the norm.<sup>39</sup> The party's attempts to focus on economic and social issues have bolstered the party's appeal at times, but it has also left the party marginalized in periods when Northern Ireland has assumed greater salience.

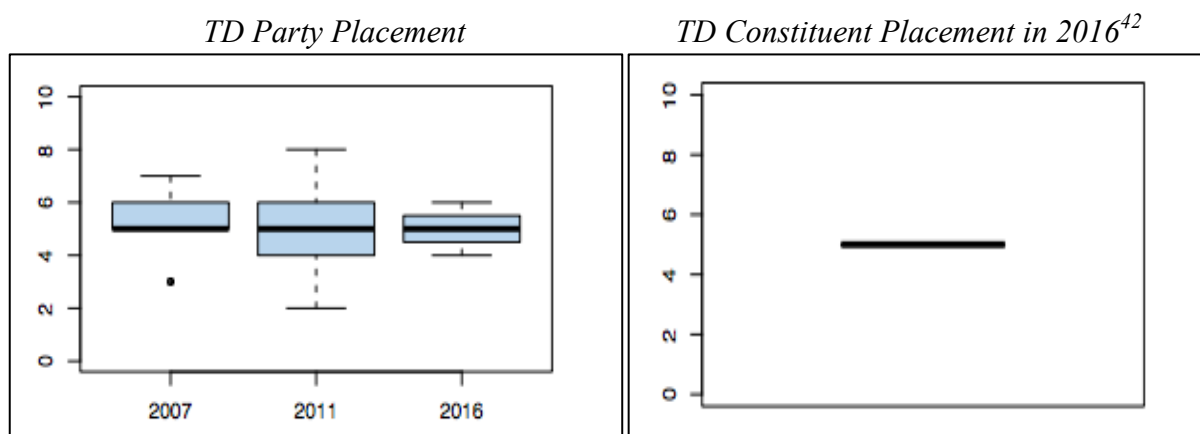
The year 2016 represented the 100<sup>th</sup> anniversary of the 1916 Easter Rebellion, which many consider the real birth of the modern Irish nation. To take advantage of a decade of commemoration that was commencing, Labour subsequently sought to initiate conversations about Ireland's future:

This new national conversation must explore the potential for greater co-operation in developing our common languages, our many sporting and artistic organisations, increased interaction at local authority level and between state agencies. Labour continue to support the Good Friday Agreement and the institutions created under it and we will press for the full implementation of the Stormont House Agreement to deal with outstanding issues and for securing agreement on key issues among the parties in Northern Ireland.<sup>40</sup>

Similar to the two major parties, Labour supports a united Ireland, but it will not actively work to achieve this without changes in popular support and in the institutional arrangements agreed upon by Ireland, Northern Ireland, and the United Kingdom. Therefore, the party is more committed to securing a strong all island economy and society than it is to taking on reunification directly.<sup>41</sup>

Labour party TDs placed themselves, their party, and their average constituent in the centre of the Northern Ireland scale (Figure 6).

**Figure 6 Labour Perceptions of Average Constituent Position on Northern Ireland**



<sup>39</sup> Marsh, Michael, Sinnott, Richard, Garry, John and Kennedy, Fiachra, *The Irish Voter: The Nature of Electoral Competition in Ireland* (Manchester: Manchester University Press, 2008), 32.

<sup>40</sup> Refer to Labour's 2016 Manifesto, pp. 120: [https://www.labour.ie/download/pdf/labour\\_manifesto\\_2016.pdf](https://www.labour.ie/download/pdf/labour_manifesto_2016.pdf)

<sup>41</sup> Refer to Labour's 2016 Manifesto, pp. 120: [https://www.labour.ie/download/pdf/labour\\_manifesto\\_2016.pdf](https://www.labour.ie/download/pdf/labour_manifesto_2016.pdf)

<sup>42</sup> Question 22D in 2016 Parliamentary Survey.

Every Labour TD interviewed in 2016 placed their average constituent at ‘5’ on the scale. This suggests that neither Labour nor the perceived typical voter wants to abandon the possibility of a future united Ireland, but they also appear unlikely to initiate or call for any action regarding Northern Ireland in the present situation. Given Labour’s historic ambivalence – or at least moderation – with respect to Northern Ireland policy, it is unclear whether Labour as a whole would broaden its position if their constituents shifted their views on the issue. Major shifts in policy that propose more immediate and concrete plans to unify Ireland are unlikely to originate from Labour.

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## Sinn Féin

Sinn Féin won its first seat in the Dáil in the contemporary period in 1997, after several elections in which it was shut out and secured only 1 per cent of the first-preference vote. Since then, the party has steadily increased both the percentage of its first-preference votes and the number of seats it has won.

Although Sinn Féin has maintained a more consistent ideological approach than the other minor parties as evidenced by its manifestos, the party also appears to have moderated many of their programmatic positions. The primary tension they face is reducing the amount of energy they spend on Irish reunification in order to reshape their image as a party of the Left. Since Ireland’s economic meltdown in 2008, Sinn Féin has been the most outspoken opponent of austerity measures. As the only party that voted against the budget that paved the way for Ireland’s EU/IMF/ECB loan late in 2010, Sinn Féin solidified its ‘opposition’ status and was the only real ‘protest’ option during the 2011 election. Evidence from expert surveys suggests that Sinn Féin has moderated its extreme republican views and holds virtually the same centrist positions as the other parties on Northern Ireland.<sup>43</sup> The relative peace in Northern Ireland and the widespread recognition that any move toward a unified Ireland requires the consent of Northern Irish citizens and cooperation with the British government dampen the likelihood of unification in the foreseeable future. Recognizing this, the leaders of Sinn Féin have sought to establish the party as an authentic leftist party.

The further Ireland moves from the financial collapse of 2008 and the EU/IMF/ECB bailout, the more citizens have expected realistic proposals to advance Ireland’s economy. Given Sinn Féin’s experience in government in the North and their willingness to implement austerity measures there, voters in the South suspect that Sinn Féin is only playing up an oppositional role and does not

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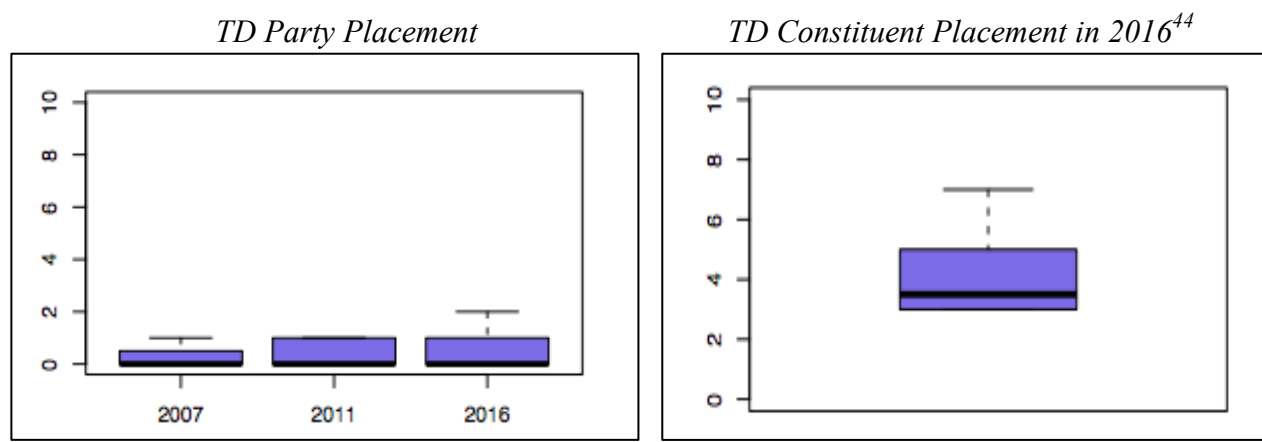
<sup>43</sup> McGraw (2015), pp. 84-7.

actually hold distinctive – or realistic – economic and social policies. Voters’ demands that Sinn Féin develop more credible policies could alter the very nature of the party in the Republic of Ireland. Sinn Féin may be able to sustain itself electorally as a protest party over the medium term because of its deeply loyal base, but it will almost certainly face the dilemma confronted by all minor parties as they attempt to attract broader support within the electorate.

Even though other parties officially support reunification, Sinn Féin is the only party in the Republic that is actively campaigning for a united Ireland and offering any type of policy proposals to achieve this end, such as publishing a Green Paper on Irish Unity. In the aftermath of the United Kingdom’s exit from the EU, Sinn Féin is reshaping its appeals for a united Ireland to focus less on historical and ideological convictions and frame the debate more in terms of economic and political pragmatism for Irish and Northern Irish citizens.

The parliamentary surveys confirm Sinn Féin’s overall clarity on insistence for a united Ireland. Sinn Féin TDs recognize that the typical voter in their respective constituencies are more centrist than they are, but this has thus far not affected their positions on the issue (Figure 7).

**Figure 7 Sinn Féin Perceptions of Average Constituent Position on Northern Ireland**



The mean party placement for Sinn Féin TDs was 0.56, whereas the mean placement for the average constituent based on Sinn Féin TDs perceptions was 4.19. Although Sinn Féin TDs perceive the typical voter as slightly more insistent on a united Ireland than other parties, there is a recognition that voters hold more moderate positions than Sinn Féin. None of the Sinn Féin TDs placed their average constituent below ‘3’ on the scale. Therefore, Sinn Féin TDs do not appear concerned that their attitudes toward unification do not align with the typical voter. In fact, the consistent increase in Sinn Féin’s vote and seat share since 2007 suggests that the party may even be benefitting from their

<sup>44</sup> Question 22D in 2016 Parliamentary Survey.



decisive views on unification – or at the least, not being penalised for them. Sinn Féin’s attempts to increase their visibility as both a legitimate opposition party and a potential governing party may complement their consistency on this issue. By combining a fidelity to their core commitment with an emphasis on their distinctive left-leaning appeals on other policy dimensions, Sinn Féin is seeking to carve out a unique place within Irish politics.

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## Conclusion

There is broad consensus among voters and political parties in the Republic of Ireland in support of Irish unity. Support for unity ‘in principle’, though, is quite different from taking the concrete steps necessary to alter constitutional and legal arrangements in Ireland, Northern Ireland and the United Kingdom to fulfil such aspirations. The need for citizens to approve unification via referendum in both the North and South ensures that actual unity will only occur once popular will demands it. However, the complexity and long-term nature of the solution, the need for widespread support North and South, and the fact that little separates parties on this issue suggests that little will happen to alter the status quo. The lack of electoral incentive for politicians in the Republic to campaign aggressively to support this longer-term goal reinforces inaction and avoidance as a key political strategy.

Evidence from our three parliamentary surveys confirms that none of Ireland’s political parties are ready to abandon the goal of a united Ireland, neither do they, however, seem ready or willing to actively work to insist on unity in the short term. When asked to place themselves, their parties and the ‘average’ voter in their constituency on a scale of 0-10 ranging from insistence on a united Ireland to abandonment of this goal, a majority of Irish parties and their TDs assumed centrist or moderately ‘insistent’ positions. A majority of TDs from all parties place the typical voter in the centre of the spectrum as well. Not surprisingly, Sinn Féin TDs are the most radical in their insistence on a united Ireland, and they maintain this position despite their perception that most voters are more centrist in their views. Fianna Fáil was the only party that significantly shifted its positions toward unity from one election to the next. In an apparent strategic attempt to mobilise its core voters and counteract the overwhelming anger and disappointment it was experiencing due to its handling of the economic crisis, Fianna Fáil adopted a stronger position of insistence on a united Ireland than it did in either 2007 or 2016. The other parties were more consistent in adopting centrist positions in each election. Again, with the exception of Sinn Féin, most parties also experienced

some degree of internal division on the issue. Therefore, even though parties offer unified national positions on unification, individual politicians assume varied attitudes on the issue, which allows them to adapt to local attitudes and competitive dynamics they face from other candidates.

The convergence on centrist positions confirms an attachment to the ideal of Irish unity but also a reluctance to initiate specific policies to achieve this goal. The desire to avoid upsetting the dynamics in the North or altering the delicate electoral balance in the Republic makes radical moves to bring about unification unlikely in the short term. Although the possibility of ambitious policy making through multi-party consensus is not out of the question, this would require a break from the status quo. The competitive electoral calculus on both sides of the border further encourages parties to forge sufficiently large coalitions of support to win seats. Ultimately, the importance and immediacy of economic and social issues, once again, outweigh the longer-term concerns over unification for both voters and parties alike. We conclude that despite the long-standing importance of unity for many Irish voters and parties, the status quo is unlikely to change unless an abrupt, perhaps external, shock dramatically alters perceptions of and insistence upon reunification.



## **IRELAND & THE UK FROM 1916 TO BREXIT**

### **DR MARTIN MANSERGH**

#### **THE PROBLEM OF CONSENT**

Brexit presents Ireland with an existential problem. With the peace process having apparently bedded down, and a successful exit from the bail-out, another one had not been expected so soon. The issue of consent has always been key. The very reasonable compromise of Home Rule did not come about, because Ulster Unionism was adamant that it would not give its consent. Northern Nationalism by and large withheld its consent from majority rule Northern Ireland, the full legitimacy of which was not recognized in the Republic before the Good Friday Agreement. In that Agreement and the referendum North and South that followed, Nationalist Ireland including Northern Nationalists gave their consent to the institutions established under the Good Friday Agreement and to the constitutional arrangements agreed under it. The Agreement and the peace process were both predicated in part on the continuing partnership of Britain and Ireland in the EU, which was simply assumed rather than stipulated.

The principle was stated in the Downing Street Declaration of 1993 of the need for minority consent as well as majority consent. It is a serious political problem, rather than a legal one, that, as things stand, Brexit, which was opposed by a majority of voters in Northern Ireland, does not have the consent of the Nationalist community in Northern Ireland. The return of any kind of hard border in particular does not have the consent of the Nationalist community. Brexit of course has not yet been negotiated, but winning cross-community consent for the arrangements must be a very high priority for both governments.

Many of us would believe that Brexit and the division in the Executive over it have contributed to the new crisis in the institutions, even if not the main cause of it. Of course, Brexit has not happened, and it may be that terms can be agreed that will substantially meet concerns. Almost no one wants a return to violence, which would resolve nothing, but political and institutional instability could be prolonged.

Interestingly, while from a British perspective Ireland was long blamed for breaking up the unity of these islands post-1916, 100 years on it is Britain, or more specifically

England and Wales, that has chosen to break away from the EU framework, seeking something akin perhaps to external association. Ireland had many de facto Commonwealth rights after leaving the Commonwealth in 1949.

(Quotation from Downing Street Declaration of 15 December 1993, beginning of para.5: 'The Taoiseach, on behalf of the Irish Government, considers that the lessons of Irish history, and especially of Northern Ireland, show that stability and well-being will not be found under any political system which is refused allegiance or rejected on grounds of identity by a significant minority of those governed by it'.)

## **UNION**

Impact of the Union was completely different as between North-East Ulster, which benefited from the industrial revolution, and the rest of Ireland. There the Union was a failure, with the deaths and mass emigration resulting from the Famine constituting a massive indictment, from which it never recovered, but over the period the Protestant Ascendancy was largely dismantled and some of the conditions were created that would facilitate the emergence of a national democracy. It should be noted that the Union which suited even Ulster Unionists best was the Union of the whole of Ireland with Great Britain, where Belfast in the late 19th century could legitimately boast of being the industrial capital of Ireland.

## **HOME RULE**

Home Rule could have been a benign solution as a historic compromise between Unionism and Nationalism across the island, but Unionism would not have it. George V told his Prime Minister Ramsay MacDonald in 1930: 'What fools we were not to have accepted Gladstone's Home Rule Bill. The Empire would not have had the Free State giving us so much trouble and pulling us to pieces'.

44 years after it was first mooted, Home Rule reached the statute book, only to be put on ice and to be further amended for purposes of partition. How sincere was Asquith?

As Dr. Ronan Fanning, who died only last week, put it pithily in his book *Fatal Path: British Government and Irish Revolution 1910-1922*, 'The Great War then enabled Asquith to do what he had always wanted to do about Ireland: nothing'.

Separation was inconceivable to British Governments prior to 1914. Churchill, then a Liberal Home Ruler, told an audience in West Belfast in 1912:

‘The separation of Ireland from Great Britain is absolutely impossible. The interests and affairs of the two islands are eternally interwoven. The whole tendency of things, the whole irresistible drift of things is towards a more intimate association. The economic dependence of Ireland on Britain is absolute...The two nations are bound together till the end of time, by the natural force of circumstances’.

Lloyd George was equally adamant after the Rising, telling the House of Commons on 23 October 1917, soon after the Sinn Féin Convention:

‘It is not a question whether it is to be in the form of a republic... The point is there is a demand for sovereign independence in Ireland... It is better that we should say at once that under no circumstances can this country possibly permit anything of the kind’.

My father, Nicholas Mansergh, in his 1991 Unresolved Question, confirmed that up to May 1921 dominion status was firmly ruled out. Garret FitzGerald wrote in the Irish Times that ‘there is little reason to believe that Britain would have allowed Ireland to secure independence at least until many decades after the Second World War’. Once inside the EEC/EU, secession would be objected to, as Scotland has found.

In conclusion, under no circumstances would Britain have voluntarily allowed an independent state to evolve in the British Isles, if they had not been faced with an independence struggle that as a liberal democracy they could not ruthlessly suppress in full view of allies, partners, Irish diaspora and domestic opinion. 1917-23, when so many new states came into being in accordance with a doctrine of self-determination endorsed by the President of the United States (even if he did not intend it for Ireland) was Ireland’s best and probably only opportunity to achieve the essentials of independence.

## **COMMONWEALTH**

Ireland was the only involuntary member of the Commonwealth. Its evolution in the 1920s and 1930s, to which the Irish Free State contributed, provided a framework which helped it to remove the shackles of the Treaty. Ireland continued to have a de facto Commonwealth status in the form of the Common Travel Area post-1949, before

immigration from some parts was restricted in the 1960s. Obviously, Ireland has a lot of affinity with many Commonwealth countries.

## **IRISH NEUTRALITY**

While neutrality was a source of deep resentment in Britain during the war and for some time after, there has been an identity of interest over the past quarter of a century post-cold war, in that neither country for different reasons wants the development of an EU common defence policy that would duplicate or rival NATO.

## **CO-MEMBERS OF THE EU**

Ireland could only have entered the EEC with the UK. Thereafter, the paths sharply diverged, with Ireland being mostly an enthusiastic member, while the UK dragged its heels. Issues like the EU Budget, attitude to the CAP, structural funds, and monetary union put them in opposite camps. The two countries were closer in the EU in some respects in the last two decades, with the same type of economy, and shared opposition to tax harmonisation and their own mini-Schengen. Joint EU membership did a lot to level the playing pitch. The peace process contributed to a closer partnership.

## **POST-BREXIT**

Under no circumstances should Ireland return to the unequal bilateral relationship that was uncomfortable up to the 1960s. As Ken Whitaker recalled in a private memo in 1982, 'our dependency was hugely pronounced – dependent for industrial employment on a limited and highly protected home market and dependent for sale of our surplus agricultural production on a British market where prices were deliberately held low in the interest of consumers and to which even access was insecure'. As a much smaller country, we absolutely need access to the Single Market of about 440m people. We will have important advantages as the only even moderately substantial English-speaking member of the EU and the Eurozone. Obviously, the UK will be tempted to try and undercut the EU, including Ireland, in the event of a hard Brexit. A soft one presents far less problems, but then what is the point of it? The constitutional path to a united Ireland in the EU must be kept open. Any form of border post would be a magnet for attack, and must be avoided. The European Convention on Human Rights (primarily under the Council of Europe) is written into the Good Friday Agreement, and cannot be unilaterally abrogated.





**‘The end of the beginning’: Reflections  
on Brexit, devolution and the prospects  
of Irish reunification**

**Kevin Meagher, February 2017**

## **1.0 Introduction:**

1.1 This short paper offers a personal account of British policy towards Northern Ireland and a series of reflections on some of the key current policy issues and drivers, including Brexit and the prospects of Irish reunification.

## **2.0 Background:**

2.1 The island of Ireland was partitioned in 1921 as a back foot political compromise by the British Government of David Lloyd George in a bid to split the difference between Irish Republicans it could not defeat in the War of Independence and Protestant Unionists it felt it had an ongoing obligation towards. The partitionist settlement that created Northern Ireland and (what is now) the Republic of Ireland, included a boundary commission, with the implied assumption that (as far as Britain was concerned) a process of attrition would eventually lead to the absorption of Northern Ireland into the southern Irish state. After that, British politics effectively disengaged.

2.2 And, so, given the creation of Northern Ireland was designed to placate Protestant Unionist opinion, it was hardly surprising their political hegemony was built into the fabric of the state. This led, inexorably, to the systemic abuse of power, with widespread discrimination levelled against the minority Catholic population, depriving them of both economic and political agency (as, for instance, the voting franchise in local elections was tied to property and business ownership), resulting in abuse of the democratic process and an unhealthy clientelist relationship between the state and the Protestant-Unionist community at the expense of Catholic-Nationalists.

2.3 This deeply unsatisfactory state of affairs lasted until the late 1960s when demands for civil rights were opposed by the devolved Stormont government, leading to serious civil disorder, the deployment of the British Army in 1968 and the start of 'the Troubles,' which were to continue until the mid-1990s, leading to the deaths of around 3,600 people.

## **3.0 The British response:**

3.1 The British state's response to the Troubles can be characterised as a series of punitive security measures punctuated by (failed) periodic attempts at restoring devolved government throughout the 1970s and 1980s. The scale and ferocity of the violence in and emanating from Northern Ireland paralysed political decision-making in Westminster. Closing down the devolved Stormont assembly in 1972, (following 'Bloody Sunday' where 14 civil rights protestors were killed by British paratroopers), Conservative Home Secretary, Reginald Maudling, was said to have exclaimed to officials on his way back to England: 'For God's sake, bring me a large scotch. What a bloody awful country.'

3.2 This vignette is emblematic of a general sense of frustration and even bewilderment on

the part of subsequent British ministers. A lack of anything approaching a political strategy for dealing with Northern Ireland saw them default to a 'securocrat' agenda where counter-insurgency techniques – dubious both in their morality and efficacy – were ruthlessly employed against the Provisional IRA and broader Catholic-Nationalist population. Notably, this disastrous course of action included sanctioning internment without trial, shoot-to-kill and collusion between British state agencies and loyalist paramilitaries. Recently, for example, there have been fresh reports that the British Army operated a covert waterboarding programme in the early 1970s<sup>1</sup>, while unearthed documentary evidence from 1972 shows that British Defence Secretary, Peter Carrington, personally sanctioned the torture of prisoners<sup>2</sup>. Indeed, a Conservative Member of Parliament (and former army officer during the Troubles) recently conceded that: 'Technically as you look at it today I was a kind of a torturer.'<sup>3</sup>

3.3 But what are Britain's long-term intentions towards Northern Ireland? What are the circumstances in which the British state could foresee a change in Northern Ireland's constitutional status? And, is it willing to accelerate emerging trends to effect that result? British ministers are traditionally left to tread water in Northern Ireland. There is no long term plan and while the British political system does not readily discuss Northern Ireland's long-term future, it doesn't want to discuss the past either. However, the legacy of the state's counter-insurgency methods is actively impeding the commencement of a truth and reconciliation process. While many at Westminster privately despair at what was allowed to happen in the past, contemporary British ministers are loath to facilitate any 'Oprahification' of Northern Ireland's Troubles given the scale and extremity of things done and the potential they still have to shock and appal the British public. The view from Whitehall is clear: What went on in Northern Ireland's past, should stay in Northern Ireland's past.

#### 4.0 The Good Friday Agreement settlement:

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<sup>1</sup> 'British army used waterboarding in North, papers claim,' Irish Times, 1 February 2017:

<http://www.irishtimes.com/news/ireland/irish-news/british-army-used-waterboarding-in-north-papers-claim-1.2959826>

<sup>2</sup> 'British government authorised use of torture methods in NI in early 1970s,' BBC News, 5 June 2014:

<http://www.bbc.co.uk/news/uk-northern-ireland-27714715>

<sup>3</sup> 'I was kind of a torturer in Northern Ireland', admits Conservative MP and ex-Army officer Bob Stewart', Daily Telegraph, 26 January 2017

<http://www.telegraph.co.uk/news/2017/01/26/kind-torturer-northern-ireland-admits-conservative-mp-ex-army-2/>

4.1 Rather than dwell on the 'dirty war' of the 1970s and 1980s, British ministers would rather focus on developments in the peace and political process from the early 1990s onwards. It fits with a contemporary view Britain has of itself, as a progressive force in global affairs, using statecraft and 'soft power' to telling effect.

4.2 The apotheosis of this approach is undeniably the 1998 Good Friday Agreement. This landmark achievement was the culmination of a series of frenetic negotiations that successfully bound together the differing aspirations of Catholic-Nationalist and Protestant-Unionist communities in an international treaty that neutralised republican and loyalist paramilitarism and facilitated devolved joint-rule. It is no secret that the Good Friday Agreement's 'creative ambiguity' was critical in winning cross-community support. In the short term, it afforded unionists the opportunity to have their status upheld. There will be no constitutional change while a majority of the people in Northern Ireland wish to remain British. The territorial claim of the Irish state to Northern Ireland was even offered up as part of the comprehensive deal.

4.3 However, this is only half the story. What the Agreement also ensured was that Northern Ireland would effectively be placed in an ante-chamber. There would be no deepening of the relationship with Britain, while the only door now opens out onto a united Ireland. To be sure, this door has a time-lock. As and when it is clear there is a demand for change and that desire is agreed in a referendum, Irish reunification will occur. Beyond that, the British Government has no plan. There is no talk in Whitehall of contingency planning. Or of the legal and legislative requirements are necessary to facilitate a change of sovereignty. There is, effectively, a self-denying ordinance across British politics from even discussing Northern Ireland. Instead, there is just a general sense of relief that the Troubles are over and bombs are not exploding in English cities.

4.4 When Conservative Northern Ireland Secretary Peter Brooke famously said back in 1989 that Britain had 'no selfish strategic or economic interest' in keeping Northern Ireland, it was regarded as a seminal moment, articulating that even the Thatcher Government, so belligerent in its antipathy towards Irish Republicanism, would not stand in the way of Irish reunification. Today, there is no 'first principles' case coming from anyone in British politics (a few ultras aside) about why Northern Ireland should remain part of the UK. This is noteworthy in itself. The British political class is not, however, so sanguine about its sovereignty when it comes to Scotland. During the 2014 referendum campaign on Scottish independence, Members of Parliament and government ministers were quite willing to change holiday plans to make the journey north to persuade Scots they were 'better together' by remaining part of the UK. It is quite inconceivable to imagine a similar response when a referendum on Northern Ireland occurs.

4.5 This being the case, the institutional architecture of the Good Friday Agreement settlement was designed to reflect Northern Ireland's Janus-faced status. There is devolution to a cross-community executive, a range of North-South institutions to reflect

the single Irish dimension, while there is an East-West element to reassure Unionism. There was another key dimension, however: An assumption the UK and Republic of Ireland are both Member States of the European Union.

## **5.0 The impact of Brexit:**

5.1 In June 2016, the British electorate voted by a majority of 52 to 48 per cent to leave the European Union. The result was unexpected. The shockwaves are still reverberating through the British political system. So much of what was axiomatic – membership of the single market for instance – has now been upended. The psychological impact on the British political class has been numbing. In Northern Ireland, 56 per cent voted to ‘remain’ in the EU, while in Scotland the margin was even higher at 62 per cent. Nevertheless, it was a national referendum, aggregating up results across the UK. As such, Northern Ireland’s opposition to Brexit is of academic import only. What remains are a series of extremely difficult policy issues as Britain begins the process of leaving the European Union by spring 2019.

5.2 Indeed, might our leaving the European Union actually trigger the break-up of the United Kingdom itself? It is now entirely possible to divine a scenario whereby Brexit and its attendant shocks – some knowable but others not so obvious – creates a choreography – a chain reaction – that will split apart the Union at the seams.

5.3 Politically, Scotland remains semi-detached following the 2014 referendum on independence. Power-sharing in Northern Ireland has faltered. A brooding resentment at iniquitous funding differentials between the English regions and the more generously funded devolved bodies is an emerging sore point. This is not to make the claim that, in and of itself, Brexit is capable of seeing off the United Kingdom; more that it represents an accelerant poured over the dry tinder of a British constitution that is over-ripe for reform. At the very least, Brexit makes handling these difficult issues even harder, if, in fact, it doesn’t actually provide a fillip for them. Moreover, the changes it could augur – an independent Scotland, a united Ireland and a federal England – will hardly be welcomed by many arch-Brexiteers.

5.4 While narrowly rejecting the option of independence in September 2014 by 55 per cent to 45 per cent, Scotland looks certain to revisit the whole experience in the next few years. The Scottish government has already published a consultation on a bill paving the way for a second referendum on independence<sup>4</sup> while the SNP prepares its war chest<sup>5</sup> for the next

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<sup>4</sup> ‘*Consultation on a Draft Referendum Bill*’, The Scottish Government, October 20 2016:

<http://www.gov.scot/Publications/2016/10/8279><http://www.gov.scot/Publications/2016/10/8279>

<sup>5</sup> ‘*SNP raises funds for second independence referendum*,’ PoliticsHome, December 3 2016:

<https://www.politicshome.com/news/uk/political-parties/snp/news/81402/snp-raises-funds-second-independence-referendum>

assault on 'liberating' Scotland from the 1800 Act of Union.

5.5 We know the game is afoot because Scotland's First Minister, Nicola Sturgeon, has claimed independence might not be necessary if Theresa May delivers a 'soft' Brexit by 2019. Sturgeon surely recognises the dichotomy between a hard and soft Brexit is utterly subjective. 'Brexit means Brexit' as Prime Minister Theresa May has repeatedly pointed out, with some parts of the country and economy benefitting and others losing out, with little neat symmetry. So May's speech of 17 January<sup>6</sup> setting out for the first time that Britain will leave the single market is grist to Sturgeon's strategy of portraying an unyielding Conservative Government strong-arming Scotland out of its rightful place in the EU.

5.6 Cynical, perhaps, but potent too. Brexit has reenergised Scottish independence and the former First Minister, Alex Salmond, has even been as bold as to suggest a second plebiscite might be held in autumn 2018<sup>7</sup>. In line with a post-Brexit prediction from investment bank, JP Morgan, which advised its clients that it expected to see an independent Scotland by 2019<sup>8</sup>. Moreover, the SNP's bridgehead from 2014 seems intact, with a recent poll showing support for independence is still where it was at the time of the referendum at around 45 per cent<sup>9</sup>. But this is now allied with the SNP's utter dominance of the political landscape in Scotland following their strong performances in both the 2015 General Election and 2016 Scottish Parliamentary elections.

5.7 Westminster is left taking comfort that support for independence is no higher than it was in 2014. Of course, another way of looking at it is that the nationalists potentially now have a core vote of just less than half the country, primed and waiting for the next tilt at independence, courtesy of Britain's departure from the European Union. Objectively, the public mood in Scotland remains febrile. At a stroke, Brexit has reignited the whole issue of independence, providing an organising concept for taking the question to the electorate once again, deploying a reversal of the famous 'West Lothian Question': Why should English votes pull Scotland out of the EU when 62 per cent opted to stay in the Brexit referendum? There is also the added piquancy that a Conservative Government wants to pull out of the

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<sup>6</sup> 'The government's negotiating objectives for exiting the EU', Gov.uk, January 17 2016:  
<https://www.gov.uk/government/speeches/the-governments-negotiating-objectives-for-exiting-the-eu-pm-speech>  
[h](https://www.gov.uk/government/speeches/the-governments-negotiating-objectives-for-exiting-the-eu-pm-speech)

<sup>7</sup> 'Alex Salmond: Nicola Sturgeon will hold second independence referendum in autumn 2018,' Daily Telegraph, September 16 2016:  
<http://www.telegraph.co.uk/news/2016/09/16/alex-salmond-nicola-sturgeon-will-hold-second-independence-ref/>

<sup>8</sup> 'JP Morgan expecting Scottish independence and new currency,' The Scotsman, June 29 2016:  
<http://www.scotsman.com/news/jp-morgan-expecting-scottish-independence-and-new-currency-1-4164909>

<sup>9</sup> 'Herald/BMG Poll on Scottish Independence', BMG Research, October 14 2016:  
<http://www.bmgresearch.co.uk/scottish-independence-voting-intention-results-september-2016/>

EU to enhance national prestige and sovereignty, but that very same impulse is viewed as inherently misguided when proposed by Scottish nationalists.

5.8 However Scotland is just one element of fragmenting British state. Another significant reform to the British constitutional mix comes in May 2017, when a series of provincial 'metro mayors' are elected to lead England's key conurbations. These powerful new actors are charged with re-energising the economies of places like Greater Manchester, Merseyside and the West Midlands. They will add their voices to calls for greater funding and autonomy from Westminster and given their more strategic importance to the UK economy, their entreaties will carry more weight than Northern Ireland's.

5.9 Northern Ireland's economy, so precarious that it requires an annual fiscal transfer of around £10 billion a year to stay solvent, will take a direct hit from Brexit. Up to 2020, Northern Ireland is set to receive around €600m per annum from the European Union<sup>10</sup>. This funding level is not guaranteed from that point onwards, severely impacting Northern Ireland's already parlous public finances. Already, the Irish Government has made a call for Northern Ireland to have 'special status', with foreign minister Charlie Flanagan arguing that 'legal recognition of the unique status of the North and the circumstances on the island' is justified, guaranteeing it automatic membership of the EU if there is indeed a change of sovereignty in the future.<sup>11</sup>

5.10 Perhaps the most significant difficulty thrown up by Brexit is the situation with border arrangements. Post-Brexit, Northern Ireland will sit on the frontline between the UK and European Union, courtesy of its shared border with the Irish Republic. At the time of writing we are no nearer to learning how this demarcation is to be enforced. In her 17 January speech outlining her Brexit negotiating priorities, Theresa May fudged the whole issue of whether or not there will need to be a hard border, even declining an opportunity to address the Dail on a subsequent trip to Dublin. (Significant, given this is surely one of the easier Brexit-related issues she has to resolve). In the British Government's White Paper on Brexit published in February, there is a watery commitment to have 'as seamless and frictionless a border as possible'.<sup>12</sup>

5.11 A return to watchtowers and razor-wire would be an unwelcome reminder to the past and is actively opposed by the Irish Government. Instituting a hard border at embarkation

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<sup>10</sup> Details of EU funding received by Northern Ireland:

[https://ec.europa.eu/unitedkingdom/sites/unitedkingdom/files/eu\\_funding\\_in\\_ni\\_2007-2013\\_and\\_2014-2020\\_1.pdf](https://ec.europa.eu/unitedkingdom/sites/unitedkingdom/files/eu_funding_in_ni_2007-2013_and_2014-2020_1.pdf)

<sup>11</sup> 'Government to seek special status for North after Brexit,' Irish Times, 4 October 2016:

<http://www.irishtimes.com/news/politics/government-to-seek-special-status-for-north-after-brexit-1.2815427>

<sup>12</sup> 'The United Kingdom's exit from and new partnership with the European Union,' Cm 9417, February 2017:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/589191/The\\_United\\_Kingdoms\\_exit\\_from\\_and\\_partnership\\_with\\_the\\_EU\\_Web.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/589191/The_United_Kingdoms_exit_from_and_partnership_with_the_EU_Web.pdf)

points on the island of Ireland would be less overt, but requires the UK to treat Ireland as one entity for the purposes of passport control. Would this, logically, see British citizens in Northern Ireland obliged to produce a British passport at ports and airports in order to visit Britain?

5.12 'Brexit means Brexit' as Theresa May is fond of repeating. However it also means something else. It enables Irish unity to be seen as an entirely rational response to these fevered events. Historically, for unionists, Irish unity represented an unwelcome solution to an invisible problem. Not anymore. Irish unity now represents an immediate remedy to a pressing concern. That lost EU funding would reappear if the border didn't exist. As they ponder this trade-off, will unionist farmers find themselves asking which they are first: a unionist or a farmer? Still, Brexit doesn't alter the fundamentals: Northern Ireland makes no economic sense. Its demographic profile is tilting towards majority Catholic-Nationalism at some point in the next few years. The UK is dissolving and if Scotland becomes independent, Northern Ireland's status will seem deeply anomalous. All the while, British politics would be relieved to see Northern Ireland go.

## **6.0 The British dilemma**

6.1 This can be summarised thus: Shape the future or simply wait for it to become the present. In other words, the British state needs to come to a view about the long-term future of Northern Ireland. Does it accelerate the trends towards Irish unity or roll-back developments of the past two decades and copper-fasten its place in the Union? The logic of the Good Friday Agreement is that it eventually leads to Irish reunification. The imposition of a hard border arrangement would pull things in the opposite direction, potentially eroding the carefully constructed architecture of the Agreement and destabilising the peace process it is built upon. British ministers know this and have given repeated assurances that a hard border is not in prospect. Time will tell. (It is hard to overestimate the amount of confusion in British politics post-Brexit). British policy has long been to keep Northern Ireland in a holding pattern. The assumed public backlash of making the case for Irish unity overtly prohibits making the rational next move. The impacts of Brexit, however, are now forcing the pace.

6.2 As noted above, creating a single Irish state now represents an evidence-based choice. Northern Ireland is an economic basket-case, with a budget deficit of £10 billion per annum and an under-developed private sector. Already, plans are in place (pushed by former Democratic Unionist First Minister, Peter Robinson), to harmonise corporate tax rates with the Irish Republic in 2018 to make Northern Ireland more competitive in attracting foreign direct investment (FDI). This approach should be encouraged. Economic convergence and reducing the productivity gap between the two jurisdictions should be an explicit cornerstone of the Executive's economic and financial policy. This would serve two purposes. First, by 'shadowing' the southern economy, Northern Ireland would become more dynamic, creating more jobs and a stronger private sector. It would help to reduce the



dependency on Westminster (welcome in and of itself). Secondly, it would start the necessary process of integrating the economies of both jurisdictions. This is an essential precondition for any a successful change in constitutional position.

6.3 Bluntly, Northern Ireland, with a population of just 1.8 million people, is of no strategic economic importance to Britain, representing just two per cent of the UK's GDP. Northern Ireland's best bet, economically, is to join with the South and align its economy to benefit from the Republic's strong record of attracting foreign direct investment. Theoretically, the benefits are clear: the Border is an artificial division and the respective populations are small enough and complementary enough to make uniting their economic efforts a common-sense solution. At present, Northern Ireland and the Republic are the only dinner guests positioned at opposite ends of a banqueting table.

6.4 We are clearly in a period of 'post-Union, pre-unity.' There is no intellectual defence of Northern Ireland's place in the UK, except for the current consent of a majority of its inhabitants to remain British. All the rational arguments now belong to those favouring Irish reunification. It makes no sense for two small states to exist on the island of Ireland, with a combined population of just 6.4 million. However, there is a deep reticence among British and Irish political elites to fully engage with this issue and its long-term resolution. Yet as co-guarantors of the Good Friday Agreement, Britain and Ireland are signatories to a treaty that contains an explicit commitment to a referendum on a change of constitutional status. In the interests of their own political and financial risk management, it should be incumbent on both governments to plan for the eventual likelihood of that happening. More generally, there is a need for a more intensive public discussion on Irish reunification and to hear from a broader range of voices - across politics, business and civic life. Is this the beginning of the end for Northern Ireland? Not quite. But, to paraphrase Churchill, we are certainly at the end of the beginning, as the debate about Irish unity proceeds at an ever-faster rate.

ENDS

**Kevin Meagher was special adviser to Labour's last Northern Ireland Secretary, Shaun Woodward and is author of [\*'A United Ireland: Why unification is inevitable and how it will come about'\*](#) published by Biteback (2016)**





## Knowledge Exchange Seminar Series (KESS)

### **Understanding the 'Northern Irish' Identity**

John Garry & Kevin McNicholl  
Queen's University Belfast

## Introduction

How many people in Northern Ireland actually describe themselves as Northern Irish rather than Irish or British? Does this identity choice vary across the two main communities? What kind of people hold a Northern Irish identity - in terms of age, and socio-economic status? Is Northern Irish identity on the increase over time? In addition to addressing these questions we try to understand what the 'Northern Irish' identity actually means. Is it a genuinely different, cross-community identity. Or is it just another way of expressing the dominant identities of British and Irish? We probe the meaning of Northern Irish by examining the political views and the political behaviour of Northern Irish identifiers, their social attitudes and the relationship between inter-group contact and identity choice. In our final section we tease out some possible policy implications of 'Northern Irish' identity. To begin with, however, we provide a brief overview of the academic literature on the Northern Irish identity.

## Northern Irish Identity

Research on Northern Irish identity typically uses Social Identity Theory as a theoretical departure point (Tajfel, 2010). This theory posits that an individual's behaviour and attitudes can be predicted, based on the social category that they consider themselves to be a part of. Each salient social group of people has its own norms, values and shared understandings and this to a large degree influences how each person acts and thinks. Early research in this area showed that dividing people into groups, even if those groups are virtually meaningless, can create a scenario in which people exhibit ingroup favouritism and the potential for hostility towards outgroups (Tajfel & Turner, 1979, Sherif et al, 1961). This led social psychologists to attempt to find the optimal conditions under which groups can live together harmoniously. When people have contact with outgroup members, when there is equal status between them, when they work cooperatively to achieve common goals, and when there are dominant social norms to encourage contact, prejudice has been shown to be minimised (Allport, 1954). This paradigm for conflict reduction has been the key to many interventions in Northern Ireland (Hayes, McAllister and Dowds, 2007), including integrated education. Such conflict reduction may occur because a new overarching identity is created by increased cross-community contact, and this new identity to some extent replaces the binary categories (Gaertner et al. 1993).

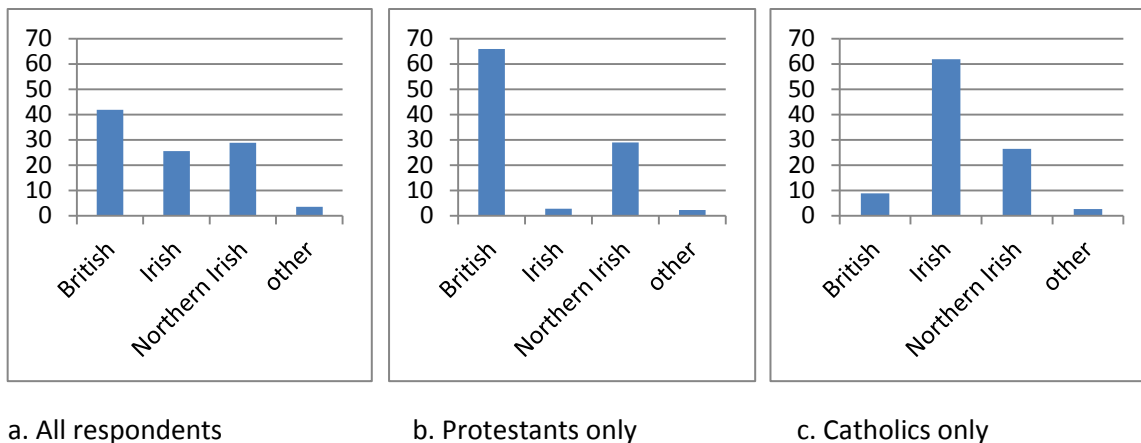
Most analysis of the Northern Irish identity has suggested that this identity may indeed be one such super-ordinate identity, a new 'shared identity'. Northern Irishness has been shown repeatedly to be perceived as the most inclusive of the main identities here (Moxon-Brown, 1991). Those identifying in this way tend to have more tolerant attitudes to the people of other religions (Lowe & Muldoon, 2014). It is also associated with attending integrated education (Hayes, McAllister & Dowds, 2007), and having contact with religious outgroups. It has also been shown that the further one lives from an area that historically suffered high levels of conflict related violence the more likely one is to consider oneself Northern Irish. These findings seem to add weight to the argument that Northern Irish is an inclusive identity that can overarch the sub-groups Irish and British.

However, recent research shows that each group does not have the same level of potential inclusion to Northern Irishness. It has been shown that people consider Northern Irishness to be more closely associated with Britishness (and Protestants) than Irishness (and Catholics) and that the typical Northern Irish identifier is generally perceived to be a Protestant (McKeown, 2014). Studies on similar identities in other countries suggest this may be due to differences in the social status of members of each sub-group (Devos & Banaji, 2005). It seems likely that the historical and continuing higher average status of Protestants in Northern Ireland (Nolan, 2013) may mean they have a greater ability to define what this identity actually means. The Northern Irish identity is particularly susceptible to differing interpretations in meaning due its terminological ambiguity. For instance, someone can say they are Northern Irish and mean they are Irish, but from the North and thus delegitimise partition. Similarly, someone could say that are Northern Irish and mean they are from a state within the United Kingdom, and are in no way Irish. In this case it is British that is the overarching identity, encompassing Northern Irish, Scottish, Welsh and English. Northern Irish is a relatively new identity and its meanings appear to be very much in a state of flux. To shed more light on the issue we now report our empirical findings.

## Northern Irish: How prevalent? And who are they?

The proportion of citizens who describe themselves as 'British', 'Irish' or 'Northern Irish' is reported in Figure 1. The Northern Irish option is chosen by 29 percent, more than 'Irish' which is chosen by a quarter of respondents while over two fifths indicate that they are British. When identity choice is broken down by religion there is unsurprisingly a strong relationship between being Protestant and feeling British, and between being Catholic and regarding oneself as Irish. What is striking, however, is the even distribution of 'Northern Irish' across the religions. Twenty-seven percent of Catholics and 29 percent of Protestants feel 'Northern Irish'.

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**Figure 1** Prevalence of 'Northern Irish' Identity (*see endnote for data description*)

However, these patterns have not been stable over time. Looking at historical survey data from the Northern Ireland Life and Times (NILT) and its precursor, the Northern Ireland Social Attitudes (NISA), there has been a long term trend of increasing popularity over time of 'Northern Irish' for Protestants while Catholics have had a reasonably consistent level of support for this identity. For most of this period though Northern Irishness was more popular among Catholics than Protestants, with the notable exception of 2012 when the survey was conducted during the Union Flag dispute. At this time only 16% of Catholics considered themselves Northern Irish, compared with 24% of Protestants. It seems that preference for this identity is susceptible to political events, particularly as it is consistently shown to be the 'weakest' national identity compared with Irish and British. In the 2007 NILT 70% of Catholics saw themselves as 'very strongly' Irish, 60% of Protestants 'very strongly' British, while only 16% of Catholics and 45% Protestants saw themselves as 'very strongly' Northern Irish.

Further breaking this data down by age shows some clear trends. For Protestants, age is a very clear predictor of Northern Irish identification, being preferred by younger respondents. For example, the latest NILT shows that 36.4% of 18-24 year old Protestants choose Northern Irish, while the figure is only 15.3% for those over 65 years old. The relationship is more complex for Catholics. Year on year there appears to be a consistent bell-curve shaped trend with Northern Irishness being preferred by middle aged Catholics compared with both older and younger respondents.

There is also a correlation between wealth and Northern Irish identification. When asked if they had been in employment the week before being interviewed asked 58.6% of Northern Irish identifiers said they were. The figures for Irish and British are 50.6% and 46.2% respectively. Northern Irish identifiers are also less likely to rent their accommodation (21.6% compared with 36.9% for Irish and 30.7% for British) and are more likely own it.

## Northern Irish: Possible Meanings

If 'Northern Irish' is a genuinely 'neutral' or cross-community identity, this may lead to politically moderate views and behaviour. A different interpretation of 'Northern Irish' as identity choice is that it may be simply another manifestation of the two main identities. Some Protestants may adopt the term as a way of expressing their belonging to a particular part of the UK while some Catholics may use the term to indicate their belonging to the Northern part of Ireland (McKeown, 2014). Accordingly, Northern Irish Catholics and Northern Irish Protestants may be just as different from each other as Irish Catholics and British Protestants are. A third possibility is that being 'Northern Irish' is a meaningful distinction for Catholics but not for Protestants. As the majority culture Protestants may 'project' their identity on the superordinate 'Northern Irish' identity (Noor et al. 2010 and McKeown, 2014). This would lead to large differences between Irish Catholic and Northern Irish Catholics in terms of attitudes and behaviour, but little or no differences between British Protestants and Northern Irish Protestants.

## Which Meaning is Correct? Relating to Political Attitudes

We find that British Protestants are different from 'Northern Irish' Protestants: less than a quarter of the latter favour direct rule compared to two fifths of the former (see Table 1). Identity based differences in constitutional preferences are even more stark for

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Catholics: support for a united Ireland is three times greater among Irish Catholics (59 percent) than among Northern Irish Catholics (21 percent). The British versus Northern Irish distinction among Protestants also differentiates Protestants who are 'unionist' and those who are not: British Protestants are 'unionist' by a proportion of 2 to 1 while Northern Irish Protestants are almost evenly divided between 'unionists' and 'neither unionist nor nationalist'. An analogous, *but much starker*, pattern emerges among Catholics. Irish Catholics are over twice as likely to be nationalist than 'neither unionist nor nationalist' while Northern Irish Catholics are almost twice as likely to be 'neither unionist nor nationalist' than 'nationalist'. The identity distinction is related to attitudes to powersharing among Protestants. One quarter of British Protestants are opposed compared to only 14 percent of Northern Irish Protestants. Among Catholics, attitudes to powersharing are equally positive, irrespective of identity. This analysis of the relationship between identity choice and other facets of ethno-national positions suggests that the 'Northern Irish' identity is politically meaningful in the sense that it is related to relatively moderate aspects of ethno-nationalism within both communities, but particularly so within the Catholic community, seemingly echoing the asymmetric findings of Noor et al. (2008).

**Table 1: Relationship between identity and other ethno-national positions**

	<i>Protestants</i>		<i>Catholics</i>	
	British	Northern Irish	Irish	Northern Irish
unionist	67.7	51.4	1.1	2.1
neither	31.1	47.0	29.9	63.7
nationalist	<u>1.2</u>	<u>1.6</u>	<u>69.0</u>	<u>34.2</u>
	100.0	100.0	100.0	100.0
UK direct rule	38.9	23.0	4.6	9.0
UK assembly	60.4	74.8	36.1	70.2
united Ireland	<u>0.6</u>	<u>2.2</u>	<u>59.2</u>	<u>20.8</u>
	100.0	100.0	100.0	100.0
very pro power sharing	30.7	36.1	52.8	53.2
pro power sharing	45.3	49.8	41.2	41.9
anti power sharing	<u>24.0</u>	<u>14.0</u>	<u>6.0</u>	<u>4.9</u>
	100.0	100.0	100.0	100.0

## *Relating to Vote Choice at Election Time*

In Table 2 Protestant vote choice between the DUP and UUP is examined. DUP voters are essentially no different from UUP voters with respect to identity choice (Northern Irish versus British). This is in sharp contrast to the patterns than emerge for Catholic vote choice between Sinn Féin and the SDLP (Table 3). Catholics who are Irish strongly support Sinn Féin rather than SDLP (by a proportion of three to one) whereas 'Northern Irish' Catholics are evenly divided between Sinn Féin and the SDLP. What this analysis highlights again is the asymmetric nature of the relationship between northern Irish and vote choice: it matters for Catholics but less so for Protestants.

**Table 2: Protestant vote choice between the DUP and UUP by ethno-national positions**

	DUP	UUP	total
British	62.1	37.9	100.0
Northern Irish	65.9	34.1	100.0

**Table 3: Catholic vote choice between Sinn Féin and the SDLP by ethno-national positions**

	SDLP	SF	total
Irish	25.2	74.8	100.0

Northern Irish                      52.3      47.1      100.0

## *Relating to Inter-Group Attitudes*

On virtually all indicators of attitudes towards people of different religions Northern Irish identifiers tend to have a greater acceptance than both Irish and British identifiers. For example if asked "Would you mind if a close relative married someone of another religion?" 5.8% of Northern Irish Catholics say they would mind compared with 18% of Irish Catholics. The same pattern is found for Protestants with 11.7% of Northern Irish identifiers saying they would mind compared with 29% of British Protestants. When asked about the other main religions culture we find the same pattern. When respondents were asked "Does the culture and traditions of the [other religion to the respondent] community add to the richness and diversity of Northern Ireland society?" 8.3% of Irish Catholics strongly agree compared with 17.2% of Northern Irish Catholics, while 9.5% of British Protestants strongly agree compared with 20.4% of Northern Irish Protestants. It does seem clear that Northern Irish identification is associated with greater tolerance for mixing and the culture of out-group religious members.

## **Intergroup Contact as a Cause of Northern Irishness?**

The existing literature on the Northern Irish identity considers it to be a possible 'superordinate' identity. This is an identity that can overarch smaller subcategories. For this reason it is suggested that it is possible to be both British and Northern Irish or Irish and Northern Irish without there necessarily being a contradiction. Another example of this kind identity would be American, which is inclusive of both African Americans and European Americans. Research in this area shows this form of identity comes from positive contact between group members (Gaertner & Dovidio, 2012). When people from different groups have contact under conditions of equal status, working cooperatively towards common goals while there are social norms that are accepting of this contact, it makes less practical sense to talk about difference and a new overarching identity is created so that both members feel a part of the same group. For this reason it is valuable to look at correlations between Northern Irish identification and contact with religious outgroups.

For instance, how many friends one has of another religion is a good predictor of Northern Irish identification. Only 4% of Northern Irish respondents say all of their friends are of the same religion as themselves, compared with 16.4% for Irish and 12.6% for British respondents. Interestingly though the influence of more out-group friends on national identity is greater for Catholics than Protestants. A Catholic who has half of their friends of the same religion of them is approximately 3 times more likely to be Northern Irish than one with all of their friends of the same religion. However, a Protestant with half of their friends of the same religion is only about twice as likely to be Northern Irish as one with all their friends of the same religion (NILT 2007-2012). The reasons for this difference are discussed later in this report. There also appears to be a significant correlation between integrated and mixed education and Northern Irish identification so that they are 37% more likely to consider themselves Northern Irish.

Looking at the 2011 census there does not appear to be a particularly strong correlation between the religious homogeneity of one's electoral ward and the likelihood of Northern Irish identification. This is most likely due to the fact that religious diversity in a ward is not a good indicator of intergroup mixing in that area. What can be said though is that in all electoral wards where there is less than 20% Northern Irish identification, more than 90% of the population is from one religious community.

## **Conclusion**

From the analysis we can draw two main conclusions. First, Northern Irishness does appear to be a real common ingroup identity, inclusive of both Protestants and Catholics. It is associated with pro-social attitudes towards outgroup members so that prejudice is at a lower level than with Irish or British identifiers. Based on our theoretical assumptions not only is this identity correlated with more supportive attitudes to social mixing, but that contact is in fact its cause. The levels of support for Northern Irish identification can tentatively be predicted to follow patterns of intergroup contact.

Secondly, there does appear to be a difference in the perception of what Northern Irishness means to Catholics and Protestants. Intergroup contact appears to influence Catholics identity choice significantly more than for Protestants. There are different interpretations of how inclusive the concept of Northern Irishness is to Britishness and Irishness. From this it can be inferred that Catholics, on average, tend to view this as a neutral, overarching identity more so than Protestants. Similarly, there are differences in terms of voting behaviour. Northern Irish identification has a bigger impact on Catholics voting, and there is a much larger difference between the identities of SDLP and Sinn Féin voters than there are between UUP and DUP voters. This data, along with previous work by other researchers suggests that the Northern Irish identity is framed such that it is closer to Britishness. This is most likely a result of inequalities in status, although more research is required before this can be confidently asserted. As there is a long term trend of increasing Protestant preference for this identity that seems as though it will continue, this means that in the future



the Northern Irish identity could become less inclusive of Catholics and its chances of being a neutral middle-ground between Irish and British could be undermined.

Note on data: The data used for Tables 1-3 are generated from four Election Study surveys conducted in Northern Ireland and pooled into a single data set. The four studies were conducted by John Garry and were carried out directly after the 2007 Assembly Election, 2009 European Parliament election, the 2010 Westminster election and the 2011 Assembly election. More details on this data source are available upon request from John Garry. All other survey data in this report is from the Northern Ireland Life and Times.

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## 4.11 Report of the Secretary-General on the United Nations operation in Cyprus

### I. Introduction

1. The present report on the United Nations Peacekeeping Force in Cyprus (UNFICYP) covers developments from 25 June 2016 to 15 December 2016 and brings up to date, since the issuance of my report dated 8 July 2016 ([S/2016/598](#)), the record of activities carried out by UNFICYP pursuant to Security Council resolution [186 \(1964\)](#) and subsequent Council resolutions, most recently resolution [2300 \(2016\)](#).

2. As at 15 December 2016, the strength of the military component stood at 883 (56 women) for all ranks, and the strength of the police component stood at 67 (17 women) (see annex).

### II. Significant political developments

3. During the reporting period, negotiations between the Greek Cypriot leader, Nicos Anastasiades, and the Turkish Cypriot leader, Mustafa Akıncı, continued in a sustained and results-oriented manner. The leaders maintained a regular and often intense schedule of meetings, while negotiators and experts also continued to meet regularly.

4. Through their intensive work in this leader-led process, Mr. Akıncı and Mr. Anastasiades succeeded in taking the talks further than they have ever been since 2008, achieving major progress in four of the six negotiation chapters: governance and power-sharing; property; the economy; and matters relating to the European Union. They also, for the first time, conducted negotiations on the issue of territory, held in Mont Pèlerin, Switzerland, which I opened on 7 November 2016.

5. Following two rounds of meetings in those negotiations, the leaders announced in a statement issued by the United Nations on 1 December that they would meet in Geneva from 9 to 11 January 2017. They also announced that a conference on Cyprus would be convened on 12 January in Geneva with the added participation of the guarantor Powers — Greece, Turkey and the United Kingdom of Great Britain and Northern Ireland. They further stated that other relevant parties would be invited as needed.



### **III. Activities of the United Nations Peacekeeping Force in Cyprus**

6. UNFICYP is intended first and foremost to prevent a recurrence of fighting and to contribute to the maintenance of law and order and a return to normal conditions. Its mandate requires reconciling security considerations and the maintenance of the military status quo with allowing Cypriots who live and work in the buffer zone to pursue civilian activities and enjoy full and productive lives. Such an approach, when successful, builds confidence between communities and contributes to the overall effort by the United Nations in support of the peace process.

#### **A. Prevention of a recurrence of fighting and maintenance of the military status quo**

7. The integrity and stability of the buffer zone were maintained during the reporting period. UNFICYP liaison between the opposing forces was particularly important in preventing any escalation of low-level disputes.

8. Throughout this time, however, UNFICYP sought to address challenges to its authority in the buffer zone. The opposing forces' continued non-recognition of the 1989 aide-memoire and lack of agreement concerning the exact delineation of the ceasefire lines complicated the Force's efforts to fulfil its mandate. Construction by both sides is seen by UNFICYP as conferring a military advantage and therefore as a violation. Such construction continued to cause concern, in particular when not accompanied by prompt deconstruction of the old infrastructure.

9. The prevalence of closed-circuit television equipment at positions that remain guarded continued to be a concern. It is the Force's view that such installations confer a military advantage. In addition, military positions violating the status quo and established by both forces inside the buffer zone, in particular at Strovilia, remain in place and are classified as permanent violations. The United Nations continues to hold the Government of Turkey responsible for the status quo in Varosha.

#### **B. Demining activity**

10. During the reporting period, UNFICYP integrated a mine-clearance capacity from the United Nations Mine Action Service (UNMAS) into the mission to focus on the five areas in the north that had been identified in 2015 as Suspected as Hazardous Areas, and to provide support to the Committee on Missing Persons to protect its staff from possible risks from explosive remnants of war. Since 22 August, a total of 21,757 square metres of land in four locations has been cleared and released through manual and mechanical mine clearance, and in the process seven anti-tank mines have been removed and destroyed.

11. Despite assurances by the Turkish Cypriot security forces, no progress was registered in the clearance of the minefield just north of the buffer zone in Mammari, where heavy rains led to mine-washes into the buffer zone in 2014 and

2015, nor was progress made in clearing the four known remaining minefields in the buffer zone, of which three belong to the National Guard and one to the Turkish forces. While the Turkish Cypriot side has indicated that it would accept the clearance of all four areas as a package, the Greek Cypriot side maintains the position that its three minefields are required to counter a perceived threat. Efforts continue at all levels to advance a more comprehensive approach to demining, both inside and beyond the buffer zone.

### **C. Restoration of normal conditions and humanitarian functions**

12. Relations between UNFICYP police and the respective police forces remained collaborative and constructive at all levels, with daily communications to enhance cooperation and address operational matters within the buffer zone. In parallel to that liaison, UNFICYP police facilitated the work of the Joint Communications Room and the Technical Committee on Crime and Criminal Matters. During the reporting period, the Joint Communications Room exchanged 83 communications on criminal matters with an intercommunal dimension.

13. From 24 June to the end of November, 805,269 official crossings of the buffer zone were recorded. The role of UNFICYP with regard to all interactions at, around or through crossing points is expected to expand with the planned opening in 2017 of two crossings, at Deryniea/Derinya and Lefka-Aplici/Lefke-Apıç, per the agreement reached in the Technical Committee on Crossings. Throughout the reporting period, UNFICYP police continued to provide escorts for convoys of civilians and supplies at the Limnitis/Yeşilirmak crossing point, in accordance with the agreement reached by the leaders in October 2010.

14. In early November, UNFICYP escorted police from both sides into the bicommunal village of Pyla to conduct simultaneous searches of eight casinos that had been operating illegally for several years. As a result, the eight casinos were closed, and 2 Turkish Cypriots, 33 Greek Cypriots and 9 foreign nationals were charged. The two mukhtars of Pyla and the residents themselves expressed their relief and appreciation for this outcome. UNFICYP commended both sides for their careful work in tackling crime, thereby reducing the risk to the residents of Pyla.

15. No incidents were reported in November 2016 in connection with the Greek Cypriot demonstrations on the anniversary of the 1983 unilateral declaration of independence, in contrast to the events in November 2015, during which two vehicles belonging to Turkish Cypriots were targeted by Greek Cypriot youths throwing stones. No information was made available during the reporting period regarding the status of the judicial proceedings against 25 students who were charged with various offences related to those events.

16. The Force continued to confront unauthorized activity in the buffer zone and aggressive behaviour by those engaged in such unauthorized activities. Hunting was of particular concern, as armed hunters who are often in fatigues can be mistaken for military personnel. UNFICYP intensified joint patrolling with game wardens and liaison with local authorities to address the 54 hunting-related incidents in the buffer zone by Greek Cypriot hunters during the reporting period. In one incident in November, hunters fired in the direction of unarmed peacekeepers. As at

13 December, charges had been brought against three suspects in relation to those events.

17. In an effort to support a return to normal conditions, UNFICYP continued to engage with the authorities, local community representatives and civilians to facilitate the implementation of civilian activities inside the buffer zone. In accordance with established procedures, UNFICYP allowed farming, grazing and construction activities, provided those activities did not compromise safety and security in the area. More than 719 permits for civilian activities were issued during the reporting period, and all 12 applications for civilian construction projects in the buffer zone were approved. Unauthorized farming, however, continued to be problematic and a source of tension. The university in Pyla continued to operate without UNFICYP authorization.

18. During the reporting period, the number of intercommunal civil society initiatives in support of the settlement talks increased considerably, often assisted by UNFICYP within the buffer zone. The Mission facilitated the participation of more than 3,000 Cypriots from both communities in more than 50 sporting, cultural, educational and other civil society events. In addition, UNFICYP facilitated 93 intercommunal gatherings at the Ledra Palace Hotel, with more than 2,300 participants. In September, UNFICYP opened the buffer zone for more than 500 Greek Cypriot and Turkish Cypriot trade union members to mark together the International Day of Peace. In October, for the third consecutive year, the International Cyprus Car Rally, including 43 Greek Cypriot and 11 Turkish Cypriot drivers, crossed the respective ceasefire lines below the Venetian walls of old town Nicosia. In November, during the second meeting of the leaders in Mont Pèlerin, Switzerland, more than 2,000 Cypriots and 120 organizations from both communities participated in a bicomunal celebration and concert in support of the settlement talks.

19. The Cyprus Women's Lobby held a conference on 4 November in which my Special Representative participated and at which activists from civil society, government and the international community discussed the role of women in promoting peace and security. The conference focused on promoting the role of women in the peace and security agenda, including within the Cyprus context, and touched on issues of relevance to a future solution of the Cypriot question, including education, human security and the role of women.

20. UNFICYP also facilitated three meetings of political party representatives under the auspices of the embassy of Slovakia. On 26 October, the political parties issued a joint press release calling on the Technical Committee on Education to move forward with confidence-building measures.

21. Intercommunal activity in the village of Pyla, the only mixed village in the buffer zone, continued to strengthen. From 13 to 15 August, more than 700 people participated in cultural performances at an intercommunal festival in the village. On 12 November, 130 Greek Cypriot and Turkish Cypriot residents joined in a visit to Paphos facilitated by UNFICYP. Another such visit took place on 3 December, to the Apostolos Andreas monastery in the Karpas Peninsula.

22. Progress in the implementation of confidence-building measures, as agreed by the leaders in 2015, has been mixed during the reporting period. Further to the

agreement reached in the Technical Committee on Crossings, work commenced to facilitate the opening of two crossings, in Derynia/Derinya and Lefka-Aplici/Lefke-Aplıç. Work remains to be done on the interconnectivity of electricity grids and the interoperability of mobile telephones.

23. UNFICYP continued to facilitate the work of eight intercommunal technical committees established in the framework of the talks. The Technical Committee on Crisis Management finalized a proposal to establish a cooperation mechanism to address potential natural disasters or humanitarian crises. The Technical Committee on Cultural Heritage, acting with support from the United Nations Development Programme (UNDP) and the European Union, has now completed 14 projects, notably the restoration of the main church complex of the Apostolos Andreas monastery, funded by the Church of Cyprus and the Evkaf Administration and finished in November 2016.

24. With a view to fostering opportunities for interaction between the communities as well as freedom of worship, UNFICYP facilitated 44 requests for religious services and commemorative events involving more than 10,000 individuals, which were either conducted in the buffer zone or required crossings to the north. In addition to those events, UNFICYP facilitated the crossing to the south of nearly 1,700 pilgrims to the Hala Sultan Tekke mosque, in Larnaca, on 7 July and 15 September.

25. In May 2016, the Turkish Cypriot authorities announced criteria and procedures to be applied regarding requests for religious services in the north. During the reporting period, the Turkish Cypriot authorities approved 35 of 72 requests for services submitted to UNFICYP for facilitation, compared to 44 of 73 requests during the same period in 2015. None of 20 requests submitted to UNFICYP for facilitation for worship at sites inaccessible since 1974 was approved during the period, compared to the opening of nine new sites for worship during the same period in 2015.

26. The religious leaders of Cyprus continued to demonstrate their commitment to joint dialogue and the promotion of religious freedom, supported by the Embassy of Sweden. The visit on 7 July to Hala Sultan Tekke to celebrate the feast of Bayram included, for the first time, Greek Orthodox, Muslim, Maronite, Armenian Orthodox and Latin Catholic representatives. On 9 December, the religious leaders launched a joint appeal via video message to encourage all those with information on the missing to come forward and support the work of the Committee on Missing Persons. On 30 November, the name day of Apostolos Andreas and the first day the monastery was open to the public, approximately 2,000 people attended a service and visited the monastery throughout the day with the support of UNDP and UNFICYP.

27. The Force continued to deliver humanitarian assistance to 329 Greek Cypriots and 103 Maronites residing in the north and facilitated the post-mortem transfer of two Greek Cypriots for burial in the north. The Force also twice visited the Greek Cypriot primary and secondary schools in the Karpas Peninsula. The Turkish Cypriot authorities rejected 6 of the 117 textbooks that were proposed for use at the schools by the Greek Cypriots. The Turkish Cypriot authorities also rejected three of nine teachers nominated to work at the schools in the Karpas and denied the



reappointment of two teachers who had previously worked in those schools. While no Greek-speaking doctors were approved to attend to the health needs of elderly Greek Cypriots and Maronites in the north, a Greek Cypriot nurse continued to provide services at a local clinic on the Karpas peninsula.

28. No issues were identified as a result of the Force's continued engagement with the relevant authorities in Larnaca and Limassol regarding access to health, welfare and educational services for Turkish Cypriots living in the south. While Turkish-speaking pupils continued to have access to Turkish language education at a high school and primary school, there were no developments regarding the establishment of a Turkish language school in Limassol.

29. UNFICYP conducted visits to 12 Turkish Cypriots held in Greek Cypriot detention facilities and attended one related court hearing to monitor and assist in addressing any legal and humanitarian issues faced by them. There were no Greek Cypriots detained in Turkish Cypriot detention facilities during the reporting period.

#### **IV. Committee on Missing Persons**

30. As at 15 December, the bicomunal team of archaeologists of the Committee on Missing Persons had exhumed the remains on both sides of the island of 1,192 of 2,001 individuals on the official list of missing persons. To date, the remains of 740 individuals have been identified and returned to their respective families, including, during the reporting period, those of 115 individuals. In line with the permission received in November 2015, the Committee conducted, in 2016, 10 excavations in military areas in the north, leading to the recovery of the remains of nine individuals. Throughout the reporting period, the Committee continued its cooperation with UNFICYP and UNMAS experts on the mitigation of risks posed by unexploded ordnance and the use of detection technologies by Committee field teams.

31. On 28 July, following two years of discussions, members of the Committee on Missing Persons signed an agreement to initiate research into the archives of security forces and international organizations present in Cyprus during the periods of 1963 to 1964 and 1974 with the aim of locating information on additional burial sites of missing persons. To that end, the Committee on Missing Persons commenced work on creating a dedicated archival research unit. During the reporting period, the Committee published a book documenting its work, entitled "Beneath the carob trees: the lost lives of Cyprus". The Committee also organized high-level photo exhibitions in New York, Brussels and Geneva with the aim of securing continued financial and political support.

#### **V. Transition planning**

32. UNFICYP continued to work on planning for transition in relation to a settlement, as requested by the Security Council, establishing a joint working group with my good offices mission and the support of relevant Headquarters departments. On 22 July, UNFICYP briefed the leaders on initial transition planning. In early November, the negotiators returned to such matters, in the presence of my Special

Adviser and my Special Representative, and agreed in principle that the United Nations would focus on several key areas of support in a post-settlement period. Further discussion with the negotiators took place on 15 December.

33. The transition planning undertaken during the past year has demonstrated the extent to which the United Nations capabilities on the island will need to change in order to effectively support the implementation of an agreement and assist the sides with the challenges of a post-settlement period. Defining these new capabilities will depend on further progress in the talks on key outstanding issues and will require thorough engagement with the sides on their expectations for the future United Nations role. It should be noted, however, that with current resources and in its present configuration, UNFICYP has limited ability to deliver appropriate support to a settlement. Moreover, such planning is but one aspect of a much broader need for preparations for the implementation of a settlement that is the responsibility of the sides.

## **VI. Conduct and discipline and sexual exploitation and abuse**

34. During the reporting period, three category 2 allegations were reported and referred for investigation. There were no reports of category 1 allegations, including allegations of sexual exploitation or abuse.

35. The Mission's training programme on conduct and discipline and sexual exploitation and abuse exceeded planned outputs, with a total of 20 training sessions conducted during the reporting period. These involved 1,003 mission participants, including 799 military personnel, 23 United Nations police personnel, 167 civilian personnel and 14 UNMAS personnel. As part of the Force's awareness-raising activities on sexual exploitation and abuse, a human trafficking awareness training session was conducted on 29 July 2016, with the participation of personnel from UNFICYP, the Office of the Special Adviser, the Office of the Committee on Missing Persons and United Nations agencies, funds and programmes.

## **VII. Financial and administrative aspects**

36. The General Assembly, by its resolution [70/273](#), appropriated the amount of \$57.8 million gross for the maintenance of the United Nations Peacekeeping Force in Cyprus for the period from 1 July 2016 to 30 June 2017, inclusive of the voluntary contribution of one third of the net cost of the Force, equivalent to \$18.4 million from the Government of Cyprus and the voluntary contribution of \$6.5 million from the Government of Greece.

37. As at 19 December 2016, unpaid assessed contributions to the Special Account for the United Nations Peacekeeping Force in Cyprus amounted to \$13.8 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to \$2,024.1 million.

38. Reimbursement of troop costs was made for the period up to 31 October 2016, while reimbursement of the costs of contingent-owned equipment has been made for

the period up to 30 September 2016, in accordance with the quarterly payment schedule.

## **VIII. Observations**

39. Unprecedented progress has been made in the leader-led negotiation process over the past 19 months. I commend Mr. Akıncı and Mr. Anastasiades for their efforts. Through their vision, courage and leadership, they have advanced the talks in a definitive manner. At the same time, a number of delicate and important issues remain. The process has now reached a critical juncture, and I encourage the leaders to build on the momentum as they embark on the most crucial and perhaps most demanding part of their common journey. I also encourage all Cypriots to support the leaders as they move into the decisive weeks ahead, in pursuit of the common goal of reaching a comprehensive settlement as soon as possible. As the talks enter a pivotal stage, it is more important than ever that the guarantor Powers, Greece, Turkey and the United Kingdom of Great Britain and Northern Ireland, and other relevant actors remain committed to supporting the ongoing and determined efforts of the leaders.

40. The growing efforts demonstrated by citizens' groups in Cyprus to build support for the settlement talks and reunification are also to be commended. As the leaders progress in their negotiations, I encourage them to fully engage civil society throughout Cyprus with a view to fostering broad grass-roots support for a solution. Women's groups have been an important part of civil society's efforts to support the talks, including their call for incorporating a gender dimension into the peace process in accordance with Security Council resolution [1325 \(2000\)](#). I encourage the leaders to redouble their efforts to fully reflect the principles and aims of resolution 1325 on women and peace and security in their continuing deliberations.

41. The United Nations remains committed to supporting the vital humanitarian work being carried out on behalf of the families of victims through the Committee on Missing Persons. In the light of the advanced age of both relatives and witnesses, it is critical that the Committee be given the means and the information required to accelerate its work. In that respect, I am heartened to see that the resources of the Committee have been enhanced during this reporting period. This additional capacity is a particularly important effort in the light of the advanced age of many of the witnesses and relatives. The Committee's efforts to heal the wounds of the past not only are critical for those families directly affected by the tragedy of the missing, but also support the broader process of reconciliation between communities.

42. Progress relating to confidence-building measures will remain important in the period ahead. The opening of the two crossing points, in particular, will lead to major improvements in the lives of affected communities. While the progress made towards the safety of Cypriots via the clearance of five minefields in the north is welcome, much more remains to be done. The lack of action on the clearance of the minefield adjacent to the ceasefire line near Mammari, for example, continues to pose unnecessary risks. Minefields on the island have little military value, but pose a serious threat to life. I urge both sides to take advantage of the dedicated UNMAS demining capacity within UNFICYP in the coming months to rid Cyprus of

minefields across the island. Such clearance would greatly reduce the risk to civilians and allow increased freedom of movement in and around the buffer zone.

43. No serious incidents of violence between Greek Cypriots and Turkish Cypriots were reported during the November 2016 demonstrations. At the same time, I note the continued lack of information regarding the judicial processes pertaining to the events of November 2015. A clear resolution of those cases will serve to build confidence between the communities and signal that such acts will not be tolerated in Cyprus.

44. As a fundamental human right, there can be no doubt that freedom of worship across the island is important in and of itself. At the same time, it can also provide a context for enhanced interaction between the communities. I call for all restrictions on freedom of worship, including restrictions on access to religious sites, to be lifted.

45. I note joint efforts by the religious leaders continue to lend much-needed and broad-based support for freedom of worship and the peace. Sustained open dialogue combined with a commitment to freedom of worship by both sides can only serve to open doors for greater understanding and trust.

46. I continue to call upon both communities to exert efforts to create a climate conducive to achieving greater economic and social parity between the two sides and to widen and deepen economic, social, cultural, sporting or similar ties and contacts, including with a view to encouraging trade. Such contacts promote trust between the communities and help to address the Turkish Cypriots' concerns regarding isolation. I urge both leaders to persist in addressing those issues.

47. UNFICYP continues to play an important role in maintaining a calm and secure environment and helping to rebuild trust between the communities. Its ability to do so rests in large part on the commitment of the two sides to refrain from challenging the Force's authority. I urge the sides to formally accept the aide-memoire of 1989, without which there is repeated contestation of the United Nations delineation of the ceasefire lines. In the same vein, I call on both sides to support the Force's role in pre-empting and responding to civilian, law and order and military-related issues and in encouraging intercommunal activities to rebuild trust and cooperation.

48. UNFICYP is devoting increasing resources to deterring unauthorized civilian incursions into the buffer zone. Continued reports of aggression by hunters in the buffer zone against UNFICYP personnel are also of concern. The news that charges have been filed against those involved in the recent firing of weapons in the direction of UNFICYP personnel is welcome. I urge the authorities to ensure legal redress against the perpetrators.

49. As argued in previous reports, closed-circuit television cameras can confer a military advantage and constitute a violation of the status quo if unaccompanied by a reduction in military personnel. At the same time, closed-circuit television can help to monitor illegal activity in the buffer zone and thus contribute to improved security in the area. I therefore encourage steps towards a permanent reduction in the military presence and posture along the ceasefire line, starting in those positions

that have been enhanced with closed-circuit television cameras, particularly in the militarized area, within the Venetian walls of the old town of Nicosia.

50. I welcome the initial steps taken by the sides to engage with UNFICYP and my good offices mission on transition planning, pursuant to Security Council resolution [2300 \(2016\)](#). The establishment of a dedicated working group under the auspices of UNFICYP to enhance this work, together with inputs from the sides, is timely. Such planning will depend on further progress in the negotiations and on the deliberations of the sides regarding a United Nations support role in a reunified Cyprus. I underline the importance of UNFICYP, and any follow-on mission, being ready to respond to challenges both in the lead-up to and following the referendums. I hope to report back to the Council in due course on further developments on this matter.

51. I recommend that the mandate of the mission be extended for a period of six months, until 31 July 2017. I once again express my gratitude to the 36 countries that have contributed, since 1964, either troops, police or both to the mission. I pay tribute to the 186 peacekeepers who lost their lives over that period in support of peace in Cyprus. It is incumbent upon all parties to work in a determined manner towards a comprehensive settlement, to which all Cypriots aspire and which would obviate, in due course, the continuing need for a United Nations presence.

52. I would like to express my appreciation to Elizabeth Spehar, who began her assignment with UNFICYP on 10 June, for her service as my Special Representative in Cyprus and Head of Mission. As Deputy Special Adviser, Ms. Spehar has been directly supporting the talks in addition to leading the Force's support to my good offices mission during this crucial period.

53. I welcome UNFICYP Force Commander, Major General Mohammad Humayun Kabir of Bangladesh, who succeeded Major General Kristin Lund in November.

54. I would also like to express my deep appreciation to my Special Adviser, Espen Barth Eide, for his determined efforts to facilitate the talks between the sides.

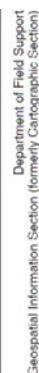
55. Finally, I extend my thanks to all the men and women serving in UNFICYP for the efficiency and commitment with which they are discharging the responsibilities entrusted to them by the Security Council.

## Annex

### Countries providing military and police personnel to the United Nations operation in Cyprus (as at 15 December 2016)

<i>Country</i>	<i>Military personnel</i>
Argentina	275
Austria	4
Bangladesh	2
Brazil	2
Canada	1
Chile	14
Hungary	77
Paraguay	14
Serbia	47
Slovakia	169
Ukraine	2
United Kingdom of Great Britain and Northern Ireland	276
<b>Total</b>	<b>883</b>

<i>Country</i>	<i>Police personnel</i>
Australia	7
Bosnia and Herzegovina	5
Bulgaria	2
China	6
India	5
Ireland	12
Italy	2
Lithuania	2
Montenegro	4
Romania	4
Russian Federation	3
Serbia	2
Slovakia	5
Ukraine	8
<b>Total</b>	<b>67</b>









## Korean Preparation for National Unification

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Ireland and Korea are both divided nations. During the first decade of the 20th century, Korea was occupied and eventually formally annexed by Imperial Japan. At the end of the Second World War, the country was partitioned into zones of Soviet and American military occupation. Unable to agree on a formula for unifying the country, in 1948, two rival states, the Republic of Korea and the Democratic People's Republic of Korea, were declared in the southern (US) zone and the northern (Soviet) zone, respectively.

In 1950, North Korea attacked South Korea in a bid to forcibly unify the peninsula, drawing the US and China into the conflict. Most of the capital stock was destroyed as armies from both sides twice traversed nearly the entire length of the peninsula. Millions of Koreans were uprooted and forced to flee their homes. The two Korean states subsequently not only pursued divergent development strategies but also pushed those strategies to extremes. South Korea not only adopted a capitalist system but also went on to pioneer an outward-oriented development strategy, emphasizing international trade as a catalyst. North Korea, in contrast, not only chose central planning but also intentionally time-phased its plans to frustrate linkages with those of other fraternally allied socialist states and in doing so created the world's most autarkic economy, notable in the degree to which markets were repressed.

Over nearly five decades, economic performance in South Korea was nothing short of spectacular. Between 1963, when a wide-ranging economic reform program was initiated, and 1997, when the country experienced a financial crisis, real per capita income growth averaged more than six percent annually in purchasing power adjusted terms. At the start of that period the country's income level was lower than that of Bolivia and Mozambique; by the end it was higher than that of Greece and Portugal.

As astonishing as South Korea's economic performance has been, its political development has been as impressive, if not more so: In the space of a single decade, between 1987 and 1997, the leadership of the South Korean government went from an authoritarian strongman (General Chun Doo-hwan) to his elected but hand-picked successor (General Roh Tae-woo) to an elected centrist civilian politician (Kim Young-sam) to a former dissident (Kim Dae-jung). Even the current political turmoil involving the impeachment and removal from office of the sitting president, Park Geun-hye, on corruption charges can be interpreted as signaling the maturing and consolidation of the country's democratic institutions. South Korea is arguably the premier global success story of the past half century.

In stark contrast, North Korea experienced a famine during the 1990s, which killed perhaps 600,000 to 1 million people out of a pre-famine population of roughly 22 million, making it one of the 20th century's worst. This disaster was very much the product of the country's political system, an anachronistic Stalinist dynasty, now into its third generation, which has systematically denied its populace the most elemental human, civil, and political rights. Even by the standards of Ireland's history over the past century, the trauma experienced on the Korean peninsula has been profound.

Both the North and South Korean constitutions lay claims to sovereignty over the entire peninsula. Though the Irish and Korean cases are radically different, this essay will examine the policies undertaken by the South Korean government in pursuit of national reconciliation and eventual unification with the hope that there may be some modest applicability to the Irish case. (North Korea also engages in unification preparations, publicly through an offshoot of the Korean Workers Party, the Committee for the Peaceful Unification of the Fatherland, and surreptitiously through support for front groups and financial aid to ideologically aligned factions in South Korea. It is hard to imagine that this model of engagement has any useful application to the Irish case, and for our purposes can safely be ignored.) The remainder of this essay focuses exclusively on *South* Korean unification preparations.

### Preparations for Unification

In the period since a 1953 armistice put into force a ceasefire ending organized combat, the two Korean states have existed in a state of uneasy rivalry, punctuated at times by violent hostility. Despite the animosity, since the early 1970s both sides have officially promoted a policy of peaceful reunification. In 1972 North and South Korea signed the July 4th Joint Statement, which declared that both sides desired early peaceful unification and contained a renunciation of military force as a means to achieve unification. Both countries maintain nominal commitments to a consensual and protracted process of integration envisioned to last 50 years or more while preparing for possibly more abrupt unification scenarios.

In 2000, South Korean President Kim Dae-jung met with North Korean leader Kim Jong-il, the first time that two Korean heads of states had met. In 2007, another summit was held between South Korean President Roh Moo-hyun and Kim Jong-il. During both meetings, the two leaders released joint statements on the importance of unification. They proposed a variety of programs as first steps in the direction of unification. These programs included visits by families separated by the war decades earlier, humanitarian projects, cultural exchanges, and economic development projects. Nevertheless, none of these projects have been consistently implemented, and today inter-Korean cooperation is almost non-existent.

The two Koreas are *de facto* and in most regards *de jure* mutually independent states. Both

states function as independent countries in the United Nations, and unlike the situation regarding China and Taiwan, 157 countries maintain diplomatic relations with both North and South Korea. The unique inter-Korean relationship has led to the creation of bureaucratic institutions that play roles similar to what a ministry of foreign affairs or an international development agency would play if the two had been normal countries with diplomatic relations.

### *The Ministry of Unification*

To manage unification policy, the South Korean government operates the Ministry of Unification, which was established in 1969. The ministry plays a unique role as a quasi-foreign affairs and international development agency focused only on North Korea. The Minister of Unification sets policy on inter-Korean cooperation and engagement including humanitarian assistance, exchanges, North Korean refugee settlement in South Korea, and trade and economic cooperation. The ministry publishes an annual White Paper on Korean Unification policy as well as data and statistics on South Korea's engagement with North Korea. Officials from the Ministry of Unification are assigned to South Korean embassies around the world.

As democracy in South Korea has solidified, the human rights situation in North Korea has become more salient, as has the recognition that dealing with North Korean human rights abuses would be an essential element of any unification scenario. In March 2016, South Korea passed its first Human Rights Act, which created additional responsibilities for the Ministry of Unification to promote human rights, as well as mandating the creation of a government human rights foundation tasked with documenting North Korea human rights abuses to be used to prosecute perpetrators in a unified Korea.

In the economics sphere, after the Berlin Wall fell, inter-Korean cooperation in South Korea gained new momentum, and South Korea became gradually more open to cultural exchanges and economic engagement with North Korea. The National Assembly passed legislation promoting inter-Korean economic cooperation and cultural exchanges in 1990. The greatest expansion of inter-Korean cooperation didn't occur, however, until South Korean President Kim Dae-jung became president in 1998 and began to implement his "Sunshine Policy" towards North Korea—a policy based on the separation of politics and economics. The policy, named after Aesop's fable of the Sun and the Wind, expanded cooperation with North Korea without demanding specific quid pro quos from North Korea in the military or human rights spheres. As originally conceived by Kim Dae-jung, the Sunshine Policy was instrumental: the expectation was that engagement would induce changes in the North Korean political and economic system that would create a more plausible and durable basis for national reconciliation and eventual unification.

The North Koreans responded favorably to Kim Dae-jung's overtures but without making substantial changes to their economy or system of government. A paradox of Kim Dae-jung's strategy was that in South Korea he argued that opening up North Korea's society and economy would ultimately force the North Korean regime to change. But unsurprisingly, the North Korean regime regarded Kim's overture as a Trojan Horse and permitted only very limited and controlled inter-Korean economic and cultural exchanges with an eye on maximizing cash inflows. Throughout the Sunshine Policy era, North Korea secretly continued to develop its nuclear weapons program, as it eventually admitted openly.

### *Inter-Korean Cooperation Fund*

The South Korean government finances its inter-Korean cooperation projects, including official development assistance, insurance for South Korean firms, humanitarian aid, economic cooperation, and some unification preparation projects, through the Korea Export-Import Bank's Inter-Korean Cooperation Fund. The fund currently receives regular allocations from the government and earns interest on its non-North Korea related investments. Since its establishment in the early 1990s, the fund has grown to approximately \$11 billion today.

The fund's activities peaked during the heyday of the Sunshine Policy era in the mid-2000s. In 2006 South Korea provided over \$800 million in funding. During the height of the fund's activities the categories with the largest spending were humanitarian assistance, economic cooperation, infrastructure support, and financing for a now-defunct light water reactor in North Korea. The fund finances projects through a variety of loans and grants, although in reality there is little hope that the loans will ever be repaid. Indeed, at one time South Korea provided food aid to North Korea in the form of "loans" precisely to avoid questions as to why it was not working through the UN's World Food Program (WFP) and subjecting its aid to the monitoring activities that the WFP was attempting to implement.

The cornerstone of the economic prong of Kim Dae-jung's Sunshine Policy was the Kaesong Industrial Complex (KIC), a business industrial complex located in the North Korean city of Kaesong just a few kilometers north of the demilitarized zone, known as the DMZ, which separates the two Koreas. At Kaesong, South Korean firms used South Korean capital supported by significant South Korean government infrastructure spending and political risk insurance. The firms used cheap North Korean labor to produce mostly light manufactured goods, which were then sold in South Korea and exported elsewhere. Kim Dae-jung's plan was for the KIC to serve as a template for inter-Korean economic cooperation that would spawn a virtuous cycle of trust between the two Koreas' economies and societies.

The high point of inter-Korean cooperation occurred in the mid-2000s as Kim Dae-jung's engagement-oriented successor President Roh Moo-hyun built upon Kim Dae-jung's vision to

expand economic cooperation, humanitarian aid, and inter-Korean tourism. In 2002, the Koreas opened a joint tourism project for South Korean tourists run by South Korean firm Hyundai Asan at Mount Kumgang, just north of the DMZ in the eastern part of North Korea. However, in 2008 a North Korean soldier shot a South Korean tourist and, receiving a dissatisfactory response from the North Korean government, South Korean President Lee Myung-bak called off the entire tourism project. The South Korea-funded tourism zone remains mostly dormant, although North Korea is seeking Chinese investors to fully expropriate the property and take over management.

In terms of economic weight, the KIC had the most impact of any joint Korean project. During the mid-2000s the complex continued to expand and by 2013 employed 53,000 North Korean workers. Even when inter-Korean tensions were high amidst two North Korean nuclear tests in 2006 and 2009 and two North Korean attacks that killed South Koreans in 2010, the Kaesong complex continued to operate. Yet the KIC has always been a bit of political football. In 2013, North Korea unilaterally closed the complex for five months. In 2016, after the fourth North Korean nuclear test, the South Korean government of Park Geun-hye announced a “temporary closure,” which remains in effect. As recently as 2015, trade with South Korea accounted for approximately 30 percent of North Korea’s total trade but following the closing of the KIC declined to nil.

Now that inter-Korean cooperation is virtually non-existent, the Inter-Korean Cooperation Fund uses the majority of its funding allocations to pay firms that lost investments when South Korea shut down the KIC in 2016. Currently the Inter-Korean Cooperation Fund spends most of its funds on paying South Korean firms *not* to cooperate with North Korea.

However, North-South trade and investment have always contained a significant explicit or implicit subsidy element, and if a more pro-engagement government were to come to power in Seoul (which seems likely, if not probable, in the near future), the fund could be spent quite quickly on infrastructure associated with additional KIC-like projects in the North.

### *Other Activities of the Ministry of Unification*

Besides these official government-run entities, the South Korean government funds think tanks that either support unification directly or fund projects that support them. The most prominent unification-focused think tank is the Korean Institute for National Unification, known as KINU, which was founded in 1991. KINU conducts research on a variety of unification-related issues, focusing on politics in Northeast Asia, analyzing North Korea as it is today, and researching unification strategy.

In terms of models of unification, South Korea has often looked at German unification to glean insights into how Korea might unify (Park Geun-hye once called Germany “an example and a

model for a peaceful reunification of our own country”), though the differences in the two situations are vast. The difference in per capita income between the two Koreas today is perhaps ten times that of the two Germanys when they unified. The degree of political repression that existed in East Germany pales in comparison to contemporary North Korea, where citizens (really subjects) have virtually no political rights and institutions of civil society autonomous from the state are absent. Nevertheless, Germany provides the best-case example of a state divided by the Cold War, and many studies have been conducted to try to tie lessons learned in the German unification model to the Korean Peninsula. KINU, in fact, publishes a regular series of journal articles on German unification and its implications for the Korean Peninsula.

Another responsibility discharged by the Ministry of Unification is refugee resettlement. Most North Koreans who enter South Korea spend three months in a settlement center where they receive education to help them adapt to South Korean society. North Korean defections to South Korea were relatively rare during the Cold War but increased after the collapse of the Soviet Union. Defections and resettlements expanded at even faster rates during the North Korean famine in the late 1990s. There are now 30,000 North Korean refugees in South Korea.

The first of these North Korean refugee resettlement centers, known as “Hanawon” or “unity centers,” was built in 1999. It was originally planned to handle 200 refugees but an increasing flow of refugees led the government to expand the center to accommodate 400 refugees in 2002. In 2004, a second center was built in the outskirts of Seoul. North Korean refugees generally live much better lives in South Korea than in North Korea but suffer from a variety of problems, including psychological issues due to abuse by the North Korean regime, exploitation while in transit (most refugees cross the border into China and then have to make an on-migration to a third country such as Mongolia or Vietnam to file an asylum claim, an ordeal that can take years), discrimination in South Korea, and various difficulties in adapting to their new lives. Their experiences provide a window into understanding North Korean society and the challenges North Koreans would face in a future unified Korea.

### Other Unification Preparation Activities

As a peculiar vestige of the Cold War, South Korea maintains a shadow government for ceremonial purposes of five South Korean officials, who collect South Korean government salaries, as the shadow representatives of five North Korean provinces. These positions were first established in 1949 before the Korean War and have been maintained until this day. These politicians play a purely ceremonial role in meeting with North Koreans and their descendants living in South Korea—there are an estimated 8.5 million Koreans of North Korean descent in South Korea.

In 1980, the National Unification Advisory Council (NUAC) consisting of functional, local, and overseas members was established to gather public opinion in South Korea and foreign countries concerning unification, promote a national consensus regarding unification, act as a focal point for national unification preparations, and advise the President on unification policy. NUAC is really a mobilization body, not an advisory or policy-making group (despite its name), with almost 20,000 council members, including more than 3,000 in the diaspora.

Both the current president, Park Geun-hye, and her predecessor, Lee Myung-bak, have attempted to reinvigorate the public mobilization activities implicit in NUAC in pursuit of unification. During his presidency, Lee proposed a unification tax to begin more rapidly accumulating funds for the enormous expected costs of unification. The divergence between North and South Korea in virtually every area of development means that unification costs could be well over a trillion dollars, approximately equal to South Korea's annual national income. President Lee was unable to pass a unification tax, however.

In light of her predecessor's failure to introduce a unification tax, Park Geun-hye has taken a different tack. Instead of dwelling on the monumental costs of unification and the burden that it would impose upon South Korean taxpayers, she famously predicted that unification would be a "jackpot" or "bonanza"—focusing on the great economic and political windfalls that would spring from a unified Korean Peninsula. A 2014 Asan Institute poll showed that while more than 70 percent of those in their twenties claimed to be interested in reunification, less than 35 percent were willing to pay additional taxes to fund the enormous projected cost. (Such views in part reflect the anxiety, widespread among South Korean young adults, that due to the country's rapidly aging demographic profile and swiftly rising dependency ratio, they will bear the fiscal burden of supporting many elderly South Koreans—regardless of what happens in the North.) Park also emphasized unification education, including promoting the Center for Unified Future of Korea, that focused on educating the younger generation of South Koreans on the importance of unification.

Another initiative to build public awareness under the current administration of Park Geun-hye has been the establishment of the Presidential Committee for Unification Preparation (PCUP). This group, run out of the Blue House with the President as the formal chair, comprises Korean and foreign experts from diverse fields to provide research and guidance on unification. The recruitment of participants has consciously been non-partisan to include a diversity of views, though inevitably some participants affiliated with the party out of power have been disappointed. (In the interests of full disclosure, I have participated as a foreign advisor to this group.) PCUP has essentially three main tasks: to set out a blueprint and roadmap for unification; to build a national consensus; and to establish a system of cooperation among government agencies and nongovernmental organizations (NGOs). Its taskforce on cooperation projects has attempted limited initiatives in the environmental and public health spheres, such as vaccinating North Korean youngsters and replanting North Korean hillsides, which were significantly denuded as more and more marginal land was brought under cultivation during the



famine period. (The particular relevance of tree planting is that deforestation continues to contribute to problems of river, canal, and reservoir silting and exacerbated flooding associated with the seasonal monsoon-type pattern of rainfall.) Analysts associated with the PCUP have done ground-breaking work on integrating North Korean refugees into South Korean labor markets.

## Conclusions

The last ten years have seen an increase in inter-Korean military tensions and a marked decrease in cooperation. There are also no clear signs that the North Korean government is on the brink of collapse despite regular speculation along these lines. Formal unification activities in South Korea have clearly shifted from engagement to preparation for more abrupt unification scenarios.

More changes could be on the horizon. The South Korean president, Park Geun-hye, is in the process of being impeached and may not serve her full term in office. Regardless, the country will hold elections within a year, and the leading declared candidates all lean towards less conditional, less reciprocal engagement policies toward the North. The pendulum could well swing back toward the more pro-engagement policies of the Kim Dae-jung/Roh Moo-hyun era. But a simple turning back of the clock is unlikely: North Korea has pursued nuclear weapons and long-range missile programs at an accelerating rate, is subject to tighter and more pervasive international economic sanctions under the auspices of the United Nations; and the issue of human rights has risen in prominence—all in distinction to the Sunshine years.

From the standpoint of Ireland, the two cases appear radically different, and it is questionable how much from the Korean experience is applicable. Nevertheless, some Korean approaches may be worth examining. They mainly involve actions that a country's political leadership can undertake autonomously to promote national reconciliation having regard to the eventual possibility that a majority of the population in Northern Ireland might someday favor unification.

First, with the creation of the Ministry of Unification, the South Koreans established a cabinet-level department tasked with a multiplicity of unification-related responsibilities. The ministry acts as a diplomatic interlocutor; administers a variety of programs relating to unification, including the Inter-Korean Cooperation Fund and refugee intake; and maintains a think tank that focuses on unification-related research. The latter function could be relevant to the Irish case insofar as the prospect of Brexit may significantly change economic conditions in Northern Ireland, as well as the Republic of Ireland's economic relations with the United Kingdom as a whole. In South Korea, the sorts of economic modeling that one would want to conduct in anticipation of these developments, as well as public discussion and dissemination,

are supported by government-affiliated think tanks as well as bodies such as PCUP. The specifics obviously differ enormously—North Korea lacks the basic institutions of a market economy, and the cross-border flow of goods, capital, and people is highly restricted—all in contrast to the Irish case. Nevertheless, cross-border exchange across Northern Ireland and the Republic is subject to currency risk, and with Brexit, EU transfers to Northern Ireland will disappear, and additional distortions are likely to be introduced. It is not hard to see the desirability of doing analysis similar or parallel to what the South Koreans conduct today.

Second, under the governments of Lee Myung-bak and Park Geun-hye, there has been a renewed emphasis on educating the South Korean public, which is frankly unprepared for what could transpire in the medium to long run. These efforts have involved not only Lee and Park using the “bully pulpit” of the presidency to shine light on the unification issue but also a revitalization of the NUAC and the formation of the PCUP. Again, contemplating Brexit, one can grasp the desirability of public bodies in Ireland convening similar groups of experts and politically active citizens to enhance both the analytical quality and public awareness of contingency planning.

In sum, the Korean and Irish cases differ enormously. But that is not to say that there is nothing to be learned from South Korean preparations for eventual national unification. Some of the approaches, suitably altered and adapted, could make a positive contribution as Ireland contemplates its future.



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## UN Human Development Index

### Research for Senator Mark Daly

#### Abstract

This brief note explains how the UN's Human Development Index ('HDI') is compiled and how the Republic of Ireland and the UK are ranked on this index.

A HDI value for Northern Ireland has been calculated for the purpose of this research note but the limitations of this calculation should be taken into account. This HDI value should be used as a general guide and should not be relied on for making strict / definitive territorial comparisons.

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**Date: Monday, 08 February 2016**

**Enquiry Number: 2016/201**

**Library & Research Service central enquiry desk: Tel – 01 618 4701**

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## Introduction

This research note discusses:

- What the Human Development Index ('**HDI**') is;
- How the Republic of Ireland and the UK perform on this measure; and
- A calculation of a HDI value for Northern Ireland.

The enquiry received by L&RS asked where Northern Ireland would be placed relative to the Republic of Ireland on the HDI by each category of the HDI, where Ireland was ranked in seventh place.

There are a number of issues to note in the context of this query.

1. The latest HDI, as published in the [2014 Human Development Report](#) ('**HDR**') relates to data for the year 2013. In this HDR Ireland ranks in 11<sup>th</sup> position based on its HDI value (0.899). Ireland previously ranked in seventh position in the HDR 2013 (which used 2012 data).

Therefore, in order to be reflective of the current position, this research note relates to the latest information available (i.e. 2013 data).

The UN's [Human Development Office](#) ('**HDO**') notes that it is misleading to compare values and rankings with those of previously published reports.

The HDO advises users of the HDR not to compare the results from different reports<sup>1</sup>.

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<sup>1</sup> The difference between values published in two different Reports is the combined effect of data revision, change in methodology, and the change in achievements in indicators.

2. Northern Ireland is not included in the list of countries included in the UN's HDI. The information used to devise the HDI is based on sources of international country data statistics which does not provide Northern Ireland information.
3. However, a HDI value for Northern Ireland has been calculated in this research note in order to provide an indication of where Northern Ireland would likely be placed relative to the Republic of Ireland and the UK.

However, the limitations of this approach should be noted. The calculation of a HDI value for Northern Ireland is not directly comparable with the country values reported in the HDR, as different sources of information were used to calculate Northern Ireland's HDI.

In this respect the HDO states that to include a country in the HDI

*"We need recent, reliable and comparable data for all three dimensions of the Index. For a country to be included, statistics should ideally be available from the relevant international data agencies"*<sup>2</sup>.

It should also be noted that the UK is included in the HDI, and would likely incorporate Northern Ireland within its overall measure, but this information is not available on a dis-aggregated basis.

## **What is the Human Development Index ('HDI')?**

The HDO states that the HDI was

*"Created to emphasize that people and their capabilities should be the ultimate criteria for assessing the development of a country, not economic growth alone".*

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<sup>2</sup> The HDO says that the HDI is based primarily on international data from the United Nations Population Division, the United Nations Educational, Scientific and Cultural Organization Institute for Statistics and the World Bank.

The 2014 HDR presents the HDI (values and ranks) for 187 countries and UN-recognized territories<sup>3</sup>.

The HDO says that the HDI is a summary measure for assessing long-term progress in three basic dimensions of human development.

- A long and healthy life (measured by life expectancy);
- Access to knowledge (measured by (i) mean years of education among the adult population<sup>4</sup>; and (ii) expected years of schooling for children of school-entry age<sup>5</sup>); and
- A decent standard of living (measured by Gross National Income<sup>6</sup> (GNI) per capita).

The 2013 HDR covers 187 countries, the same number as in 2012 and 2011.

## How is the Human Development Index Devised?

The HDI is a summary measure of achievements in key dimensions of human development: a long and healthy life, access to knowledge and a decent standard of living<sup>7</sup>. See Figure 1 below.

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<sup>3</sup> The HDR also separately includes an inequality-adjusted HDI for 145 countries, a Gender Development Index for 148 countries, a Gender Inequality Index for 149 countries, and a Multidimensional Poverty Index for 91 countries. However, the HDI is the headline index reported, and is the main focus of the HDR report, and this research note.

<sup>4</sup> The average number of years of education received in a life-time by people aged 25 years and older.

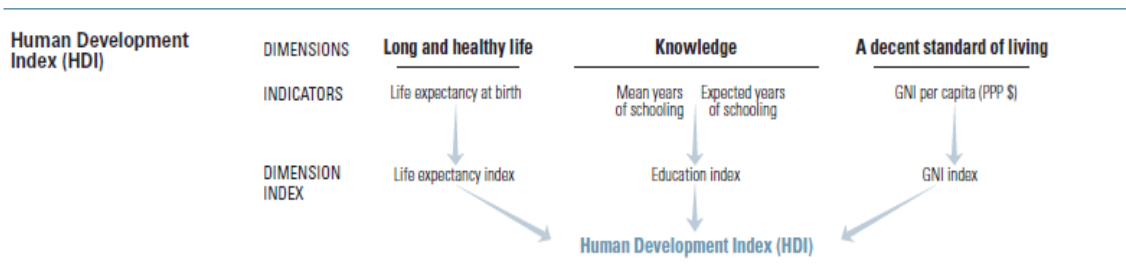
<sup>5</sup> The total number of years of schooling a child of school-entry age can expect to receive if prevailing patterns of age-specific enrolment rates stay the same throughout the child's life.

<sup>6</sup> The [World Bank](#) defines GNI as “*The sum of value added by all resident producers plus any product taxes (less subsidies) not included in the valuation of output plus net receipts of primary income (compensation of employees and property income) from abroad*”.

<sup>7</sup> The HDI assigns equal weight to all three dimension indices; the two education sub-indices are also weighted equally.



**Figure 1: Human Development Index**



There are two steps to calculating the HDI.

1. Minimum and maximum values are set in order to transform the indicators expressed in different units into indices between 0 and 1.

**Table 1: Dimensions of the HDI<sup>8</sup>**

Dimension	Indicator	Min	Max
Health	Life expectancy (years)	20	85
Education	Expected years of schooling / mean years of schooling	0	18 / 15
Standard of living	Gross national income per capita \$	\$100	\$75,000

2. Having defined the minimum and maximum values, the dimension indices are calculated as:

- Dimension index =  $\frac{\text{actual value} - \text{minimum value}}{\text{maximum value} - \text{minimum value}}$

The HDI is the geometric<sup>9</sup> mean of the three dimensional indices<sup>10</sup>.

<sup>8</sup> Data sources used: Life expectancy at birth: UNDESA (2013). Mean years of schooling: Barro and Lee (2013), UNESCO Institute for Statistics (2013) and Human Development Report Office updates based on UNESCO Institute for Statistics (2013). Expected years of schooling: UNESCO (2013). GNI per capita: World Bank (2014), IMF (2014), UNSD (2014) and UNDESA (2013).

<sup>9</sup> The geometric mean is defined as the nth root of the product of n numbers. A geometric mean is often used when comparing different items. The use of a geometric mean "normalizes" the ranges being averaged, so that no range dominates the weighting, and a given percentage change in any of the properties has the same effect on the geometric mean.

## Calculating a Northern Ireland HDI value

The enquiry received by L&RS asked for a comparison of Northern Ireland to the Republic of Ireland on the UN's HDI list of territories.

Northern Ireland is not included separately<sup>11</sup> in the UN's HDI list of territories.

Therefore, in this research note an attempt at calculating a HDI value for Northern Ireland has been made.

However, it is very important that the limitations of this calculation are taken into account.

1. The information used to calculate Northern Ireland's HDI is not strictly comparable with that used in the UN's HDR. As the international statistics underpinning the UN's HDR does not provide Northern Ireland data, other sources of information have been used.
  - Life expectancy data has been sourced from the [National Life Tables of Northern Ireland, 2011 – 2013](#).
  - GNI per capita has been calculated using [Northern Ireland Gross Value Added \('GVA'\)](#) from UK national accounts. This GVA per capita value has then been converted into dollars using the [OECD's 2011 purchasing price parities \('PPP'\)](#).

This value has also been calculated for the UK in order to compare it to the value reported in the UN's HDR. The percentage difference between the two values for the UK has then been applied to the Northern Ireland figure in an attempt to correct for differences in both approaches.

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<sup>10</sup> For the education dimension, the above equation is first applied to each of the two indicators, and then the arithmetic mean of the two resulting indices is taken. For income, the natural log of the actual, minimum and maximum values is used.

<sup>11</sup> But Northern Ireland is likely incorporated within the UK overall value.

2. Gathering data for the purpose of calculating Northern Ireland's (i) expected years of schooling and (ii) mean years of schooling is difficult. Information used to calculate expected years of schooling is based on enrolment information from the Northern Ireland Department of Education for the year 2013/14 together with population data from the Northern Ireland Statistics and Research agency for the year 2013. Mean years of schooling has been calculated based on data relating to highest level of qualifications received from the Northern Ireland data from the census 2011.

Various assumptions have been made to calculate both these measures owing to information/data gaps and therefore these should only be used as a general guide.

3. These values were then applied to the UN's approach to devising the HDI as previously outlined in this research note.

This means the HDI value for Northern Ireland is calculated as:

- **Life expectancy index** =  $(80.15 - 20) / (85 - 20) = 0.925$
- **Income index** (PPP 2011\$ per capita) =  $\text{Log}(26,446) - \text{Log}(100) / \text{Log}(75,000) - \text{Log}(100) = 0.834$
- **Education index** [Mean years of schooling =  $(8.3 - 0) / (15 - 0) = 0.55$ ; Expected years of schooling =  $(14.8 - 0) / (18 - 0) = 0.82$ ] =  $(0.55 + 0.82) / 2 = 0.69$
- **HDI** =  $(0.93 * 0.84 * 0.69)^{1/3} = 0.816$ .

4. Given the limitations of the approach in this research note, Northern Ireland's HDI value should only be taken as a general guide when comparing this to the Republic of Ireland and the UK.

## The Republic of Ireland, UK and Northern Ireland values

### The Republic of Ireland's HDI value and ranking<sup>12</sup>

In the 2014 HDR, the Republic of Ireland's HDI value is 0.899, placing Ireland in the very high human development category<sup>13</sup>.

This means Ireland ranks 11 out of 187 countries.

Ireland's HDI of 0.899 is above the average of 0.890 for countries in the very high human development group, and above the average of 0.876 for countries in the OECD<sup>14</sup>.

Table 2 shows Ireland's result in each of the HDI indicators.

**Table 2: Republic of Ireland's HDI Components**

Year	Life expectancy at birth	Expected years of schooling	Mean years of schooling	GNI per capita (2011 PPP\$)	HDI value	HDI ranking
2013	80.7	18.6	11.6	33,414	0.899	11 <sup>th</sup>

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<sup>12</sup> A country report for the Republic of Ireland can be found here:

[http://hdr.undp.org/sites/all/themes/hdr\\_theme/country-notes/IRL.pdf](http://hdr.undp.org/sites/all/themes/hdr_theme/country-notes/IRL.pdf)

<sup>13</sup> The very high human development category represents the top 49 territories ranked on the HDI.

<sup>14</sup> The list of member countries in the OECD can be found here:

<http://www.oecd.org/about/membersandpartners/list-oecd-member-countries.htm>

## The UK's HDI value and ranking<sup>15</sup>

The UK's HDI value for 2013 is 0.892, placing the UK in the very high human development category.

This means that the UK ranks 14 out of 187 countries.

The UK's 2013 HDI of 0.892 is above the average of 0.890 for countries in the very high human development group, and above the average of 0.876 for countries in the OECD.

Table 3 shows the UK's result in each of the HDI indicators.

**Table 3: UK's HDI Components**

Year	Life expectancy at birth	Expected years of schooling	Mean years of schooling	GNI per capita (2011 PPP\$)	HDI value	HDI ranking
2013	80.5	16.2	12.3	35,002	0.892	14 <sup>th</sup>

## Northern Ireland's HDI value and ranking

For the reasons previously stated in this research note, care needs to be taken in interpreting the HDI value for Northern Ireland.

The indicators used have different sources than those used in the HDR and assumptions have had to be made due to data gaps.

Therefore, Northern Ireland's HDI value should only be taken in the context of a general position relative to the Republic of Ireland and the UK.

Northern Ireland's HDI value (0.816) is below both the Republic of Ireland (0.899) and the UK (0.892).

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<sup>15</sup> A country report for the UK can be found here: [http://hdr.undp.org/sites/all/themes/hdr\\_theme/country-notes/GBR.pdf](http://hdr.undp.org/sites/all/themes/hdr_theme/country-notes/GBR.pdf)

Northern Ireland's HDI value is also below the average for the countries<sup>16</sup> in the very high human development group (0.890).

Table 4 shows Northern Ireland's estimated result in each of the HDI indicators.

**Table 4: Northern Ireland's HDI Components**

Year	Life expectancy at birth	Expected years of schooling	Mean years of schooling	GNI per capita (2011 PPP\$)	HDI value	HDI ranking
<b>2013</b>	80.1	14.8	8.3	26,446	0.816	Below the Republic of Ireland and the UK (44 <sup>th</sup> )

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<sup>16</sup> Average of those countries included in the very high human development group in the 2014 HDR.

## Addendum – Human Development Index 2014

The Human Development Index ('HDI') in the 2015 UN Human Development Report ('HDR') relates to data for the year 2014 (2014 HDI).

The 2014 HDI covers 188 countries, compared to 187 countries covered in the previous report (2013 HDI).

It is noted that in general rankings tend to change little between two successive years but there are several countries which did experience change in rankings between the 2013 HDI and the 2014 HDI.

There was no change in methodology for computation of the 2014 HDI compared to the 2013 HDI. Therefore, the approach highlighted above in this note remains applicable.

The value for Northern Ireland above was based on the information that was obtainable (from Northern Ireland statistical agencies) for the previous research note supplied in December 2015, and no further update is possible at this time.

### **The Republic of Ireland's HDI value and ranking**

In the 2015 HDR, the Republic of Ireland's 2014 HDI value is 0.916, placing Ireland in the very high human development category<sup>17</sup>.

This means Ireland ranks joint 6<sup>th</sup> (with Germany) out of 188 countries.

Ireland's HDI of 0.916 is above the value of 0.896 for the countries in the very high human development group, and above the value of 0.880 for the group of countries in the OECD<sup>18</sup>.

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<sup>17</sup> The very high human development category represents the top 49 territories ranked on the HDI.

<sup>18</sup> The list of member countries in the OECD can be found here:

<http://www.oecd.org/about/membersandpartners/list-oecd-member-countries.htm>

Table 2 shows Ireland's result in each of the HDI indicators for the 2013 and 2014 HDI.

There were improvements in life expectancy, mean years of schooling and income per person which improved Ireland's HDI scoring, leading to an improvement in Ireland's ranking among the benchmarked countries.

**Table 2: Republic of Ireland's HDI Components**

Year	Life expectancy at birth	Expected years of schooling	Mean years of schooling	GNI per capita (2011 PPP\$)	HDI value	HDI ranking
<b>2013</b>	80.7	18.6	11.6	33,414	0.899	11 <sup>th</sup>
<b>2014</b>	80.9	18.6	12.2	39,568	0.916	Joint 6 <sup>th</sup>

### The UK's HDI value and ranking

The UK's HDI value for 2014 is 0.907, placing the UK in the very high human development category.

This means that the UK ranks joint 14<sup>th</sup> (with Sweden) out of 188 countries.

The UK's 2014 HDI of 0.907 is above the average of 0.896 for countries in the very high human development group, and above the value of 0.880 for the group of countries in the OECD.

Table 3 shows the UK's result in each of the HDI indicators for the 2013 and 2014 HDI.

There were improvements in life expectancy, mean years of schooling and income per person which improved the UK's HDI scoring, but its relative ranking remained unchanged as other countries also showed improvement in their HDI scores.

**Table 3: UK's HDI Components**

Year	Life expectancy at birth	Expected years of schooling	Mean years of schooling	GNI per capita (2011 PPP\$)	HDI value	HDI ranking
<b>2013</b>	80.5	16.2	12.3	35,002	0.892	14 <sup>th</sup>
<b>2014</b>	80.7	16.2	13.1	39,267	0.907	Joint 14 <sup>th</sup>



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(Higher education enrolment <https://www.delni.gov.uk/articles/higher-education-enrolments>); and  
(Population <http://www.nisra.gov.uk/publications/default.asp10.htm>).





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## **Joint Sovereignty**

### **Research for Senator Mark Daly**

#### **Abstract**

The research request was for a briefing on joint sovereignty, where it currently is implemented, and instances where it has been implemented in the past but not anymore.

**Date: Wednesday, 08 February 2017**

**Enquiry Number: 2017/70**

**Library & Research Service central enquiry desk: Tel – 01 618 4701**

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## Executive Summary

- According to a law journal article by Samuels (2008)<sup>1</sup> a condominium in international law is where two or more States exercise joint sovereignty over a territory.
- Condominia should also be distinguished from other territorial arrangements which are discussed further in the body of this research paper.
- Critics arguments have included that if two or more States have not been able to reach a peaceful arrangement for even temporary resolution of a dispute, it is hard to imagine how those States will be able to collaborate in the day to day administration of the disputed territory.
- Samuels (2008) notes that past condominium experience shows that it has not been a successful solution to territorial disputes. Therefore, he suggest that condominia should be dealt with long term vision and strong support structures.
- The golden age of condominium (if it can be called so), lasted from the early 19<sup>th</sup> century through the middle of the 20<sup>th</sup> century.
- Condominium largely disappeared from international law in the late 20<sup>th</sup> century.
- A number of case studies are briefly outlined in the body of this research paper. Historical examples include the New Hebrides, Moresnet, and Sudan among others.
- Condominia are rare today, but a couple of examples, as described in the body of this research paper, including Andorra and the Gulf of Fonseca. A condominium solution has also been proposed in a number of territorial disputes such as Gibraltar; however these have not been taken very seriously.

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<sup>1</sup> Samuels (2008), [Condominium Arrangements in International Practice: Reviving an Abandoned Concept of Boundary Dispute Resolution](#), Michigan Journal of International Law.

## What is Joint Sovereignty, or a Condominium

In a law journal publication, Samuels (2008)<sup>2</sup> stated that a condominium in international law is where two or more States exercise joint sovereignty over a territory.

It is often used as a measure of last resort and has generally been designed to be temporary in nature. However, a negotiated condominium arrangement may be an ideal model for creating a durable resolution for many boundary disputes.

Samuels (2008) distinguishes between a condominium and a coimperium. Both are an arrangement composed of a formal association of two or more subjects of international law (generally States) and a joint exercise of authority within a particular territory.

A condominium exists when two or more States exercise joint sovereignty over territory that belongs to the administering States whereas a coimperium exists when they exercise joint sovereignty over a third party's territory. A coimperium is a caretaker regime whereas a condominium is intended to serve the interests of the administering powers themselves.

Samuels (2008) also says that condominiums should also be distinguished from the four primary territorial arrangements established in the wake of the two world wars and a consequence of dismantling of colonial empires i.e. mandates, trust territories, non-self governing territories and protectorates.

These were established with the explicit purpose of allowing territories to work toward independence. With few exceptions, none of these arrangements involved joint action and in no case involve shared sovereignty.

In a law journal publication, Perkins (2014)<sup>3</sup> states that Alfred Verdross may have come up with the most productive definition of condominium “*a condominium is a territory*

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<sup>2</sup> Samuels (2008), [Condominium Arrangements in International Practice: Reviving an Abandoned Concept of Boundary Dispute Resolution](#), Michigan Journal of International Law.



*placed under the joint authority of two or more states [condomini] and thus subject to the different state rules, which have been issued by a joint organ”.*

Samuels (2008) also states that distinctions arise between:

- Frontier condominiumia<sup>4</sup> and colonial condominiumia; and
- Condominia over land and over water.

A frontier condominium can be more difficult to resolve than a colonial condominium. The 19th century condominiumia over Moresnet (Germany and Belgium) and over Schleswig-Holstein and Lauenburg (Austria and Prussia) highlighted some of these difficulties.

Practical issues such as boundary crossings and currency flow complicate administration of frontier condominiumia among others. Frontier condominiumia have in general been shorter in duration than colonial condominiumia<sup>5</sup>.

The colonial condominium lasted as late as the 1980s as the last colonial condominium, the New Hebrides gained independence<sup>6</sup>.

Condominia over water present less delicate demands for joint cooperation than over land.

Samuels (2008) goes on to say that for a State to claim a condominium in a territory with another State, each side must admit that the territory belongs to it conjointly with the other State. States and courts must also confront legal issues that arise.

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<sup>3</sup> Perkins (2014), [Edification from the Andorran Model: A Brief Exploration into the Condominium Solution on the International Stage and Its potential Application to Current Land Disputes](#), Indiana journal of Global Legal Studies.

<sup>4</sup> An example of a frontier condominium was between Russia and Japan over Sakhalin Island. It was established in 1855 until 1875.

<sup>5</sup> As a case in point, from the middle ages Andorra was a condominium, but in 1993 it was granted full independence. However, the Bishop of Urgell in Catalonia and French president are still [at time of writing] joint presidents of Andorra.

<sup>6</sup> Another example was the joint administration of the Canton and Enderbury Islands by the UK and US from 1939 to 1979.

A roadmap for condominium must address citizenship, voting rights, executive, legislative, judicial powers, economics and financial issues, public services, foreign affairs, defence, freedom of movement and others.

## **Critique of Condominia**

According to Samuels (2008), critics have argued that if two or more States have not been able to reach a peaceful arrangement for even temporary resolution of a dispute, it is hard to imagine how those States will be able to collaborate in the day to day administration of the disputed territory.

However, Samuels (2008) states that the development of the EU shows the willingness of States to cede sovereignty to other bodies suggesting that condominium could serve as a viable long term mechanism to resolve boundary disputes.

At the height of its use from mid-nineteenth century through early twentieth century, condominium failed in large because States defined themselves by their sovereignty and conceived of that as indivisible.

For relevant lessons in the private property realm, the work of political scientist Elinor Ostrom is noted as being particularly instructive. Ostrom investigated a number of common property regimes over what she described as common pool resources.

Ostrom's inquiry suggests a number of features of common property regimes that might prove instructive for the analogous relationship in international public law. Eight design principles are illustrated which might also be considered an indispensable element of any condominium arrangement. For further information, these features are discussed in Samuels (2008) paper.

Samuels (2008) states that condominium have often been discarded from discourse on potential solutions but have been a scapegoat for failures independent of the difficulties pose by joint sovereignty. In many cases the failure resulted form the fact that it was a solution when all else had failed. In others, the failed arrangements were not in fact

condominia. For others failure resulted from poor planning and foresight. Samuels (2008) states that nothing preordains its failure as a device for dispute resolution.

Perkins (2014) also notes that the concept of condominium fell into disfavour by legal and political theorists in the 20<sup>th</sup> century as the Westphalian conception of a territory being absolutely sovereign became the paramount characteristic of the national state.

The paper notes that critics of condominium solutions champion the Westphalian notion of a State, with sovereignty paramount. Critics argue that the condominium solution was usually enacted as a temporary measure which makes it difficult to establish a permanent solution. In addition, critics argue if it is difficult to reach a peaceful solution for disputed territory it is difficult to cooperate on daily administration of the territory.

Perkins (2014) also states that in spite of the absence of condominium solutions today, except Andorra, the possibility of viable similar political arrangements in international disputes is there.

Like Samuels, Perkins (2014) notes that European States have established intergovernmental collective regimes and a movement away from the Westphalian model towards a collective governmental model accelerated during the early 20<sup>th</sup> century.

EU Member States have pooled their sovereignty to co-govern territory; it can be conceptualized as a macro-version of the condominium solution on a global scale.

## **Examples of Condominia**

According to Samuels (2008) historic instances of condominiumia can provide lessons for the future. Past condominium experience shows that it has not been a successful solution to territorial disputes. Samuels (2008) is of the view that condominiumia must be dealt with long term vision and strong support structures to have the opportunity to succeed.

From a historical perspective the earliest condominium recorded in detail was in the 13<sup>th</sup> century between Egypt and Hatti to end hostility in Asia Minor.

The emergence of condominium as an international law term was largely the result of Roman and civil law influences. From Latin, condominium refers to a concept of shared sovereignty and administration that reached the modern world from the feudal system of medieval Europe. Condominium was imported into international law in the middle ages when Roman law was received by Germanic States and Western Europe.

Samuels (2008) suggests that the golden age of condominium (stating that if one could say that there was one at all), lasted from the early 19<sup>th</sup> century through the middle of the 20<sup>th</sup> century. These occurred in response to border disputes and conflicting colonial claims and as a key tool at the Congress of Vienna after the Napoleonic wars.

Thereafter, Condominium largely disappeared from lexicon of international law in the late 20<sup>th</sup> century.

Samuels (2008) presents a number of case studies as briefly outlined below.

### **Condominium over land**

- The New Hebrides (a chain of islands located in the Pacific Ocean) colonial condominium was established in 1906 between the UK and France, and governed for 74 years.
- Moresnet (a region a few kilometres from where the borders of Germany, Belgium, and the Netherlands meet) was a frontier condominium between 1816 and 1919, when Belgium was granted full sovereignty over the area.
- Schleswig-Holstein (19<sup>th</sup> century Prussian province made up of the duchies of Schleswig, Holstein, and Lauenburg which lie on a peninsula between Denmark and Germany) was a frontier/colonial condominium entered into by Prussia and Austria in 1865. However, the form this took was different from Moresnet in that there was an agreement of unilateral administration of two condominium territories (Austria administered Holstein and Prussia Administered Schleswig).

- The Samoa colonial governance was a tripartite rule of the Samoan Islands from 1889 and 1899 has been referred to as colonial condominium by Germany, Great Britain and the US. However, it was more of a joint protectorate than a condominium as although each power held equal authority in governance of Samoa, the authority was less than sovereign authority. The tripartite arrangement lasted for 10 years.
- Trieste was a hybrid condominium created by the Italian Peace Treaty after World War 2 where the Free Territory Trieste was to be governed by the international community. The Free Territory would be administered in Zones, with the result that the relevant condominium was not over the whole territory, but the Italian portion of Zone A, before the whole territory returned to Italy.
- The Sudan hybrid condominium involved the UK and Egypt jointly controlling Sudan between 1898 and 1955. However, the administrative and military commands were controlled entirely by the British.

## **Water Condominium**

Though most condominium arrangements concern land, a condominium may also grant joint sovereignty over a body of water.

- The Dutch-Prussian Frontier Stream was a situation whereby in 1816 Prussia and the Netherlands signed an agreement vesting ownership of frontier waterways jointly in the two States.
- The Gulf of Fonseca was an important precedent for water condominiums due to a landmark ruling of the International Court of Justice in 1992. The Gulf of Fonseca lies off the Pacific coast of El Salvador, Honduras and Nicaragua. It is of interest because it was not created by agreement among the parties involved, but by judicial decision.

## Other Examples

Perkins (2014) states that a condominium is almost entirely absent on the world stage today save for a small sized western European nation of Andorra, atop the Pyrenees Mountains. This has endured for eight centuries as a successful political condominium.

As a consequence the western European country of Andorra remains one of the only functioning political condominiums in the world. However, a subsequent Treaty between Spain, France and Andorra has qualified the extent of their power. Enacted in 1993, the Treaty codifies Andorra's ability to establish an international personality, with the signatories expressly recognizing Andorra as a sovereign state.

However, Andorra's autonomy in international diplomacy is encumbered in two ways. Andorra must adhere to international conventions to which France or Spain is also a party. Andorra must also respect the fundamental interest of both Spain and France and must cooperate in the settlement of any issues that concern such fundamental interests. However, France and Spain have both implicitly and explicitly recognized and sanctioned Andorra's international personality.

An initial explanation of the endurance Andorra's condominium is that Andorra is not a condominium per se. Where other condominiums have traditionally involved two sovereign States, Andorra involves one sovereign State (France) while the other ruler is the Bishop of Urgell, an ecclesiastical leader not directly affiliated with Spain.

Another theory as to why the condominium solution in Andorra has continued to endure is because Andorra has few natural resources, and is highly isolated.

In an academic paper, Rossi<sup>7</sup> (2016) discusses the case of the Gulf of Fonseca but notes that despite notable historical examples, recourse to the concept has been limited and generally dismissed as a means of dispute settlement and territorial administration.

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<sup>7</sup> Rossi (2016), [Jura Novit Curia? Condominium in the Gulf of Fonseca and the Local Illusion of a Pluri-State Bay](#), University of Iowa College of Law.

Examples of its provisional application is mentioned, for example

- Between the US and Great Britain and their joint control over the Oregon Country/Columbia District of the Pacific Northwest from 1815-1846;
- In the Atacama desert region of Bolivia/Chile/Peru; and
- In the 1910/12 trilateral conferences among Norway, Sweden, and Russia on the High Arctic administration of Spitsbergen (Svalbard) and Andorra.

Rossi (2016) states that the concept has nonetheless intrigued legal scholars who periodically revisit its prospects in disputed boundaries such as Gibraltar, the West Bank and Gaza, the Caspian Sea among others.

According to an [opinion article](#) in the New York Times (January 23 2012) Pheasant Island, which lies near the Atlantic Ocean terminus of the French-Spanish border is a condominium. The Treaty of the Pyrenees was concluded in 1659. Pheasant Island is also known as Ile de la Conférence. The Treaty established Pheasant Island as a condominium. The article states that it isn't shared simultaneously but rather alternatively, between France and Spain.

The article also stated that there is a water condominium between Germany and Luxembourg where the Moselle river, its tributary the Sauer and its tributary the Our form a common border. This came into being in 1815.

The Brcko district of Bosnia and Herzegovina has also been cited as an example of a condominium. An [amendment to the constitution](#)<sup>8</sup> of Bosnia and Herzegovina states that the territory is jointly owned by (a condominium of) the Entities [Bosnia and Herzegovina], though it is a unit of local self-government.

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<sup>8</sup> See also [https://www.constituteproject.org/constitution/Bosnia\\_Herzegovina\\_2009.pdf](https://www.constituteproject.org/constitution/Bosnia_Herzegovina_2009.pdf)  
Oireachtas Library & Research Service | On-Demand Research Paper

Samuels (2008) states that a condominium has been proposed as a solution to several prominent boundary disputes, including Gibraltar<sup>9</sup>, the West Bank and Gaza, and the Caspian Sea among others. But these proposals have not been taken seriously.

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<sup>9</sup> The [CIA Factbook](#) notes that Gibraltar after a series of talks between 1997 and 2002 the UK and Spain discussed temporary joint sovereignty over Gibraltar. The Gibraltar Government called a referendum in 2002 and the majority of citizens voted against sharing sovereignty with Spain.



## Reading Resources

1. Samuels (2008), [Condominium Arrangements in International Practice: Reviving an Abandoned Concept of Boundary Dispute Resolution](#), Michigan Journal of International Law.
2. Perkins (2014), [Edification from the Andorran Model: A Brief Exploration into the Condominium Solution on the International Stage and Its potential Application to Current Land Disputes](#), Indiana journal of Global Legal Studies.
3. Rossi (2016), [Jura Novit Curia? Condominium in the Gulf of Fonseca and the Local Illusion of a Pluri-State Bay](#), University of Iowa College of Law.



# Attitudes to and Future Status of Northern Ireland



# Preferred constitutional status of Northern Ireland in short to medium term

Base: All adults 18+: 2041

Island of Ireland  
2041  
%

Base:



Republic of Ireland  
1029  
%



Northern Ireland  
1012  
%



Understandably marked differences emerge here.

NILT 2014 (long term) : Remain part of the UK with direct rule 16%, remain part of the UK with devolved Government 50%, Re-unify with the rest of Ireland 17%



Q.7

The next question relates to the constitutional status of Northern Ireland. There are a number of possible options for the constitutional status of Northern Ireland. In the short to medium term, do you think Northern Ireland should...

# Preferred constitutional status of Northern Ireland in short to medium term

Base: All adults 18+ in Northern Ireland: 1012



In Belfast, there is a tie between direct rule and devolution (status quo) while outside Belfast there is a clear preference for the status quo.



Q.7

The next question relates to the constitutional status of Northern Ireland. There are a number of possible options for the constitutional status of Northern Ireland. In the short to medium term, do you think Northern Ireland should...

# Preferred constitutional status of Northern Ireland in short to medium term

Base: All adults 18+ in Northern Ireland: 1012



Devolution - the status quo – has a sizeable lead in both areas.



Q.7

The next question relates to the constitutional status of Northern Ireland. There are a number of possible options for the constitutional status of Northern Ireland. In the short to medium term, do you think Northern Ireland should...

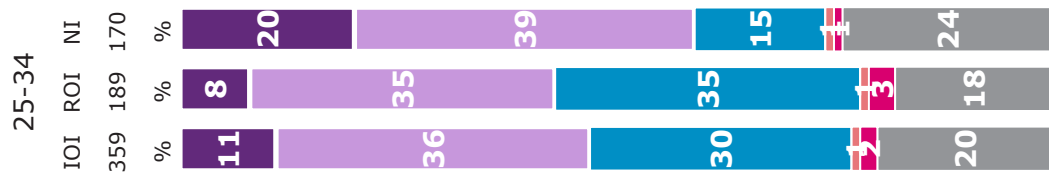
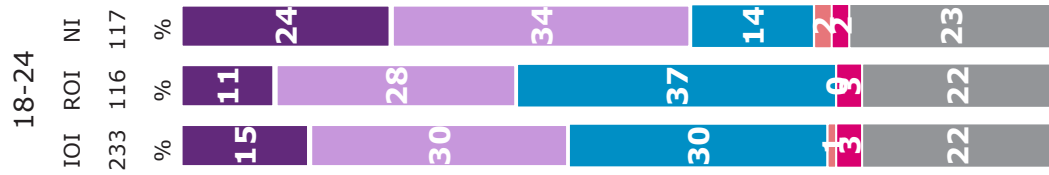
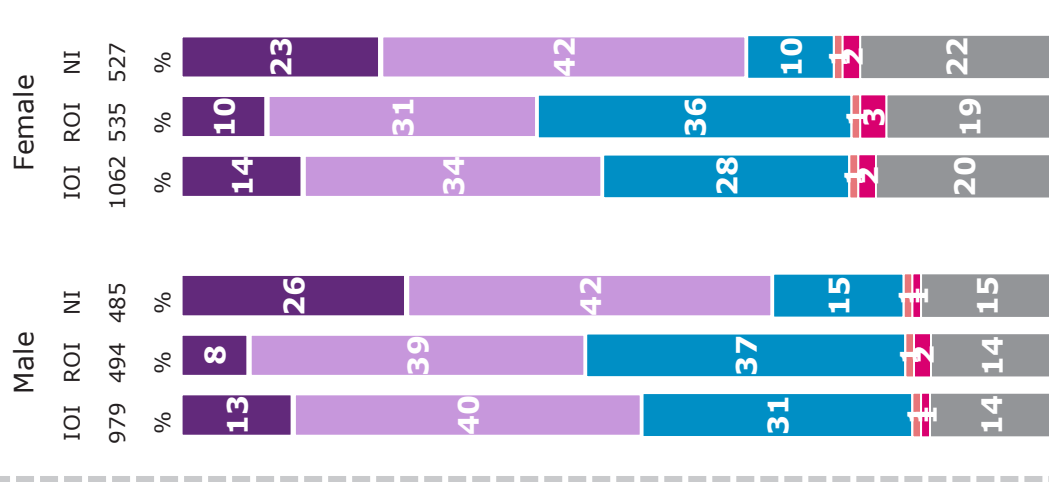
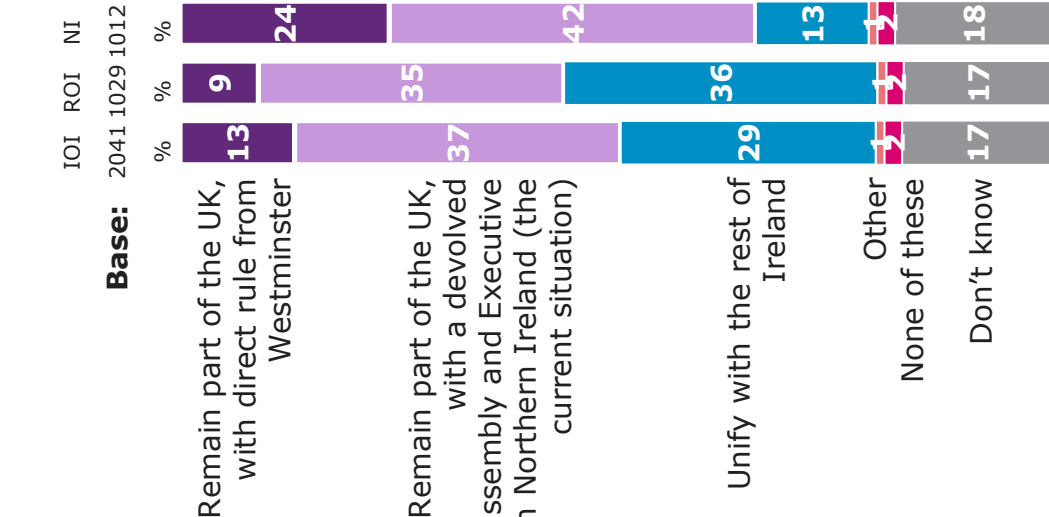
# Preferred constitutional status of Northern Ireland in short to medium term x Gender & Age

Base: All adults 18+: 2041

## TOTAL

## Gender

## Age



No real gender difference.

Support for status quo peaks 25-64 in ROI and 35+ in NI.  
Support for united Ireland fairly consistent across age cohorts.



Q.7

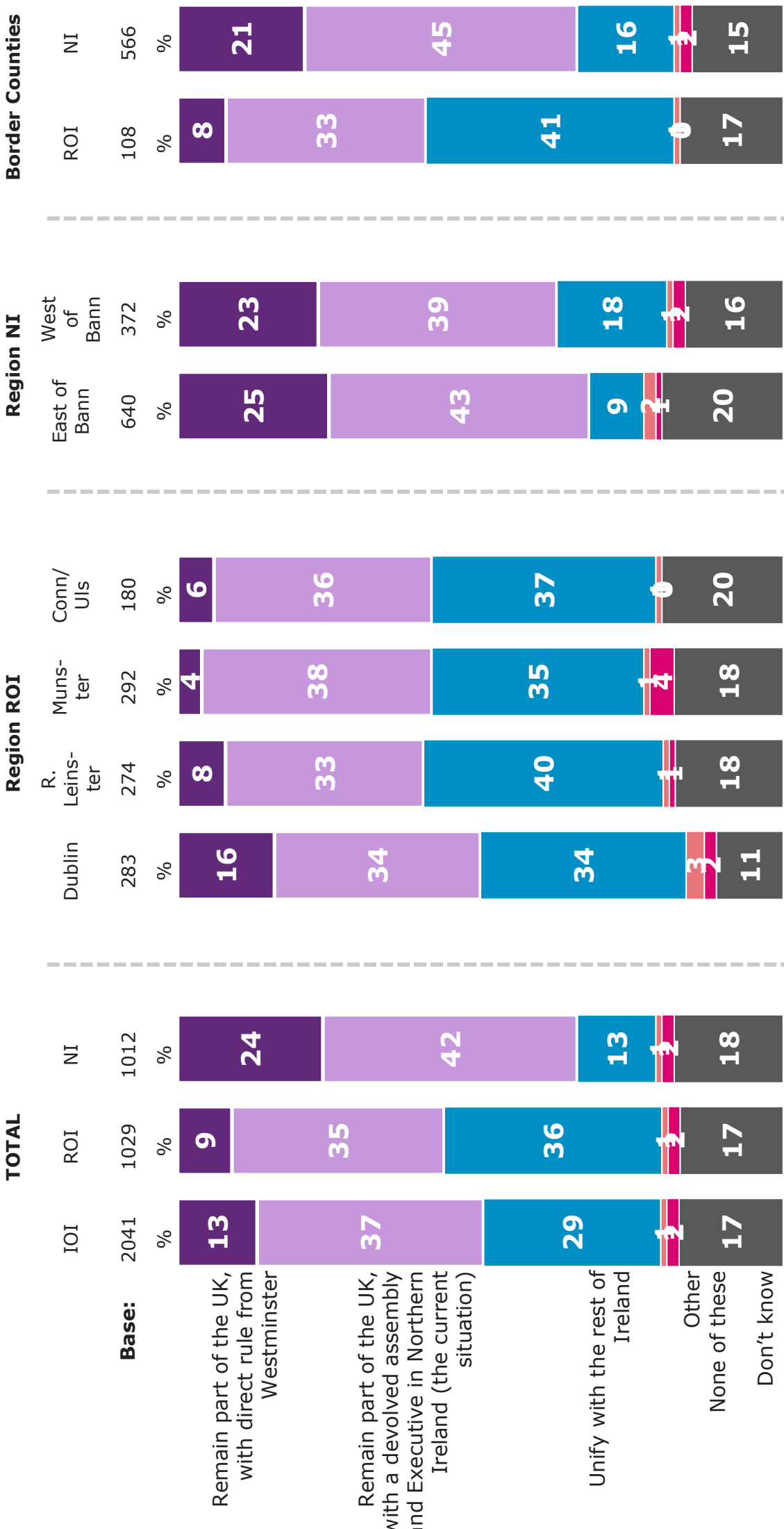
The next question relates to the constitutional status of Northern Ireland. There are a number of possible options for the constitutional status of Northern Ireland. In the short to medium term, do you think Northern Ireland should...



# Preferred constitutional status of Northern Ireland in short to medium term x Region & Border

Base: All adults 18+: 2041

TOTAL



Modest differences; slightly higher support for United Ireland West of the Bann.

Modest differences.

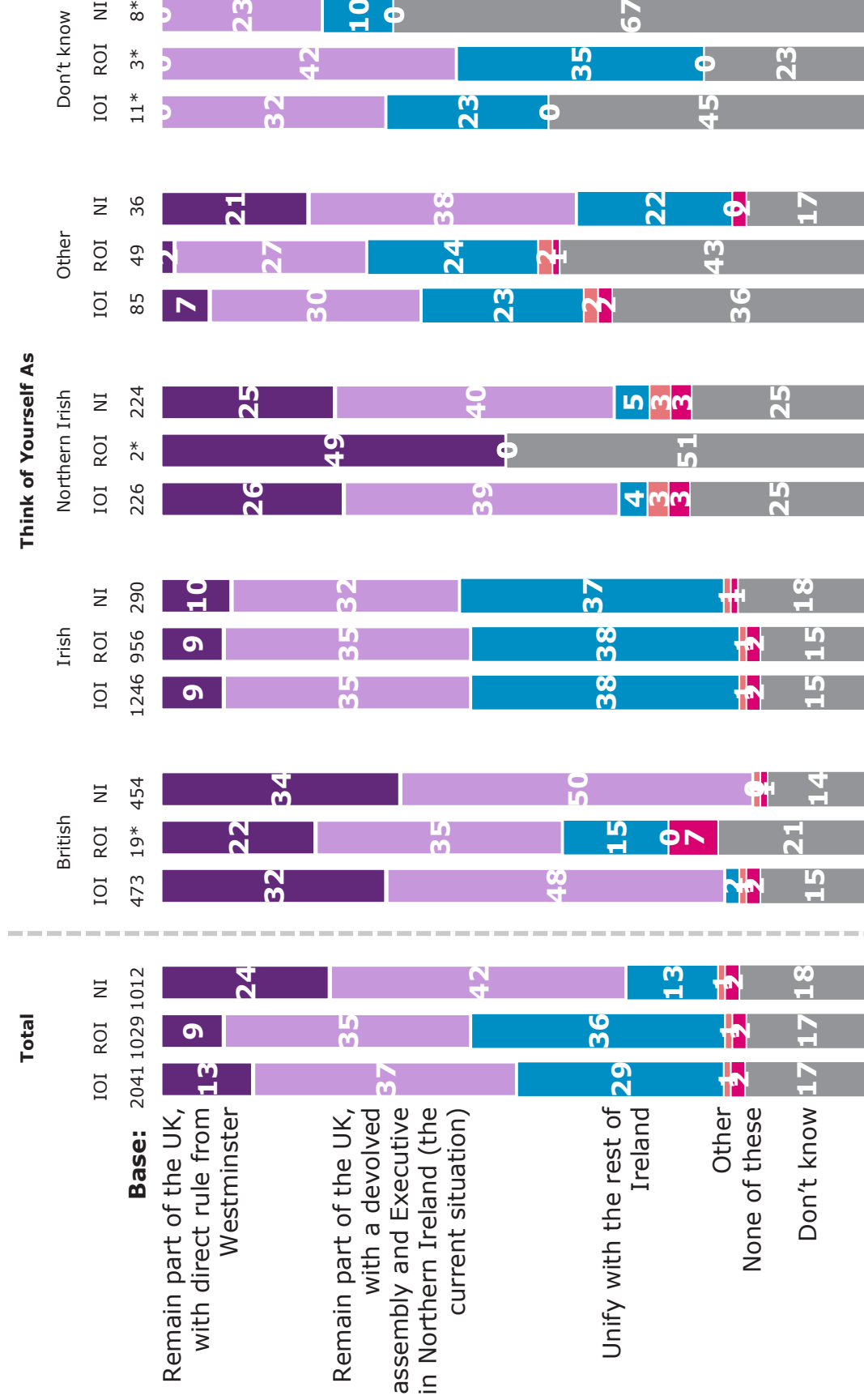
Opposing views evident here.





# Preferred constitutional status of Northern Ireland in short to medium term x Sense of Identity

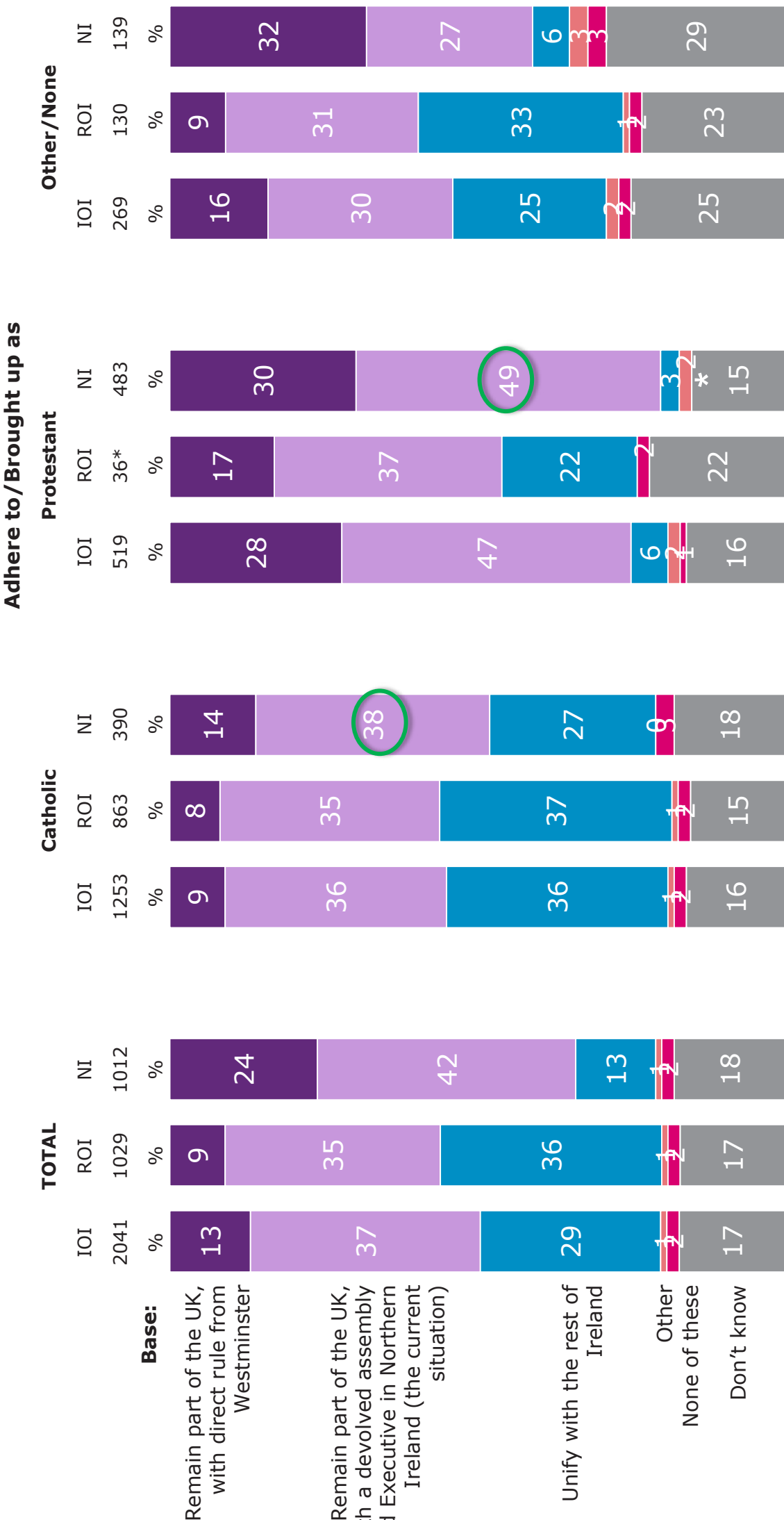
Base: All adults 18+: 2041



Marked differences here.

# Preferred constitutional status of Northern Ireland in short to medium term x Religion Adhere to/Brought up As

Base: All adults 18+: 2041



Status quo is preferable in NI, even to Catholics



Q.7

The next question relates to the constitutional status of Northern Ireland. There are a number of possible options for the constitutional status of Northern Ireland. In the short to medium term, do you think Northern Ireland should...

# Northern Ireland: Long Term Policy Desire to see a United Ireland in your lifetime

Base: All adults 18+: 2041



ROI inhabitants twice as likely as NI inhabitants to wish to see United Ireland in their lifetime.

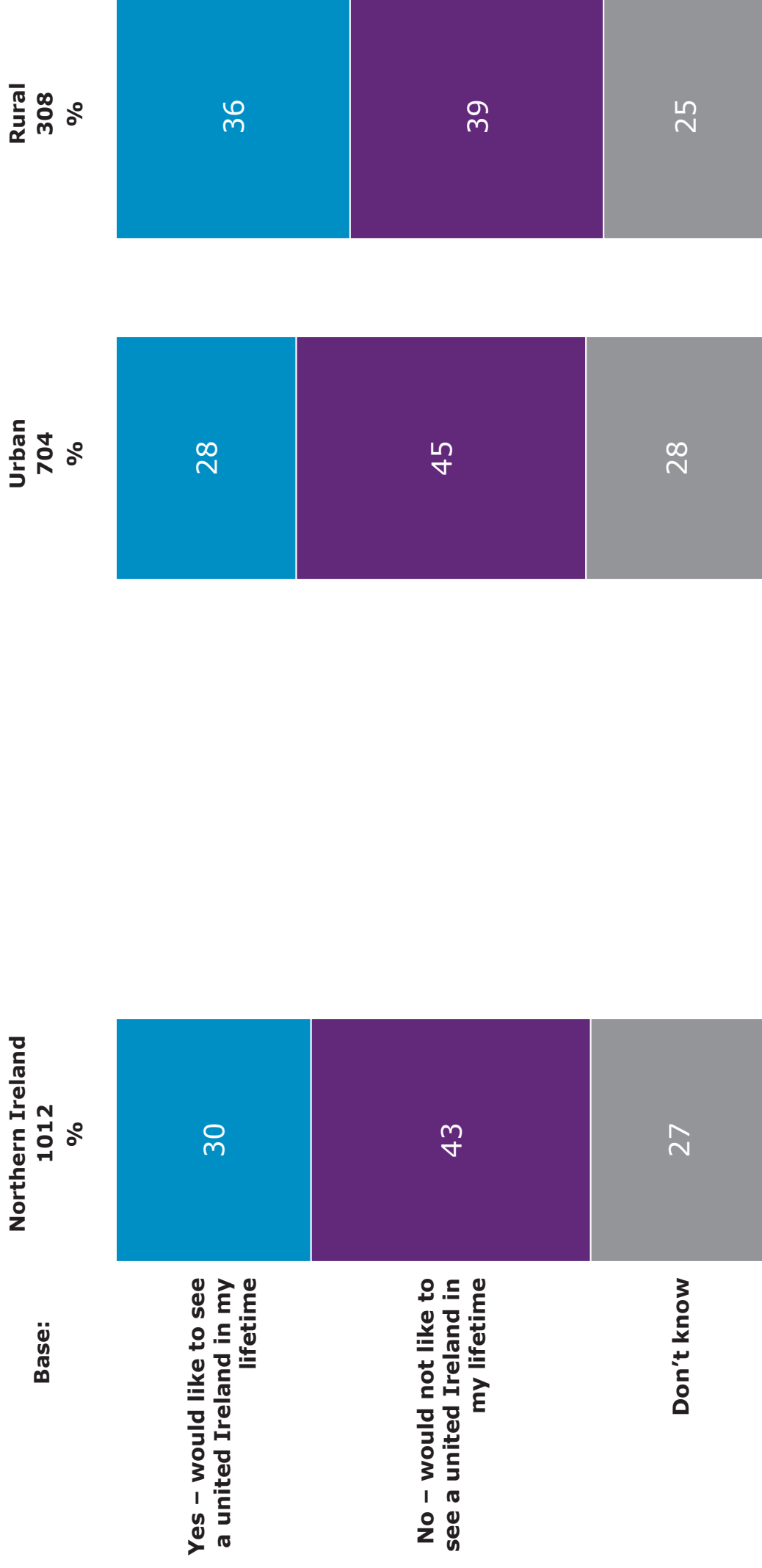


Q.8

Thinking of the long-term policy for Northern Ireland, would you like to see a united Ireland in your lifetime?

# Northern Ireland: Long Term Policy Desire to see a United Ireland in your lifetime

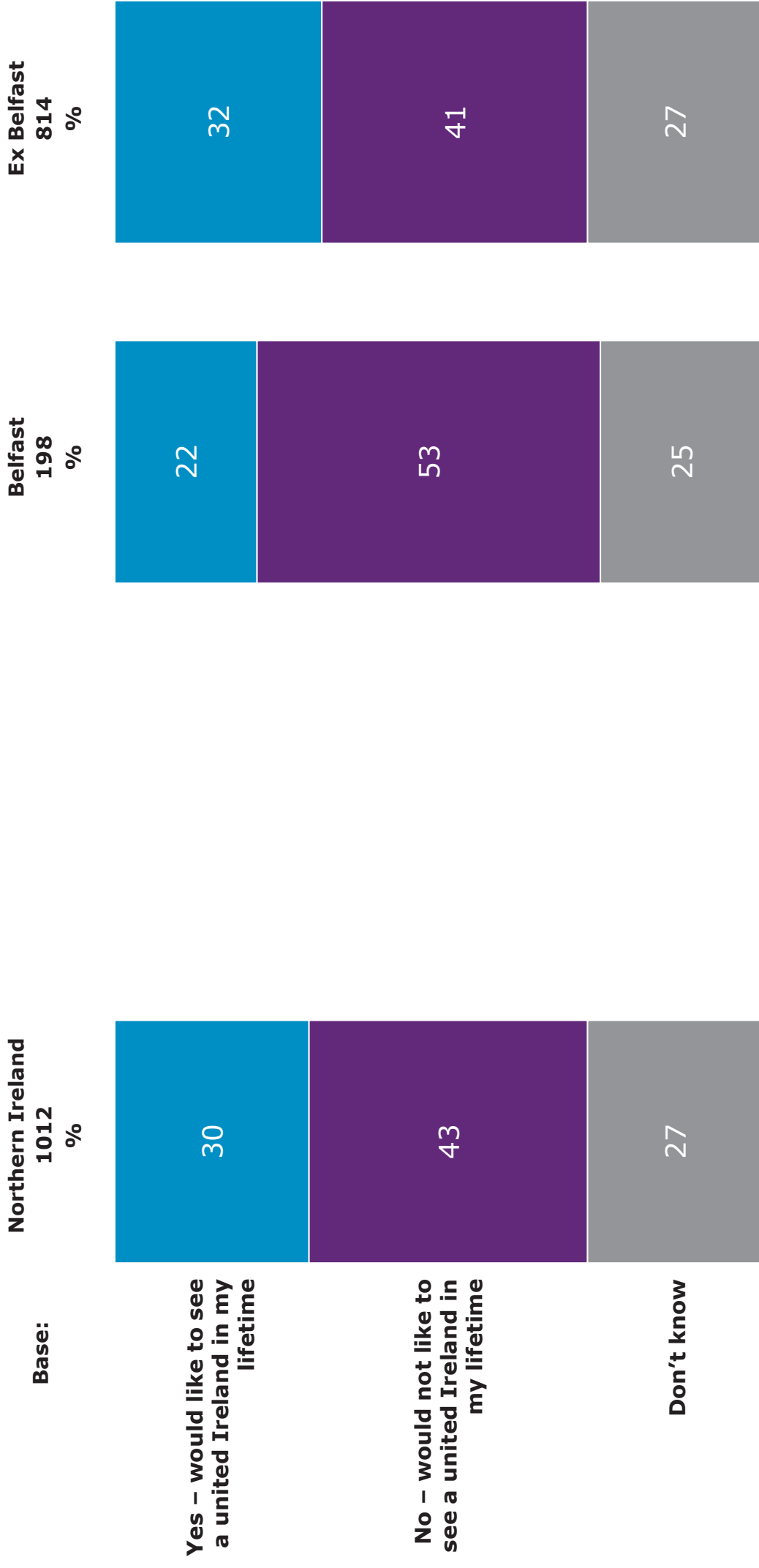
Base: All adults 18+ in Northern Ireland: 1012



Desire for United Ireland much stronger in rural areas.

# Northern Ireland: Long Term Policy Desire to see a United Ireland in your lifetime

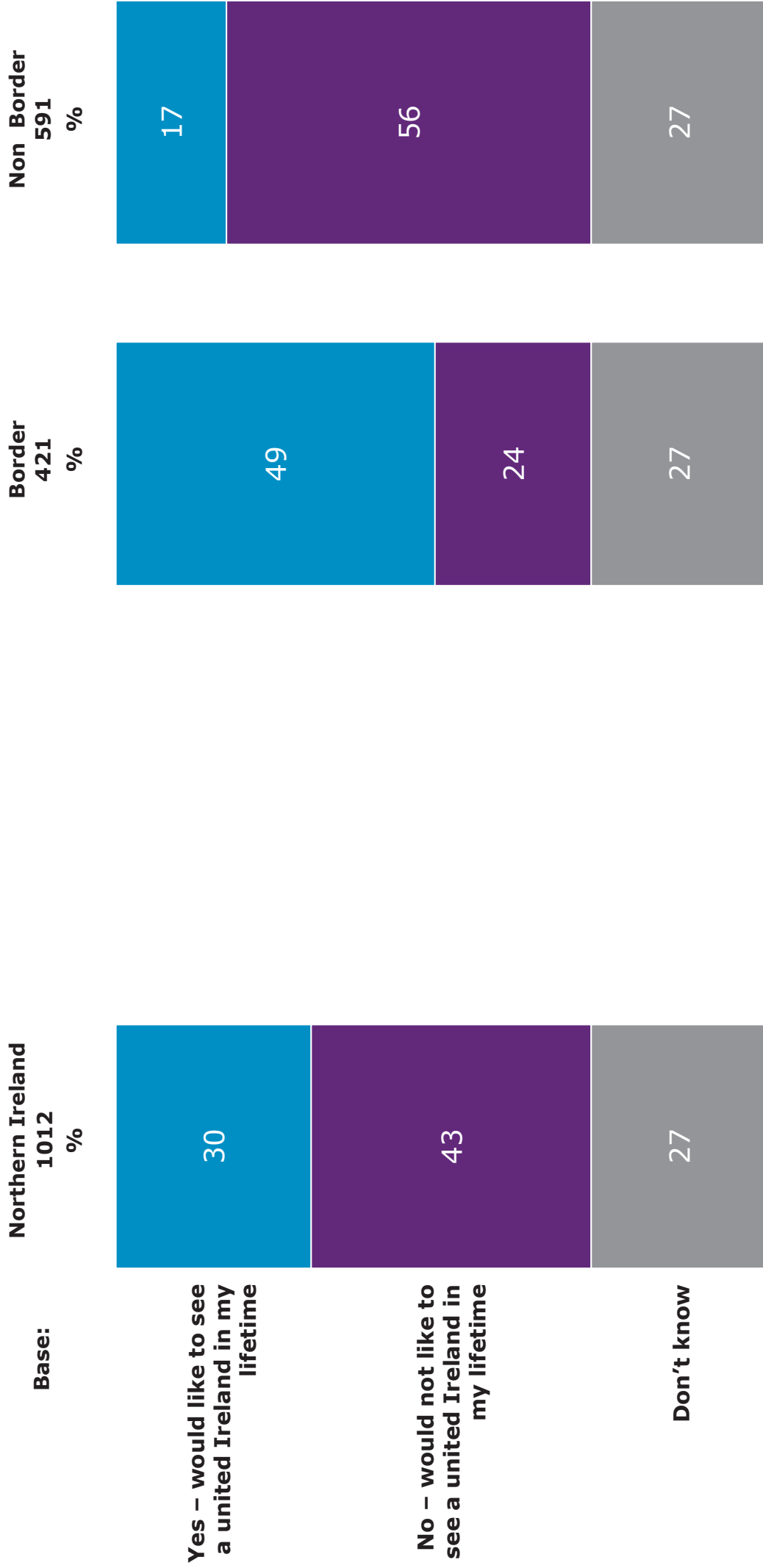
Base: All adults 18+ in Northern Ireland: 1012



Rejection of United Ireland much stronger in Belfast.

# Northern Ireland: Long Term Policy Desire to see a United Ireland in your lifetime

Base: All adults 18+ in Northern Ireland: 1012



Rejection of United Ireland much stronger in Non Border areas.

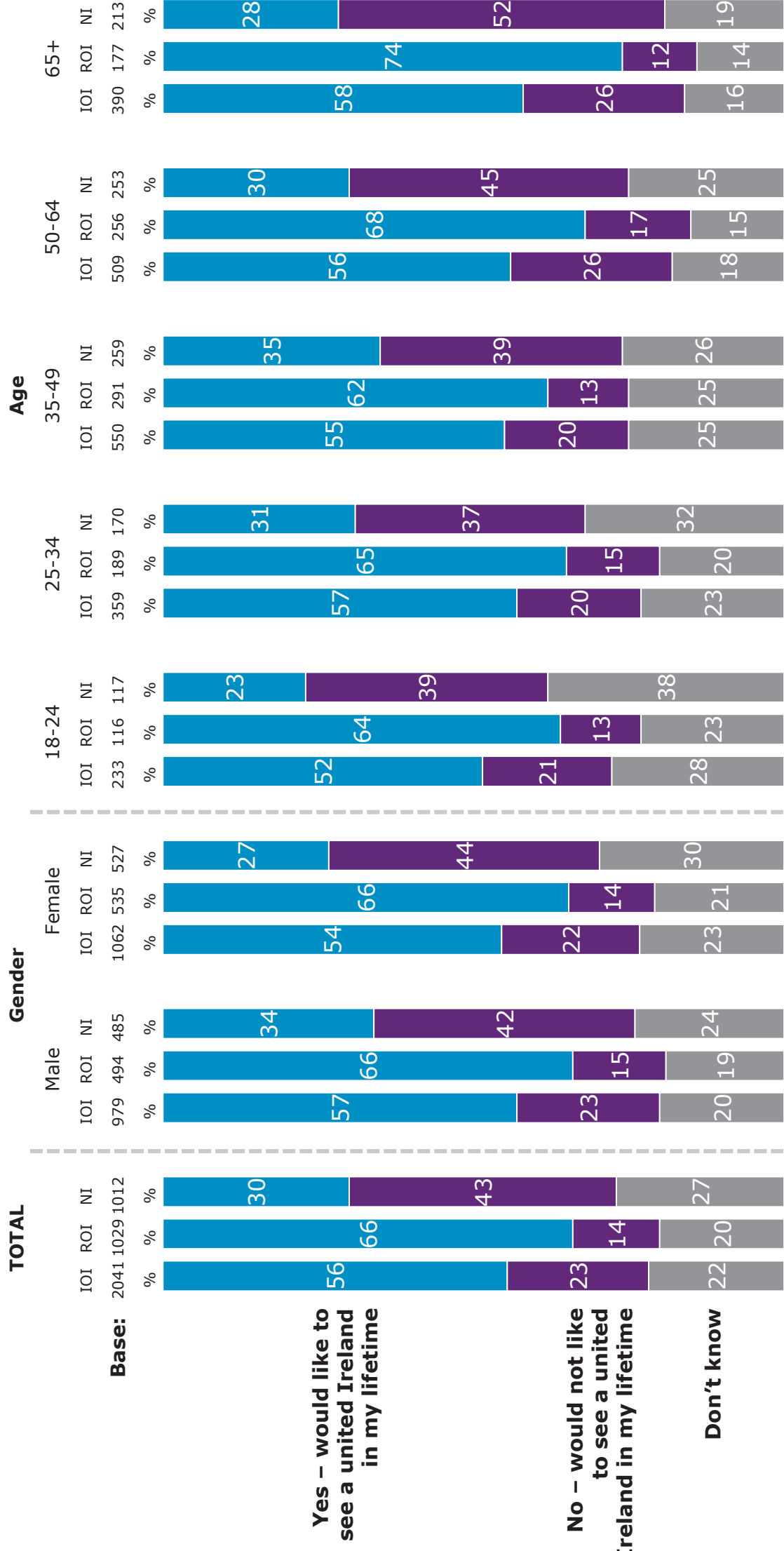


Q.8

Thinking of the long-term policy for Northern Ireland, would you like to see a united Ireland in your lifetime?

# Northern Ireland: Long Term Policy Desire to see a United Ireland in your lifetime x Gender & Age

Base: All adults 18+: 2041



No significant differences.

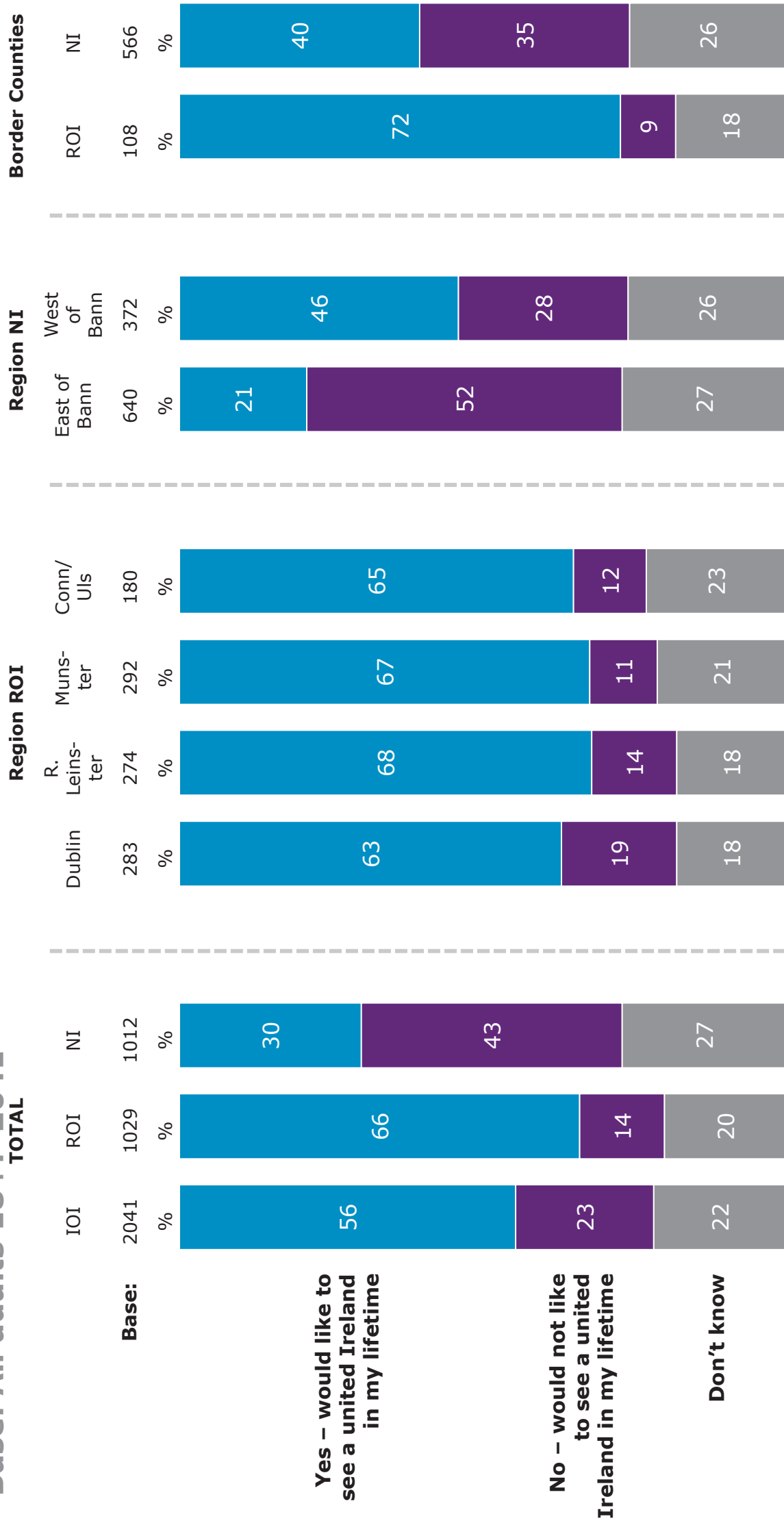
Preference for United Ireland increases amongst older people in the Republic.  
Rejection of United Ireland increases among 50+ cohort in the North.



# Northern Ireland: Long Term Policy

## Desire to see a United Ireland in your lifetime x Region & Border

**Base: All adults 18+: 2041 TOTAL**



Diametrically opposed  
here.

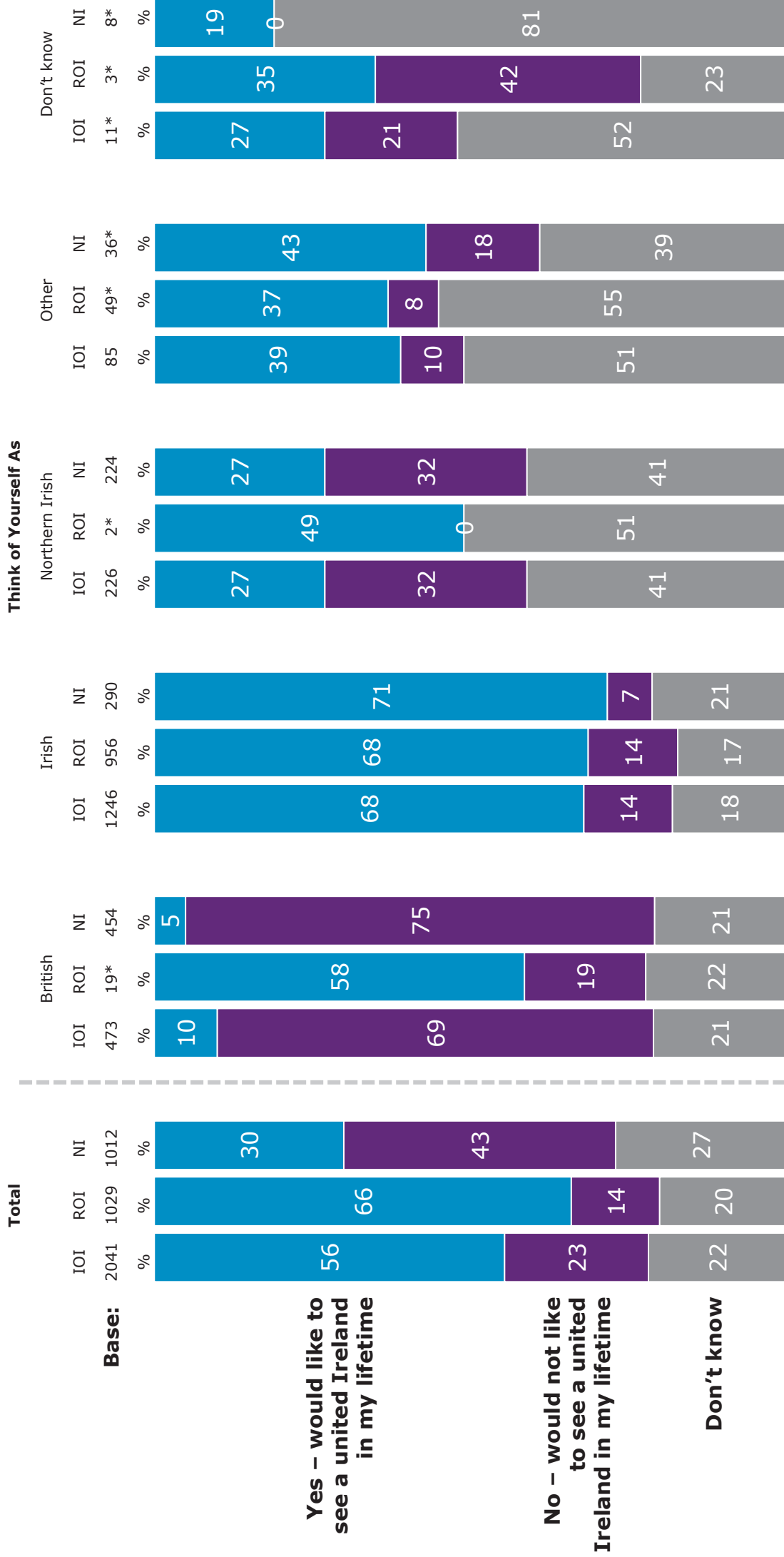
Fairly steady here.

Significant differences here too.



# Northern Ireland: Long Term Policy Desire to see a United Ireland in your lifetime x Sense of Identity

Base: All adults 18+: 2041



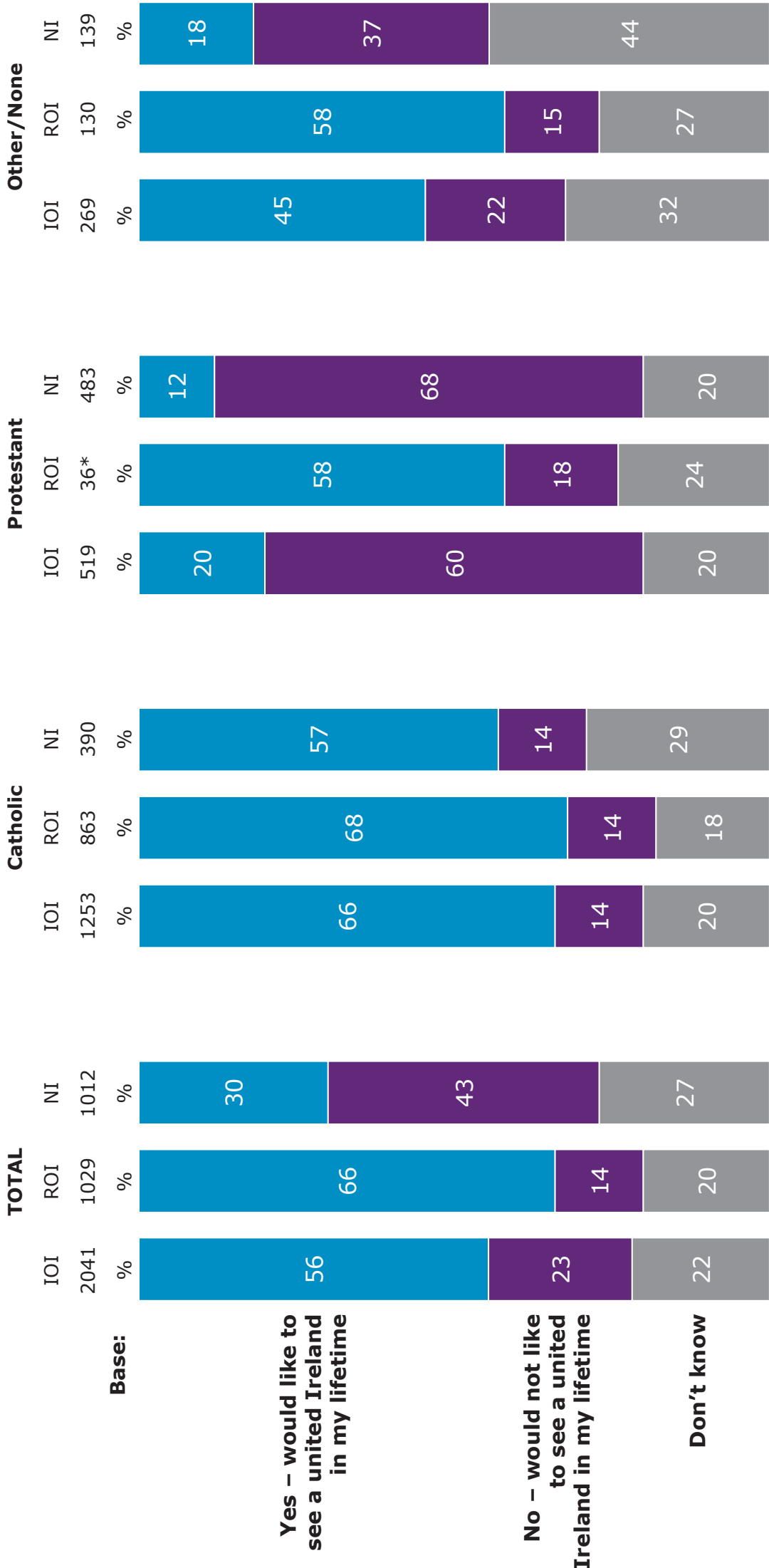
Those identifying as Irish/Northern Irish most supportive of United Ireland.



# Northern Ireland: Long Term Policy Desire to see a United Ireland in your lifetime x Religion Adhere to/Brought Up As

Base: All adults 18+: 2041

Adhere to/Brought up as



Catholics most in favour of United Ireland



Q.8

Thinking of the long-term policy for Northern Ireland, would you like to see a united Ireland in your lifetime?

# How attitudes to a United Ireland shift, when the issue of tax is raised

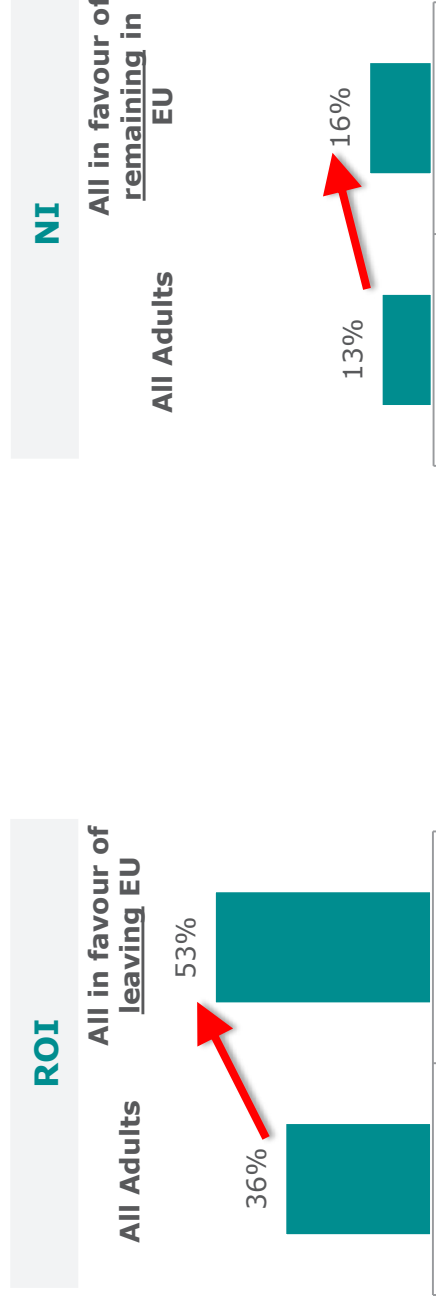
Base: All adults 18+: 2041



# Is there any relationship between attitudes to EU membership and attitudes to constitutional status of Northern Ireland?

Base: All adults 18+: 2041

## Unify with the rest of Ireland

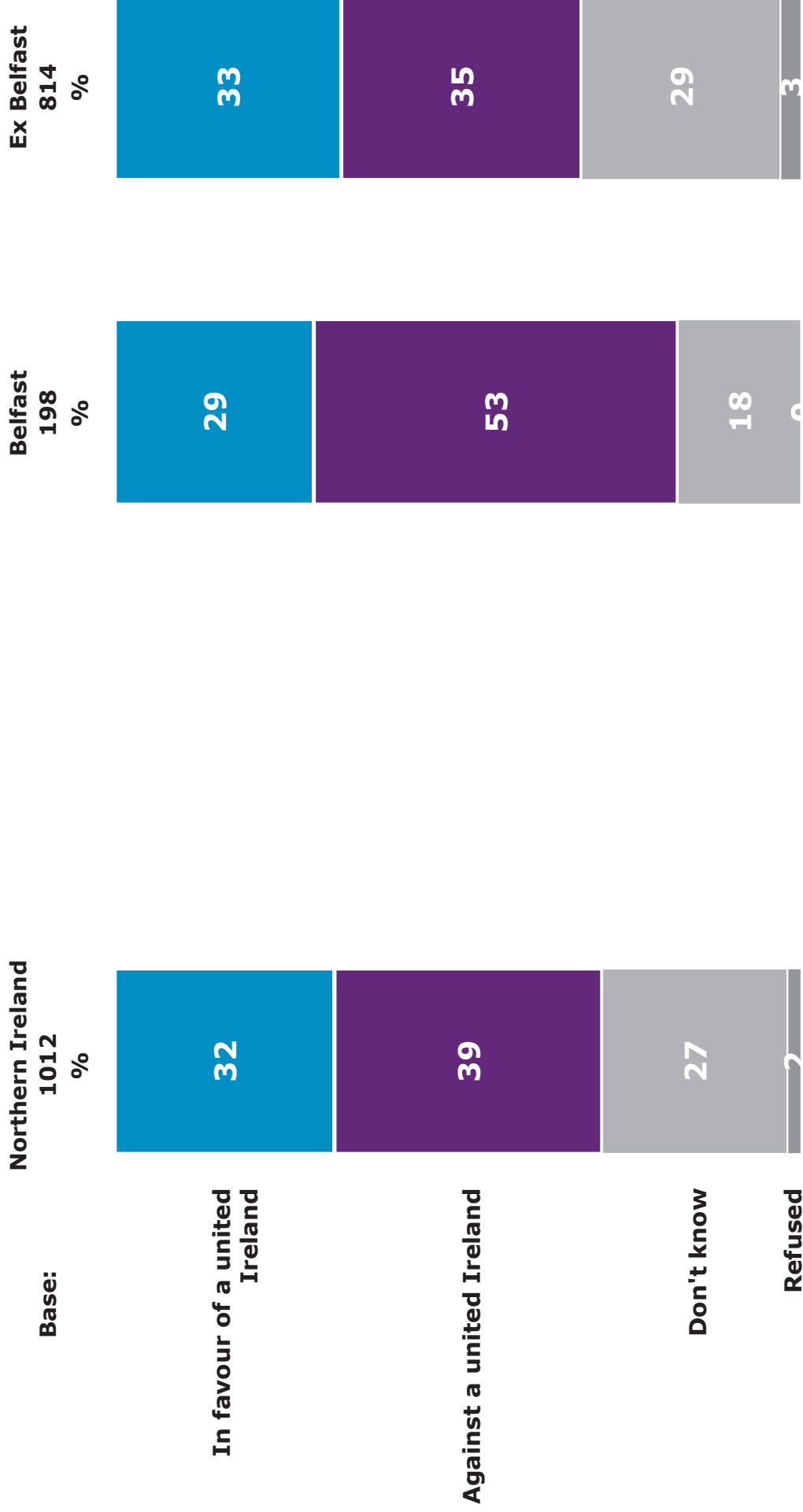


## Remain part of the UK, with a devolved assembly and Executive in Northern Ireland (the current situation).



# How attitudes to a United Ireland shift under certain tax implications: Paying less tax

Base: All adults 18+ in Northern Ireland: 1012



Rejection remains stronger in Belfast.



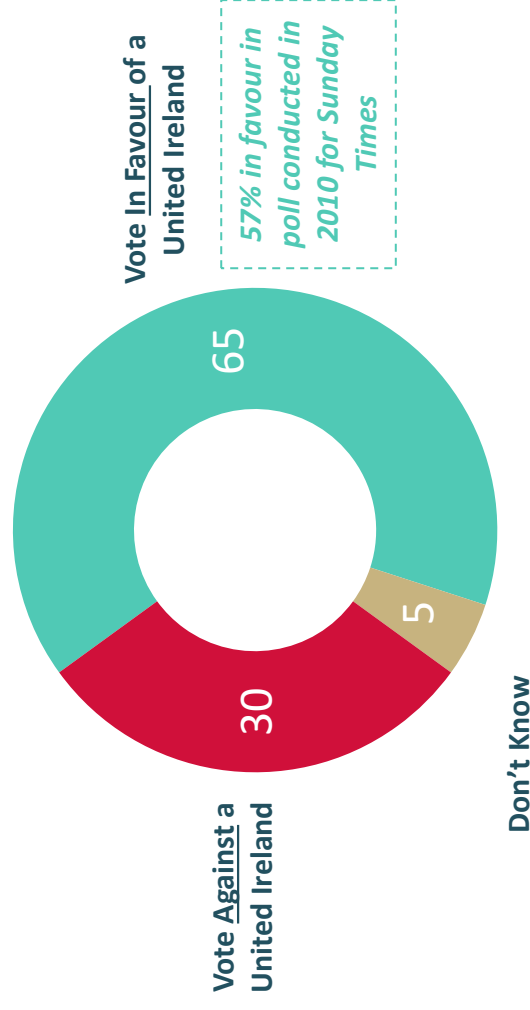
# United Ireland



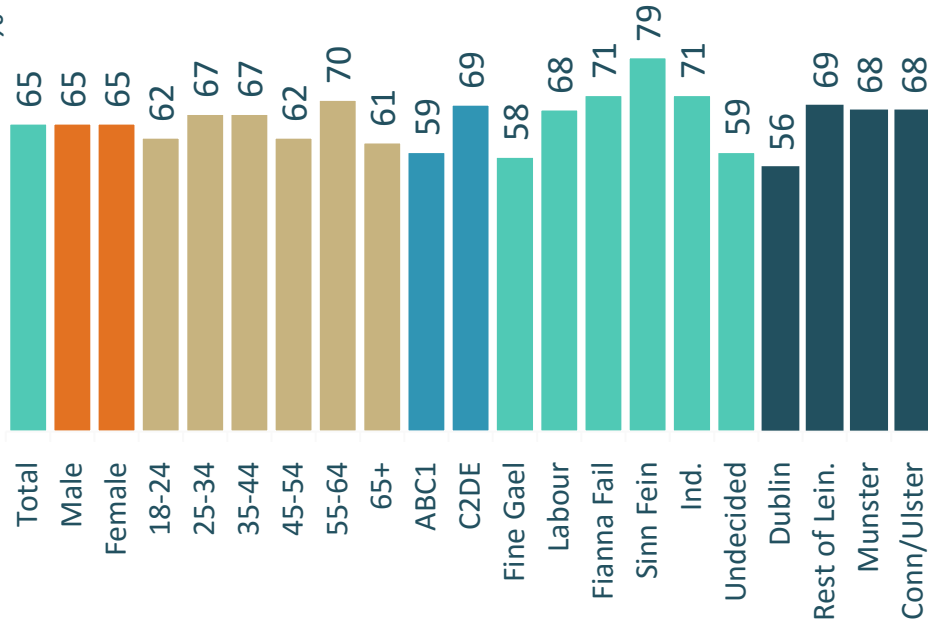
# Support for a United Ireland

(Base: All adults 18+)

Q. If a referendum on a United Ireland were to be held tomorrow, would you vote Yes in favour of a United Ireland, or vote No against a United Ireland?



Who Would Vote in Favour of a United Ireland?  
%



REDC







## New Ireland Forum Report, 2 May 1984

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## **NEW IRELAND FORUM**

### **REPORT**

#### **CHAPTER 1**

##### **PREFACE**

**1.1** The New Ireland Forum was established for consultations on the manner in which lasting peace and stability could be achieved in a new Ireland through the democratic process and to report on possible new structures and processes through which this objective might be achieved.

**1.2** Participation in the Forum was open to all democratic parties which reject violence and which have members elected or appointed to either House of the Oireachtas or the Northern Ireland Assembly. Four political parties took part in the Forum: the Fianna Fáil Party, the Fine Gael Party, the Labour Party and the Social Democratic and Labour Party (SDLP). These four parties together represent over ninety per cent of the nationalist population and almost three-quarters of the entire population of Ireland. The parties which participated in the Forum would have greatly preferred that discussions on a new Ireland should have embraced the elected representatives of both the unionist and nationalist population. However, the Forum sought the views of people of all traditions who agreed with its objectives and who reject violence. The establishment and work of the Forum have been of historic importance in bringing together, for the first time since the division of Ireland in 1920, elected nationalist representatives from North and South to deliberate on the shape of a new Ireland in which people of differing identities would live together in peace and harmony and in which all traditions would find an honoured place and have equal validity.

**1.3** The leaders of the four participating parties met on 14 and 21 April, 1983 to consider arrangements for the Forum. Those present were the Taoiseach, Dr. Garret FitzGerald TD, Leader of the Fine Gael Party; Mr. Charles J. Haughey TD, Leader of the Fianna Fáil Party; the Tánaiste, Mr. Dick Spring TD, Leader of the Labour Party; and Mr. John Hume MP, MEP, Leader of the Social Democratic and Labour Party. The Party Leaders made the following arrangements: the Chairman to be Dr. Colm Ó hEocha, President of University College Galway and the Secretary to be Mr. John R. Tobin, Clerk of Seanad Éireann; the Forum would be assisted by an independent secretariat<sup>[1]</sup>; membership of the Forum would comprise 27 members and 14 alternate members from the four parties.

#### 1.4 The members and alternates nominated were:-

##### **FIANNA FÁIL, PARTY**

###### **Members and Alternates**

Charles J. Haughey TD

Brian Lenihan TD

David Andrews TD

Gerry Collins TD

Eileen Lemass TD

Ray MacSharry TD

Rory O'Hanlon TD

Jim Tunney TD

John Wilson TD

Paudge Brennan TD

Jackie Fahey TD

Jimmy Leonard TD

John O'Leary TD

*Secretary:* Veronica Guerin

##### **FINE GAEL PARTY**

###### **Members and Alternates**

Garret FitzGerald TD,  
Taoiseach

Peter Barry TD,  
Minister for Foreign Affairs

Myra Barry TD

Senator James Dooge

Paddy Harte TD

John Kelly TD

Enda Kenny TD

Maurice Manning TD

David Molony TD

Nora Owen TD

Ivan Yates TD

*Secretary:* John Fanagan

##### **LABOUR PARTY**

###### **Members and Alternates**

Dick Spring TD, Tánaiste and  
Minister for Energy

Frank Cluskey TD

Senator Stephen McGonagle

Frank Prendergast TD

Mervyn Taylor TD

Eileen Desmond TD

Senator Mary Robinson

*Secretary:* Diarmaid McGuinness

##### **SOCIAL DEMOCRATIC AND LABOUR PARTY**

###### **Members and Alternates**

John Hume MP, MEP

Seamus Mallon

Austin Currie

Joe Hendron

E. K. McGrady

Sean Farren

Frank Feely

Hugh Logue

Paddy O'Donoghue

Paschal O'Hare

*Secretary:* Denis Haughey

#### **Notes:**

##### *Members:*

Walter Kirwan (Co-ordinator), Kieran Coughlan, Hugh Finlay, Colin Larkin, Martin McMahon, Ciaran Murphy, Richard O'Toole, Frank Sheridan, Ted Smyth.

*Administration, Press and Secretariat Staff:*

Margaret Beatty, Josie Briody, Nora Daffy, Nuala Donnelly, Theresa Enright, Jacqueline Garry, Desmond Morgan, Mary O'Leary, Kathleen Redmond, Patrick Sherlock.

### **Proceedings of the Forum**

**1.5** The first session of the Forum was held in public in Dublin Castle on 30 May, 1983. It was opened by the Chairman, Ó hEocha and was addressed by the Leaders of the four participating parties. There was a total of 28 private sessions and 13 public sessions and there were 56 meetings of the Steering Group, comprising the Chairman and the Party Leaders. In addition, sub-groups of the Forum examined in detail economic issues and the structures outlined in Chapters 6, 7 and 8.

**1.6** Since the Forum was concerned to hear the widest possible range of opinion, in particular from Northern Ireland, written submissions were invited through advertisements in a wide range of newspapers, North and South. A total of 317 submissions was received from both parts of Ireland and from Britain, the United States of America, Belgium, France and Canada. These reflected many views, including those of the nationalist and unionist traditions, and covered a wide spectrum of topics such as economic, social, political, constitutional, legal, religious, educational and cultural matters. The Forum invited oral presentations from 31 individuals and groups in order to allow for further elaboration and discussion of their submissions. These sessions took place at 11 public meetings of the Forum from 20 September, 1983 to 9 February, 1984. The proceedings of these sessions have been published by the Forum. Appendix I lists the publications containing these proceedings. Appendix 2 lists individuals and groups who made written submissions.

**1.7** A Forum delegation from the four participating parties visited the North on 26 and 27 September, 1983 and met groups representative of a wide range of opinion. On 23 and 24 January, 1984, another Forum delegation held discussions in London with groups from the Conservative Party, the Labour Party, the Liberal Party and the Social Democratic Party.

**1.8** The following reports, which analyse in detail different aspects of the problem, were prepared by the Forum and have been published separately: *The Cost of Violence arising from the Northern Ireland Crisis since 1969*, *The Economic Consequences of the Division of Ireland since 1920*, and *A Comparative Description of the Economic Structure and Situation, North and South*. These reports contribute to an understanding of the problems involved and provide an important point of reference. The following studies were commissioned by the Forum and have been published: *The Macroeconomic Consequences of Integrated Economic Policy, Planning and Co-ordination in Ireland* by DKM Economic Consultants; and *The Legal Systems, North and South* by Professor C. K. Boyle and Professor D. S. Greer. Studies on the implications of integration in the agriculture, energy and transport sectors, prepared for the Forum, are being published separately.

### **Acknowledgment of Assistance Received**

**1.9** The Forum records its gratitude to all who made submissions, written and oral. It acknowledges with thanks the contributions of those who acted as consultants on many aspects of the Forum's work. The very positive response to requests for assistance by the Forum and the large number of submissions and offers of help received bear striking testimony to the widespread and urgent desire among all traditions in Ireland that the Forum should succeed in contributing to peace and stability.

## **CHAPTER 2**

## INTRODUCTION

**2.1** The Forum has been imbued with an overriding sense of the importance and urgency of its task. It was established against a background of deep division, insecurity and violence that threaten society, primarily in Northern Ireland but also in the Republic and to a certain extent in Britain. The continuing crisis in Northern Ireland has reached critical proportions, involving intense human suffering and misery for many thousands of people. The persistence of division and of conflict on such a scale poses a fundamental challenge to those who support and practise democratic principles as a means to resolve political problems; in particular, since Britain exercises direct responsibility, it is a serious reflection on successive British Governments. More than thirty years after European statesmen successfully resolved to set aside their ancient quarrels and to work together in the European Community, the continuation of the conflict in Northern Ireland represents a dangerous source of instability in Western Europe and a challenge to the democratic values which Europe shares in common with North America and the rest of the Western World.

**2.2** The analysis by the Forum of the crisis in Northern Ireland (Chapters 3 and 4) illustrates the inherent instability of the 1920 constitutional arrangements which resulted in the arbitrary division of Ireland. Each generation since has suffered from the discrimination, repression and violence which has stemmed from those constitutional arrangements.

**2.3** The study by DKM Economic Consultants shows that the economic outlook for the North is very bleak as long as the present political paralysis and violence continue. This study indicates that on the basis of foreseeable economic trends, and in the absence of a political settlement leading to an end to violence, there will be virtual stagnation in the economy and a further substantial increase in unemployment. Unemployment in the North would increase from an estimated 122,000 in 1984 to as much as 166,000 (about 32 per cent of civil employment) by the 1990s. Without political progress the scale of economic and social problems will increase greatly, exacerbating a highly dangerous situation. This will make increasingly intolerable the social and economic burden for both sections of the community in the North. It will also lead to a major increase in the financial burden on Britain because of the mounting cost of security and the increased expenditure necessary to shore up the economy and living standards of the area. For the South, there will be a further diversion of resources to security where expenditure is already disproportionately greater than that of Britain, while the adverse effects on the economy, particularly in the border areas, will be prolonged.

**2.4** The immediate outlook for the North is extremely dangerous unless an acceptable political solution is achieved. The long-term damage to society worsens each day that passes without political progress. In political, moral and human terms there is no acceptable level of violence. There are at present no political institutions to which a majority of people of the nationalist and unionist traditions can give their common allegiance or even acquiesce in. The fundamental social bonds which hold people together in a normal community, already tenuous in the abnormal conditions of Northern Ireland, have been very largely sundered by the events and experiences of the past fifteen terrible years. However, despite the drawing apart of the two traditions since 1969, respect for basic human values was for a time maintained within each tradition. But as sensibilities have become dulled and despair has deepened, there has been a progressive erosion of basic values which is in danger of becoming irreversible. The immense challenge facing political leaders in Britain and Ireland is not merely to arrest the cancer but to create the conditions for a new Ireland and a new society acceptable to all its people.

**2.5** The need for progress towards this objective is now so urgent that there can be no justification for postponing action. A major reassessment by Britain which at present exercises direct responsibility for Northern Ireland is required. There is an overwhelming need to give urgent and sustained priority to the initiation of a political process leading to a durable solution.

**2.6** The conflict inherent in the Northern situation has surfaced dramatically in the last 15 years and the situation is progressively deteriorating within the present structures. The alienation of nationalists in Northern Ireland from political and civil institutions, from the security forces and from the manner of application of the law has increased to major proportions. There is fear, insecurity, confusion and uncertainty about the future in the unionist section of the community. Northern Ireland today is characterised by the fact that neither section of the community is happy with the status quo or has confidence in or a sense of direction about the future. It is essential that any proposals for political progress should remove nationalist alienation and assure the identity and security of both unionists and nationalists. Accordingly, in the search for the basis of a political solution the British and Irish Governments must together initiate a process which will permit the establishment and development of common ground between both sections of the community in Northern Ireland and among all the people of this island.

## **CHAPTER 3**

### **ORIGINS OF THE PROBLEM**

#### **Failure of 1920 Settlement**

**3.1** The existing political systems in Ireland have evolved from the 1920 constitutional arrangements by Britain which resulted in the arbitrary division of the country. Prior to 1920 and during many centuries of British rule, Ireland was administered as an integral political unit. The establishment of Northern Ireland as a separate political unit was contrary to the desire of the great majority of Irish people for the political unity and sovereignty of Ireland as expressed in the last all-Ireland election of 1918. That election also confirmed that the Protestants of North-East Ulster, fearful for the survival of their heritage, opposed separation of Ireland and Britain. Although the (British) Government of Ireland Act, 1920 contemplated the eventual establishment of an all-Ireland Parliament within the United Kingdom, the settlement in fact entailed the partition of Ireland into two separate political units.

**3.2** The Government and Parliament set up in the North were broadly acceptable to the unionist majority in the North and to the British Government; while maintaining their desire for Irish unity, when this was not attained, nationalists in the South dedicated themselves to building up the Southern state. Two groups found that their interests were not accommodated-the Northern nationalists and the Southern unionists. However, the constitutional, electoral and parliamentary arrangements in the South specifically sought to cater for the minority status of Southern unionists and did so with considerable, if not total, success. The intention underlying the creation of Northern Ireland was to establish a political unit containing the largest land area that was consistent with maintaining a permanent majority of unionists. Since they were now in a minority, the Northern nationalists were the principal victims of the arrangements and, although some hoped that the Boundary Commission would bring within the jurisdiction of the South areas of predominantly nationalist population, this did not take place.



**3.3** Because of the failure of the British government to accept the democratically expressed wishes of the Irish people and because of the denial of the right of nationalists in the North to political expression of their Irish identity and to effective participation in the institutions of Government, the 1920 arrangements did not succeed. The fundamental defects in the resulting political structures and the impact of ensuing policy led to a system in the North of supremacy of the unionist tradition over the nationalist tradition. From the beginning, both sections of the community were locked into a system based on sectarian loyalties.

**3.4** The failure of the arrangements was clearly acknowledged by the British Government in 1972 when they replaced the Government and Parliament of Northern Ireland, established under the Government of Ireland Act, 1920, with direct rule. The subsequent Northern Ireland Constitution Act, 1973 was intended to provide a framework for agreed government in Northern Ireland but, following the collapse in 1974 of the ensuing Sunningdale arrangements, many of the provisions of the 1973 Act have been effectively in abeyance. Thus, over 60 years after the division of Ireland, workable and acceptable political structures have yet to be established in the North.

### **Consequences of the Division of Ireland up to 1968**

**3.5** During the Home Rule for Ireland debates in the British Parliament in 1912, many arguments were advanced by British political leaders in favour of maintaining the unity of Ireland. The British Government had introduced a Bill that proposed to give Ireland a separate Parliament with jurisdiction over her internal affairs while reserving power over key issues. However, faced with the unionist threat to resist this Bill by unlawful force, the British Government and Parliament backed down, and when the Government of Ireland Act of 1914 was placed on the statute book in Westminster, there was a provision that it would not come into operation until after Parliament had an opportunity of making provision for Ulster by special amending legislation. The message -which was not lost on unionists- was that a threat by them to use violence would succeed. To the nationalists, the conclusion was that the democratic constitutional process was not to be allowed to be effective. This legacy continues to plague British- Irish relations today.

**3.6** Although partition was established by the British Parliament in the Government of Ireland Act, 1920, that Act also made provision for the two parts of Ireland coming together again, and it sought to encourage this process through a Council of Ireland. In the period immediately after 1920, many saw partition as transitory. It soon became clear, however, that successive British Governments were in practice willing to allow a system of untrammelled one-party rule in Northern Ireland to be exercised by and on behalf of the majority unionist population. Not only were the wishes of the people of the rest of Ireland as a whole discounted but the identity of nationalists in the North was disregarded.

**3.7** Since its establishment, partition has continued to overshadow political activity in both parts of Ireland. The country as a whole has suffered from this division and from the absence of a common purpose. The division has absorbed the energies of many, energies that otherwise would have been directed into constructing an Ireland in which nationalists and unionists could have lived and worked together. Instead of a positive interaction of the unionist and nationalist traditions, the emphasis in both parts of Ireland was on the predominant value system of each area, leading to a drifting apart in laws and practices. The most tragic measure of the Northern Ireland crisis is the endemic violence of the situation. Moreover, the situation has persistently given rise to tensions and misunderstandings in the British-Irish relationship in place of the close and harmonious relationship that should normally exist between neighbouring countries that have so much in common.



**3.8** In its report, *The Economic Consequences of the Division of Ireland since 1920*, the Forum noted that division gave rise to considerable economic costs, North and South. For example, in the absence of co-ordinated long-term planning, capital investment in areas such as energy, education and health has entailed considerable duplication of expenditure. The impact on areas contiguous to the border was particularly adverse. Not only were they detached from their trading hinterlands, but the difficulties of their location were worsened by their transformation into peripheral regions at the dividing line of two new administrative units. Had the division not taken place, or had the nationalist and unionist traditions in Ireland been encouraged to bring it to an end by reaching a mutual accommodation, the people of the whole island would be in a much better position to benefit from its resources and to meet the common challenges that face Irish society, North and South, towards the end of the 20th century.

**3.9** Since 1922, the identity of the nationalist section of the community in the North has been effectively disregarded. The symbols and procedures of the institutions to which nationalists are required to give allegiance have been a constant reminder of the denial of their identity. Apart from a few local authorities and the power-sharing Executive which was briefly in being following the Sunningdale Agreement of 1973, they have had virtually no involvement in decision-making at the political level. For over 50 years they lived under a system of exclusively unionist power and privilege and suffered systematic discrimination. They were deprived of the means of social and economic development, experienced high levels of emigration and have always been subject to high rates of unemployment. The consequences of this policy became particularly evident in those areas which have a predominantly nationalist population.

**3.10** Unionists had to cope with a situation which was not their first choice. Originally, they opposed change and sought to keep all of Ireland in the United Kingdom. They later opposed Home Rule and then independence for the whole island. In the event, the South became a Dominion, and later a Republic outside the Commonwealth. Provision was made for the two parts of Ireland to come together in a Council of Ireland but the North was also given the option not to be part of the new Irish State and to revert to the United Kingdom. This option was exercised at once and the North found itself with a Home Rule devolved government which it had not sought. From the beginning, unionist insecurity in regard to their minority position in the island as a whole had a profound effect on the manner in which political structures were organised in the North. Political dialogue with the nationalists was avoided for fear of undermining the unionist system of exclusive power and privilege. Fears were stimulated of forcible absorption of unionists into an all-Ireland Republic, dominated as unionists saw it by a Roman Catholic and a Gaelic ethos. Those fears led many unionists to equate Roman Catholicism with nationalism and to regard the nationalist minority in the North as a threat to the survival of their power and privilege.

**3.11** As a result, the people in both sections of the community lived under the shadow of sectarian politics and the fear of domination of one tradition by the other.

**3.12** Irish nationalism found sovereign and international expression in partial fulfilment of its objectives through the establishment of an independent, democratic state in the South. Since 1922, the primary efforts of successive Governments have been concentrated on consolidation and development of the State which has a record of significant achievement. The process of development of an institutional and legal framework, of international assertion of sovereignty, and of concentration on industrial, economic and social development resulted, however, in insufficient concern for the interests of the people of Northern Ireland. Efforts were made from time to time by all nationalist parties to highlight the effects of the partition of the country, and the injustices which the nationalist population

of the North had to suffer, without response from successive British Governments. Moreover, the experience of partition has meant that for two generations there has been no unionist participation in political structures at an all-Ireland level. Rather, the Southern state has evolved without the benefit of unionist influence.

### **Consequences of the Crisis since 1969**

**3.13** Since 1969, Northern Ireland has endured a sustained political crisis. This crisis has been different from previous manifestations of the underlying problem, not only because of the scale of the violence, but also because the crisis has shown no signs of early resolution. On the contrary, the political conflict underlying the violence has worsened and will continue to do so unless there is urgent action to bring about significant political progress.

**3.14** The present crisis in the North arose when non-violent campaigns in the late 1960s for basic civil rights and for an end to systematic discrimination in the areas of electoral rights, housing and employment were met with violence and repression. Even modest steps towards dialogue and reform undertaken by the unionist administration of Northern Prime Minister, Terence O'Neill met with vigorous opposition from certain sections of unionist opinion. Some of that opposition found expression in sectarian attacks against nationalists and bomb attacks on public utilities. The partial attitude of the local institutions of law and order, especially the B-Special Constabulary, resulted in failure to protect the nationalist population against sectarian attacks, which were particularly virulent in West Belfast. The conditions were thus created for revival of a hitherto dormant IRA which sought to pose as the defenders of the nationalist people. The resulting conflict gave rise to the deployment of the British Army on the streets of Northern Ireland in 1969.

**3.15** The British Army was initially welcomed by the nationalist population as providing protection from sectarian attacks. However, the relationship between the nationalist population and the British Army deteriorated shortly afterwards. This was due to insensitive implementation of security measures in nationalist areas and a series of incidents in which the British Army was no longer perceived by nationalists to be acting as an impartial force. 1970 was thus a critical turning point and the experience of nationalists then and subsequently has profoundly influenced their attitudes, especially in regard to security. Among the major incidents which contributed to this alienation were the three-day curfew imposed on the Falls Road in June 1970; the internment without trial in August, 1971 of hundreds of nationalists; the subsequent revelation that some of those taken into custody on that occasion were subjected to treatment later characterised by the Strasbourg Court of Human Rights as "inhuman and degrading"; the shooting dead of 13 people in Derry by British paratroopers in January, 1972; and the beatings and ill-treatment of detainees in Castlereagh Barracks and Gough Barracks in 1977/78, subsequently condemned in the official British Bennett Report.

**3.16** Some hope of an improvement in the plight of nationalists followed the introduction of direct rule by Westminster in 1972. Negotiations in 1973 between the Northern parties and subsequently at Sunningdale between the Irish and British Governments, with Northern nationalist and unionist participation, brought about the short-lived Executive in which nationalists and unionists shared power in Northern Ireland. Provision had also been made as part of the Sunningdale Agreement for a new North-South dimension through a Council of Ireland. Both the Irish and British Governments made declarations on the status of Northern Ireland in which the Irish Government recognised that there could be no change in the status of Northern Ireland until a majority there desired it, and the British Government affirmed that if in the future the majority of the people of the North should indicate a wish to become a part of a united Ireland, the British Government would support that wish. However, faced with extremist action by a section of the unionist community, a new British

Government in 1974 failed to sustain the Sunningdale Agreement. The collapse of the Sunningdale arrangements dashed the hopes of nationalists and seriously damaged the prospects of achieving peace and stability in Northern Ireland. It recalled the earlier backdown of 1914: to unionists it reaffirmed the lesson that their threat to use force would cause British Governments to back down; to nationalists it reaffirmed their fears that agreements negotiated in a constitutional framework would not be upheld by British Governments in the face of force or threats of force by unionists.

**3.17** Until the Downing Street Declaration in 1969, the plight of Northern nationalists was ignored by successive British Governments and Parliaments. However, notwithstanding the attempts to remedy some of the worst aspects of discrimination and the introduction of direct rule from London in 1972, the structures in Northern Ireland are such that nationalists are still discriminated against in social, economic, cultural and political terms. Their representation and influence in the private and public structures of power remain very restricted. There is, in practice, no official recognition of their identity nor acceptance of the legitimacy of their aspirations. In the economic sphere, as the reports of the Fair Employment Agency have shown, discrimination against Catholics in employment persists. Their day-to-day experience reinforces nationalist convictions that justice and effective exercise of their rights can come only from a solution which transcends the context of Northern Ireland and which provides institutions with which they can identify.

**3.18** Despite the British Government's stated intentions of obtaining political consensus in Northern Ireland, the only policy that is implemented in practice is one of crisis management, that is, the effort to contain violence through emergency measures by the military forces and the police and through extra-ordinary judicial measures and a greatly expanded prison system. The framework within which security policies have operated and their often insensitive implementation have, since 1974, deepened the sense of alienation of the nationalist population. Inevitably, as during the 1980/81 hunger strikes when the warnings of constitutional nationalists were ignored by the British Government, security issues have been exploited by the paramilitaries in order to intensify alienation and with a view to increasing their support. Such alienation threatens the civilised life and values of entire communities and undermines the belief that democratic policies alone can offer peace, justice and stability.

**3.19** The paramilitary organisations of both extremes feed on one another and on the insensitivity of British policy and its failure to provide peace and stability. Their message is one of hatred and of suppression of the rights of those of the other tradition. Their actions have caused appalling loss of life, injury, damage to property and considerable human and economic loss to the people of both traditions. They succeed only in sowing fear, division and distrust within the whole community.

**3.20** The negative effect of IRA violence on British and unionist attitudes cannot be emphasised enough. Their terrorist acts create anger and indignation and a resolve not to give into violence under any circumstances. They have the effect of stimulating additional security measures which further alienate the nationalist section of the community. They obscure the underlying political problem. They strengthen extremist unionist resistance to any form of dialogue and accommodation with nationalists. Similarly, terrorist acts by extreme loyalist groups which affect innocent nationalist people have a correspondingly negative impact on nationalist attitudes. The involvement of individual members of the security forces in a number of violent crimes has intensified this impact. Every act of murder and violence makes a just solution more difficult to achieve. The greatest threat to the paramilitary organisations would be determined constitutional action to reach and sustain a just and equitable solution and thus to break the vicious circle of violence and

repression. No group must be permitted to frustrate by intimidation and threats of violence the implementation of a policy of mutual accommodation.

**3.21** The Forum's report, *The Cost of Violence arising from the Northern Ireland Crisis since 1969*, has attempted to quantify the human loss and economic costs of violence and political instability in the North. The most tragic loss is that of the deaths of over 2,300 men, women and children. These deaths in an area with a population of 1½ million are equivalent in proportionate terms to the killing of approximately 84,000 in Britain, 83,000 in France or 350,000 in the United States of America. In addition, over 24,000 have been injured or maimed. Thousands are suffering from psychological stress because of the fear and tension generated by murder, bombing, intimidation and the impact of security measures. During the past 15 years, there have been over 43,000 recorded separate incidents of shootings, bombings and arson. In the North the prison population has risen from 686 in 1967 to about 2,500 in 1983 and now represents the highest number of prisoners per head of population in Western Europe. The lives of tens of thousands have been deeply affected. The effect on society has been shattering. There is hardly a family that has not been touched to some degree by death, injury or intimidation. While the South and Britain have not suffered on the same scale, they too have been affected directly by the violence - by bombings, armed robberies and kidnappings and by other acts resulting in deaths, maiming and threats to security; they have also had to bear a significant price in terms of extraordinary security and judicial measures.

**3.22** As that report also shows, the economic and financial costs have been very high. They include additional security costs and compensation for deaths, injuries and considerable damage to property. Since 1969, the estimated total direct cost, in 1982 prices, is IR£5,500 million<sup>[1]</sup> incurred by the British Exchequer in respect of the North and IR£1,100 million<sup>[2]</sup> incurred by the Irish Exchequer in the South. Over the past 15 years the violence has destroyed opportunities for productive employment, severely depressed investment that could have led to new jobs and greater economic well-being, and greatly damaged the potential of tourism. These further indirect costs in terms of lost output to the economies of the North and the South could be as much as IR£4,000 million<sup>[3]</sup> and IR£1,200 million<sup>[4]</sup>, respectively, in 1982 prices.

**Notes:**

[1] Equivalent to Stg.£4,507m. or US\$6,501m. at current (30 March 1984) exchange rates.

[2] Equivalent to Stg.£901m. or US\$1,300m. at current (30 March 1984) exchange rates.

[3] Equivalent to Stg.£3,278m. or US\$4,728m. at current (30 March 1984) exchange rates.

[4] Equivalent to Stg.£983m. or US\$1,418m. at current (30 March 1984) exchange rates.

## **CHAPTER 4**

### **ASSESSMENT OF THE PRESENT PROBLEM**

#### **Assessment of Recent British Policy**

**4.1** The present formal position of the British Government, contained in Section 1 of the Northern Ireland Constitution Act, 1973, is that the only basis for constitutional change in the status of Northern Ireland within the United Kingdom is a decision by a majority of the people of Northern Ireland. In practice, however, this has been extended from consent to change in the constitutional status of the North within the United Kingdom into an effective unionist veto on any political change affecting the exercise of nationalist rights and on the

form of government for Northern Ireland. This fails to take account of the origin of the problem, namely the imposed division of Ireland which created an artificial political majority in the North. It has resulted in a political deadlock in which decisions have been based on sectarian loyalties. Sectarian loyalties have thus been reinforced and the dialogue necessary for progress prevented. The Sunningdale Agreement of 1973 introduced dialogue and partnership to the government of Northern Ireland. However, the hopes thus raised were dashed by a number of factors, amongst them, the refusal of the then British Government to support the power-sharing Executive in the face of extremist loyalist disruption.

**4.2** Since the Sunningdale Agreement of 1973, several initiatives have been undertaken in response to circumstances with the stated aim of resolving the problem in a context limited to Northern Ireland. These initiatives foundered largely because the problem itself transcends the context of Northern Ireland. It is only in a fundamental change of context that the effective exercise on an equal basis of the rights of both nationalists and unionists can be permanently ensured and their identities and traditions accommodated. Although the policy of the British Government was to favour power-sharing, there was no firm determination to insist on implementation of this policy in practice. Nor was recognition of the Irish identity of Northern nationalists given any practical expression. Thus it is that initiatives, which may give the appearance of movement and flexibility to domestic and international opinion, have been inadequate through not addressing the fundamental nature of the problem. Instead the crisis has been addressed as a security problem and the political conditions which produced the conflict and sustain the violence have in effect been ignored.

**4.3** The immobility and short-term focus of British policy - the fact that it has been confined to crisis management and does not take account of fundamental causes - is making an already dangerous situation worse. There is increasing frustration with the state of political paralysis, uncertainty as to long-term British intentions and growing mutual mistrust between both sections of the community. The failure to provide the nationalist population of the North with any constructive means of expressing its nationalism and its aspirations is undermining constitutional politics. The net effect of existing policy is to drive both sections of the community in Northern Ireland further apart, alienating them from each other and providing a breeding ground for despair and violence. It has thus contributed to the emergence in both sections of the community of elements prepared to resort to violence, on the one side to preserve, and on the other to change the existing constitutional position.

**4.4** The problem of security is an acute symptom of the crisis in Northern Ireland. Law and order in democratic countries and, in particular, the introduction of emergency measures depend on a basic consensus about society itself and its institutions. Present security policy has arisen from the absence of political consensus. In Northern Ireland extraordinary security actions have taken place that call into question the effectiveness of the normal safeguards of the legal process. This has led to harassment of the civilian population by use of abnormally wide powers of arrest and detention, exercised not for the purpose of bringing suspects before a court of justice and making them amenable to a process of law but for the purpose of gathering information and unjustifiably invading the privacy of a person's life; e.g. between 1978 and 1982 more than 22,000 people were arrested and interrogated, the vast majority being released without charge. This has the consequence that the availability of the legal remedy of *habeas corpus* in Northern Ireland is in practice extremely limited. It has also at different periods led to the use of internment without trial combined with inhuman interrogation methods that have been found to be in breach of the European Convention on Human Rights; the trial and conviction of people on evidence of paid informers; the use of plastic bullets; and killings by some members of the security forces in doubtful circumstances. The various measures were introduced on the basis that they were

essential to defeat terrorism and violent subversion, but they have failed to address the causes of violence and have often produced further violence.

**4.5** Nationalists, for the most part, do not identify with the police and the security forces. It is clear that the police will not be accepted, as they are in a normal democratic society, by the nationalist section of the community nor will they themselves feel confident in their relations with nationalists, until there is a change in the political context in which they have to operate.

### **Nationalist Identity and Attitudes**

**4.6** The parties in the Forum, representing a large majority of the people of Ireland, reaffirm that their shared aim of a united Ireland will be pursued only by democratic political means and on the basis of agreement. For nationalists, a central aim has been the survival and development of an Irish identity, an objective that continues in Northern Ireland today as nationalists seek effective recognition of their Irish identity and pursue their rights and aspirations through political means. For historical reasons, Irish nationalism may have tended to define itself in terms of separation from Britain and opposition to British domination of Ireland. The positive vision of Irish nationalism, however, has been to create a society that transcends religious differences and that can accommodate all traditions in a sovereign independent Ireland united by agreement. The aim of nationalists, therefore, in seeking Irish unity is to develop and promote an Irishness that demonstrates convincingly to unionists that the concerns of the unionist and Protestant heritage can be accommodated in a credible way and that institutions can be created which would protect such concerns and provide fully for their legitimate self-expression.

**4.7** The division of Ireland inevitably gave rise to the unconscious development in both parts of Ireland of partitionist attitudes on many political, economic, cultural and social questions of importance, diminishing significantly the development of a prosperous democratic society on the whole of the island. Such attitudes persist up to the present day. However, the tragedy of Northern Ireland and the suffering of the people there has stimulated among nationalists in both parts of Ireland a new consciousness of the urgent need for understanding and accommodation. The work of the Forum has underlined the urgent need for sustained efforts and practical steps in the political, economic, cultural and social spheres to transform the present nationalist/unionist relationship and to promote and secure consensus. In addition both parts of Ireland, North and South, face a number of economic and social realities which contribute to the sense of urgency in providing for a political solution. These include the demographic profile of the population and the very high unemployment rate in both parts of the island, and the problem of steady emigration from Northern Ireland of a substantial proportion of educated young people.

### **Unionist Identity and Attitudes**

**4.8** Unionists have tended to view all forms of nationalist self-expression as being directed aggressively against them and the North's status within the United Kingdom. Although the true nationalist ideal rejects sectarianism and embraces all the people of Ireland whatever their religion, Northern Protestants fear that their civil and religious liberties and their unionist heritage would not survive in a united Ireland in which Roman Catholicism would be the religion of the majority of the population. They base this fear on a number of factors including the diminution of the numbers of Southern Protestants since partition and the perception that the Constitution and certain laws in the South unduly favour the ethos of the predominant religion. The Forum has attempted not only to determine "what do unionists seek to prevent?" but also "what do they seek to protect?". What they seek to prevent varies to some degree but includes: an all-Irish State in which they consider that the Roman Catholic Church would have undue influence on moral issues; the breaking of the link with

Britain; and loss of their dominant position consequent upon giving effective recognition to the nationalist identity and aspiration. In attempting to answer the more important question of "what do unionists seek to protect?" and to identify what qualities in the unionist ethos and identity must be sustained, nationalists must first of all acknowledge that unionists, sharing the same island, have the same basic concerns about stability and security as nationalists. The major difference between the two traditions lies in their perceptions of how their interests would be affected by various political arrangements. These perceptions have been largely formed by different historical experiences and communal values.

**4.9** In public sessions of the Forum, contributors who put forward the unionist point of view were asked "what is it that the unionists wish to preserve?". Three elements were identified in their replies:

- (1) Britishness
- (2) Protestantism
- (3) The economic advantages of the British link.

The degree of emphasis on each of these three elements varied among those who made submissions.

**4.9.1** Unionists generally regard themselves as being British, the inheritors of a specific communal loyalty to the British Crown. The traditional nationalist opposition to British rule is thus seen by unionists as incompatible with the survival of their own sense of identity. Unionists generally also regard themselves as being Irish even if this does not include a willingness to live under all-Ireland political institutions. However, many of them identify with Ireland and with various features of Irish life and their culture and way of life embrace much of what is common to people throughout Ireland.

**4.9.2** The Protestant tradition, which Unionism seeks to embody, is seen as representing a particular set of moral and cultural values epitomised by the concept of liberty of individual conscience. This is often accompanied by a Protestant view of the Roman Catholic ethos as being authoritarian and as less respectful of individual judgement. There is a widespread perception among unionists that the Roman Catholic Church exerts or seeks to exert undue influence in regard to aspects of the civil and legal organisation of society which Protestants consider to be a matter for private conscience. Despite the implicit separation of Church and State in the 1937 Constitution, many unionists hold the view that the Catholic ethos has unduly influenced administration in the South and that the latter, in its laws, attitudes and values has not reflected a regard for the ethos of Protestants living there.

**4.9.3** There is also an economic concern in the perception of unionists in the North which is shared by nationalists. Studies by the Forum show that while living standards, North and South, are now broadly comparable, the North is heavily dependent on, and its economy sustained by the financial subvention from Britain. While a settlement of the conflict entailing an end to violence and the dynamic effects of all-Ireland economic integration would bring considerable economic benefits, reconstruction of the Northern Ireland economy and the maintenance of living standards in the meantime would require the continuing availability of substantial transfers from outside over a period of years, whether from Britain, the European Community and the United States of America, or from Ireland as a whole.

**4.10** There are other factors that are important in understanding the unionist opposition to a united Ireland. Among unionists there are fears rooted in history and deriving from their minority position in Ireland as a whole. In more recent times the campaign of IRA violence



has intensified those fears. Tensions have also arisen in regard to the South's extradition laws. There are similar fears in the nationalist tradition, based on experiences of discrimination, repression and violence. In modern times, the unionist sense of being besieged has continued. Unionist leaders have sought to justify their opposition to equal treatment for nationalists in Northern Ireland on the basis that the demand for political expression of the nationalist identity, no matter how reasonable and justified, would lead to nationalist domination over the unionist population in a united Ireland.

#### **Need for Accommodation of Both Identities in a New Approach**

**4.11** The Forum rejects and condemns paramilitary organisations and all who resort to terror and murder to achieve their ends. It strongly urges people in Ireland of all traditions and all those who are concerned about Ireland elsewhere in the world to refuse any support or sympathy to these paramilitary bodies and associated organisations. The acts of murder and violence of these organisations, and their denial of the legitimate rights of others, have the effect of undermining all efforts to secure peace and political progress. Constitutional nationalists are determined to secure justice for all traditions. The Forum calls for the strongest possible support for political progress through the democratic process.

**4.12** Before there can be fundamental progress a major reassessment by Britain of its position is now essential. Underlying British thinking is the fear that the risks of doing something to tackle the fundamental issues are greater than the risks of doing nothing. This is not the case. The situation is daily growing more dangerous. Constitutional politics are on trial and unless there is action soon to create a framework in which constitutional politics can work, the drift into more extensive civil conflict is in danger of becoming irreversible, with further loss of life and increasing human suffering. The consequences for the people in Northern Ireland would be horrific and it is inconceivable that the South and Britain could escape the serious threats to stability that would arise. With each day that passes, political action to establish new structures that will resolve the fundamental problems becomes more pressing. Such political action clearly carries less risk than the rapidly growing danger of letting the present situation drift into further chaos.

**4.13** The new Ireland must be a society within which, subject only to public order, all cultural, political and religious belief can be freely expressed and practised. Fundamental to such a society are freedom of conscience, social and communal harmony, reconciliation and the cherishing of the diversity of all traditions. The criteria which relate to public legislation may not necessarily be the same as those which inform private morality. Furthermore, public legislation must have regard for the conscientious beliefs of different minority groups. The implementation of these principles calls for deepening and broadening of the sense of Irish identity. No one living in Ireland should feel less at home than another or less protected by law than his or her fellow citizen. This implies in particular, in respect of Northern Protestants, that the civil and religious liberties that they uphold and enjoy will be fully protected and guaranteed and their sense of Britishness accommodated.

**4.14** It is clear that a new Ireland will require a new constitution which will ensure that the needs of all traditions are fully met. Society in Ireland as a whole comprises a wider diversity of cultural and political traditions than exists in the South, and the constitution and laws of a new Ireland must accommodate these social and political realities.

**4.15** The solution to both the historic problem and the current crisis of Northern Ireland and the continuing problem of relations between Ireland and Britain necessarily requires new structures that will accommodate together two sets of legitimate rights:



- the right of nationalists to effective political, symbolic and administrative expression of their identity; and
- the right of unionists to effective political, symbolic and administrative expression of their identity, their ethos and their way of life.

So long as the legitimate rights of both unionists and nationalists are not accommodated together in new political structures acceptable to both, that situation will continue to give rise to conflict and instability. The starting point of genuine reconciliation and dialogue is mutual recognition and acceptance of the legitimate rights of both. The Forum is convinced that dialogue which fully respects both traditions can overcome the fears and divisions of the past and create an atmosphere in which peace and stability can be achieved.

**4.16** A settlement which recognises the legitimate rights of nationalists and unionists must transcend the context of Northern Ireland. Both London and Dublin have a responsibility to respond to the continuing suffering of the people of Northern Ireland. This requires priority attention and urgent action to halt and reverse the constant drift into more violence, anarchy and chaos. It requires a common will to alleviate the plight of the people, both nationalists and unionists. It requires a political framework within which urgent efforts can be undertaken to resolve the underlying causes of the problem. It requires a common determination to provide conditions for peace, stability and justice so as to overcome the inevitable and destructive reactions of extremists on both sides. Both Governments, in cooperation with representatives of democratic nationalist and unionist opinion in Northern Ireland, must recognise and discharge their responsibilities.

## **CHAPTER 5**

### **FRAMEWORK FOR A NEW IRELAND: PRESENT REALITIES AND FUTURE REQUIREMENTS**

**5.1** The major realities identified in the Forum's analysis of the problem, as set out in earlier chapters, may be summarised as follows:-

- (1) Existing structures and practices in Northern Ireland have failed to provide either peace, stability or reconciliation. The failure to recognise and accommodate the identity of Northern nationalists has resulted in deep and growing alienation on their part from the system of political authority.
- (2) The conflict of nationalist and unionist identities has been concentrated within the narrow ground of Northern Ireland. This has prevented constructive interaction between the two traditions and fostered fears, suspicions and misunderstandings.
- (3) One effect of the division of Ireland is that civil law and administration in the South are seen, particularly by unionists, as being unduly influenced by the majority ethos on issues which Protestants consider to be a matter for private conscience and there is a widespread perception that the South in its laws, attitudes and values does not reflect a regard for the ethos of Protestants. On the other hand, Protestant values are seen to be reflected in the laws and practices in the North.
- (4) The present formal position of the British Government, namely the guarantee, contained in Section 1 of the Northern Ireland Constitution Act, 1973, has in its practical application had the effect of inhibiting the dialogue necessary for political progress. It has had the additional effect of removing the incentive which would otherwise exist on all sides to seek a political solution.
- (5)

- The above factors have contributed to conflict and instability with disastrous consequences involving violence and loss of life on a large scale in Northern Ireland.
- (6) The absence of political consensus, together with the erosion of the North's economy and social fabric, threatens to make irreversible the drift into more widespread civil conflict with catastrophic consequences.
  - (7) The resulting situation has inhibited and placed under strain the development of normal relations between Britain and Ireland.
  - (8) The nationalist identity and ethos comprise a sense of national Irish identity and a democratically founded wish to have that identity institutionalised in a sovereign Ireland united by consent.
  - (9) The unionist identity and ethos comprise a sense of Britishness, allied to their particular sense of Irishness and a set of values comprising a Protestant ethos which they believe to be under threat from a Catholic ethos, perceived as reflecting different and often opposing values.
  - (10) Irish nationalist attitudes have hitherto in their public expression tended to underestimate the full dimension of the unionist identity and ethos. On the other hand, unionist attitudes and practices have denied the right of nationalists to meaningful political expression of their identity and ethos.
  - (11) The basic approach of British policy has created negative consequences. It has shown a disregard of the identity and ethos of nationalists. In effect, it has underwritten the supremacy in Northern Ireland of the unionist identity. Before there can be fundamental progress Britain must re-assess its position and responsibility.

**5.2** Having considered these realities the Forum proposes the following as necessary elements of a framework within which a new Ireland could emerge:-

- (1) A fundamental criterion of any new structures and processes must be that they will provide lasting peace and stability. 26
- (2) Attempts from any quarter to impose a particular solution through violence must be rejected along with the proponents of such methods. It must be recognised that the new Ireland which the Forum seeks can come about only through agreement and must have a democratic basis.
- (3) Agreement means that the political arrangements for a new and sovereign Ireland would have to be freely negotiated and agreed to by the people of the North and by the people of the South.
- (4) The validity of both the nationalist and unionist identities in Ireland and the democratic rights of every citizen on this island must be accepted; both of these identities must have equally satisfactory, secure and durable, political, administrative and symbolic expression and protection.
- (5) Lasting stability can be found only in the context of new structures in which no tradition will be allowed to dominate the other, in which there will be equal rights and opportunities for all, and in which there will be provision for formal and effective guarantees for the protection of individual human rights and of the communal and cultural rights of both nationalists and unionists.
- (6) Civil and religious liberties and rights must be guaranteed and there can be no discrimination or preference in laws or administrative practices, on grounds of religious belief or affiliation; government and administration must be sensitive to minority beliefs and attitudes and seek consensus.
- (7) New arrangements must provide structures and institutions including security structures with which both nationalists and unionists can identify on the basis of

political consensus; such arrangements must overcome alienation in Northern Ireland and strengthen stability and security for all the people of Ireland.

- (8) New arrangements must ensure the maintenance of economic and social standards and facilitate, where appropriate, integrated economic development, North and South. The macro-economic and financial implications are dealt with in the study by DKM Economic Consultants published with this Report, which is based on a range of assumptions with regard to the availability of external financial transfers.
- (9) The cultural and linguistic diversity of the people of all traditions, North and South, must be preserved and fostered as a source of enrichment and vitality.
- (10) Political action is urgently required to halt disillusionment with democratic politics and the slide towards further violence. Britain has a duty to respond *now* in order to ensure that the people of Northern Ireland are not condemned to yet another generation of violence and sterility. The parties in the Forum by their participation in its work have already committed themselves to join in a process directed towards that end.

**5.3** it is clear that the building of a new Ireland will require the participation and co-operation of all the people of Ireland. In particular, it is evident that the people of the South must whole-heartedly commit themselves and the necessary resources to this objective. The parties in the Forum are ready to face up to this challenge and to accommodate the realities and meet the requirements identified by the Forum. However, Britain must help to create the conditions which will allow this process to begin. The British Government have a duty to join in developing the necessary process that will recognise these realities and give effect to these requirements and thus promote reconciliation between the two major traditions in Ireland, and to make the required investment of political will and resources. The British and Irish Governments should enter into discussions to create the framework and atmosphere necessary for this purpose.

**5.4** Among the fundamental realities the Forum has identified is the desire of nationalists for a united Ireland in the form of a sovereign, independent Irish state to be achieved peacefully and by consent. The Forum recognises that such a form of unity would require a general and explicit acknowledgement of a broader and more comprehensive Irish identity. Such unity would, of course, be different from both the existing Irish State and the existing arrangements in Northern Ireland because it would necessarily accommodate all the fundamental elements in both traditions.

**5.5** The Parties in the Forum are convinced that such unity in agreement would offer the best and most durable basis for peace and stability. In particular, it would have a number of advantages and attractions:

- it would restore the historic integrity of Ireland and end the divisions in the country.
- It would enable both traditions to rediscover and foster the best and most positive elements in their heritages.
- It would provide the most promising framework for mutual interaction and enrichment between the two traditions.
- It would give unionists the clearest sense that all of Ireland, in all its dimensions, and not just Northern Ireland, is their inheritance and the opportunity to share in the leadership and to shape the future of a new Ireland.

- It would end the alienation and deep sense of injustice felt by nationalists.
- It would provide a framework within which agreed institutions could apply economic policies suited to the particular and largely similar circumstances and interests of both parts of the country, and in which economies of scale and the possibilities of integrated planning could be fully exploited.
- It would best allow for the advancement internationally of the particular and largely common interests of Ireland, North and South and for the contribution, based on distinctive shared values, which the people of all traditions can make to the European and international communities.
- It would end the dissipation of energies in wasteful divisions and redirect efforts towards constructive endeavour, thus giving a major impetus to the social, cultural and economic development of the entire country.

**5.6** The Parties in the Forum will continue to work by peaceful means to achieve Irish unity in agreement. There are many varying constitutional and other structures of political unity to be found throughout the world, for example, Australia, France, Italy, Spain, Switzerland and the United States of America which recognise to the extent necessary the diversity as well as the unity of the people concerned and ensure constitutional stability. It is essential that any structures for a new Ireland must meet both these criteria.

**5.7** The particular structure of political unity which the Forum would wish to see established is a unitary state, achieved by agreement and consent, embracing the whole island of Ireland and providing irrevocable guarantees for the protection and preservation of both the unionist and nationalist identities. A unitary state on which agreement had been reached would also provide the ideal framework for the constructive interaction of the diverse cultures and values of the people of Ireland. A broad outline of such a unitary state is set out in Chapter 6.

**5.8** Constitutional nationalists fully accept that they alone could not determine the structures of Irish unity and that it is essential to have unionist agreement and participation in devising such structures and in formulating the guarantees they required. In line with this view, the Forum believes that the best people to identify the interests of the unionist tradition are the unionist people themselves. It would thus be essential that they should negotiate their role in any arrangements which would embody Irish unity. It would be for the British and Irish governments to create the framework and atmosphere within which such negotiations could take place.

**5.9** The Forum in the course of its work, in both public and private sessions, received proposals as to how unionist and nationalist identities and interests could be accommodated in different ways and in varying degrees in a new Ireland. The Forum gave careful consideration to these proposals. In addition to the unitary state, two structural arrangements were examined in some detail - a federal/confederal state and joint authority - and a broad outline of these are set out in Chapters 7 and 8.

**5.10** The Parties in the Forum also remain open to discuss other views which may contribute to political development.

## **CHAPTER 6**

## UNITARY STATE

**6.1** A unitary state would embrace the island of Ireland governed as a single unit under one government and one parliament elected by all the people of the island. It would seek to unite in agreement the two major identities and traditions in Ireland. The democratic basis of a unitary state in Ireland has always existed in modern times. Historically up to 1922 Ireland was governed as a single unit and prior to the Act of Union in 1801 was constitutionally a separate and theoretically equal kingdom. Such a state would represent a constitutional change of such magnitude as to require a new constitution that would be non-denominational. This constitution could only be formulated at an all-round constitutional conference convened by the British and Irish Governments. Such a constitution would contain clauses which would guarantee civil and religious liberties to all the citizens of the state on a basis that would entail no alteration nor diminution of the provisions in respect of civil and religious liberties which apply at present to the citizens of Northern Ireland. These guarantees could not subsequently be changed, except in accordance with special procedures.

**6.2** The rights of all citizens would be guaranteed in the constitution. Reinforcing guarantees would incorporate in the constitution the clauses of the European Convention on Human Rights with a right of access to the European Court of Human Rights.

**6.3** In a unitary state, there would be a single legal and judicial system throughout the island. The study by Professors Boyle and Greer, *The Legal Systems, North and South* shows that there would be no significant technical obstacle to the creation of a unified legal system.

**6.4** Political and administrative arrangements in a unitary state would be devised to ensure that unionists would not be denied power or influence in a state where nationalists would be in a majority. For example, provision could be made for weighted majorities in the Parliament in regard to legislation effecting changes in provisions on issues agreed to be fundamental at the establishment of the new state. In the Senate unionists could be guaranteed a minimum number of seats. The powers of the Senate could include effective blocking powers in regard to the issues agreed to be fundamental. Mechanisms for ensuring full Northern participation in an integrated Irish civil service would have to be devised.

**6.5** A unitary state would have a single police service recruited from the whole island so designed that both nationalists and unionists could identify with it on the basis of political consensus.

**6.6** A redefined relationship between Britain and Ireland would take account of the unionist sense of Britishness. In a unitary state, persons in Ireland, North and South, who at present hold British citizenship would continue to have such citizenship and could pass it on to their children without prejudice to the status of Irish citizenship which they would automatically acquire. The state could develop structures, relationships and associations with Britain which could include an Irish-British Council with intergovernmental and interparliamentary structures which would acknowledge the unique relationship between Ireland and Britain and which would provide expression of the long-established connections which unionists have with Britain.

**6.7** All the cultural traditions in Ireland, North and South, would be guaranteed full expression and encouragement. The educational system would reflect the two main traditions on the island. The Irish language and culture would continue to be fostered by the state, and would be made more accessible to everyone in Ireland without any compulsion or imposition on any section.

**6.8** A unitary state achieved by agreement between the nationalist and unionist traditions would for the first time allow full participation by all traditions in the affairs of the island. This would require a general and more explicit acknowledgement of a broader and more comprehensive Irish identity. A unitary state would promote administrative and economic efficiency in the island by ending duplication and separate planning and investment programmes and by facilitating integrated promotion of investment, exports and tourism. Natural resources, oil, gas and minerals will be developed for the benefit of all the people of Ireland and could make a significant contribution to securing the economic basis of the state. With no scope for conflicts of jurisdiction and with single taxation and currency systems, the implementation of an integrated economic policy suitable to the largely similar needs of the economies, North and South, would be facilitated, with consequent benefit. Integrated economic policies would ensure a united voice in advancing vital interests of both parts of Ireland, especially in the European Community, within which both North and South have common interests in areas such as agriculture and regional policy which diverge from the interests of Britain.

## **CHAPTER 7**

### **FEDERAL/CONFEDERAL STATE**

**7.1** A two state federal/confederal Ireland based on the existing identities, North and South, would reflect the political and administrative realities of the past 60 years and would entrench a measure of autonomy for both parts of Ireland within an all-Ireland framework. While protecting and fostering the identities and ethos of the two traditions, it would enable them to work together in the common interest.

**7.2** A federal/confederal constitution would be non-denominational and capable of alteration only by special procedures. There would be safeguards within each state and in the country as a whole for the protection of individual and minority rights. There would be a federal/confederal Supreme Court to interpret the constitution and to adjudicate on any conflicts of jurisdiction between federal/confederal and state governments, which could be made up of an uneven number of judges, one of whom could be from another country - possibly a Member State of the European Community - with the remaining judges coming in equal numbers from North and South. There would either be a special Bill of Rights or, alternatively, all the rights already defined and accepted in international conventions to which Ireland and the UK are signatories would be incorporated in the new federal or confederal constitution. This constitution could only be formulated at an all-round constitutional conference convened by the British and Irish governments.

**7.3** In a federation, residual power would rest with the central government. Certain powers would be vested in the two individual states. A confederation would comprise the two states which would delegate certain specified powers to a confederal government.

**7.4** In a federal/confederal arrangement, each state would have its own parliament and executive. Authority for security would be vested in the federal/confederal government in order to gain widespread acceptability and to ensure that the law and order functions were administered in the most effective and impartial manner.

**7.5** In a federation, the federal parliament could have one or two chambers, a House of Representatives, and/or a Senate. Laws relating to previously agreed fundamental issues could be passed only if they received the support of a weighted majority of the Senate in a two chamber system or of the House of Representatives in a one chamber system. The

federal government would be approved by and be responsible to the federal parliament. The powers held at the federal level would be a matter for negotiation but in an Irish context matters such as agriculture, industry, energy, transport, industrial promotion and marketing might be more efficiently administered on an island basis at federal level, while other services such as education, health, housing and social welfare might best be administered by the individual states. The functions of Head of State could be carried out by a President, the office alternating between persons representative of the Northern and Southern states.

**7.6** In a confederal arrangement, the powers held at the centre could be relatively limited (for example, foreign policy, external and internal security policy and perhaps currency and monetary policy), requiring a less elaborate parliamentary structure at the confederal level. It might suffice to have an arrangement whereby the representatives of the two states would determine jointly issues of policy relating to the powers of the confederation. The decisions taken by the confederation would, as appropriate, e.g. implementation of EEC directives, fall to be implemented by the authorities in the individual states.

**7.7** A federal/confederal arrangement would, in particular, provide institutions giving unionists effective power and influence in a new Ireland. The Northern parliament would have powers which could not be removed by an Act of another parliament. Existing civil and religious rights in the North would be unaffected. With a federal/confederal framework unionists would have parallel British citizenship and could maintain special links with Britain. Mechanisms for ensuring full Northern participation in the federal/confederal civil service would have to be devised. Provision would be made for the full recognition and symbolic expression of both traditions.

**7.8** A federal/confederal arrangement would allow the retention within the North and South of many laws and practices reflecting the development of both areas over the past 60 years. All the cultural traditions in Ireland, North and South, would be guaranteed full expression and encouragement.

**7.9** A federal/confederal arrangement would allow all those living on the island to share and give expression to the common aspects of their identity while at the same time maintaining and protecting their separate beliefs and way of life. The central authority would promote their common interests while the state authorities protected individual interests.

## **CHAPTER 8**

### **JOINT AUTHORITY**

**8.1** Under joint authority, the London and Dublin governments would have equal responsibility for all aspects of the government of Northern Ireland. This arrangement would accord equal validity to the two traditions in Northern Ireland and would reflect the current reality that the people of the North are divided in their allegiances. The two governments, building on existing links and in consultation with nationalist and unionist opinion, would establish joint authority designed to ensure a stable and secure system of government.

**8.2** Joint authority would give political, symbolic and administrative expression of their identity to Northern nationalists without infringing the parallel wish of unionists to maintain and to have full operational expression of their identity. It would be an unprecedented approach to the unique realities that have evolved within Ireland and between Britain and Ireland.

**8.3** Joint authority would involve shared rule by the British and Irish Governments. Although this could be exercised directly, there would be enabling provision for the exercise of major powers by a locally elected Assembly and Executive.

**8.4** There would be full and formal recognition and symbolic expression of British and of Irish identity in Northern Ireland and promotion of the cultural expression of the two identities. Joint citizenship rights would be conferred automatically on all persons living in Northern Ireland, resulting in no diminution of the existing rights of Irish or British citizenship of persons living in Northern Ireland.

**8.5** A comprehensive and enforceable non-denominational Bill of Rights for Northern Ireland would be promulgated ensuring the protection of both individual and communal rights and freedoms.

**8.6** The overall level of public expenditure would be determined by the two Governments. Problems of external representation of Northern Ireland would be resolved between the two Governments.

**8.7** Under joint authority the two traditions in Northern Ireland would find themselves on a basis of equality and both would be able to find an expression of their identity in the new institutions. There would be no diminution of the Britishness of the unionist population. Their identity, ethos and link with Britain would be assured by the authority and presence of the British Government in the Joint authority arrangements. At the same time it would resolve one basic defect of (a) the failed 1920-25 attempt to settle the Irish Question and (b) the present arrangements for the government of Northern Ireland - the failure to give satisfactory political, symbolic and administrative expression to Northern nationalists. Structures would thus be provided with which the nationalists in the North could identify, which might reverse their progressive alienation from existing structures. Security arrangements in which for the first time both nationalists and unionists could have confidence could be developed, thus providing a basis for peace and order. The climate would thus be created for the emergence of normal political life, of compromise and of mutual confidence based on security in the reciprocal acceptance of identity and interests.

## **APPENDIX I**

### **ORAL PRESENTATIONS**

Proceedings of Public Sessions at which Oral Presentations were made.

<i>Volume Number</i>	<i>Presenters</i>
No. 2	Sir Charles Carter; Prof. Loudon Ryan (21 September, 1983).
No. 3	Mr. Seán McBride; Rev. Fr. Brian Lennon SJ; Prof. David Harkness; Mr. Hugh Munro (4 October, 1983).
No. 4	Mr. Robin Glendinning; Sen. John Robb; Mr. Michael McKeown (5 October, 1983).



- No. 5 Sir John Biggs-Davison MP; Northern Ireland Cross-Community Professional Group; Mr. Desmond Fennell (6 October, 1983).
- No. 6 Dr. Roy Johnston; An tUasal Labhrás Ó Murchú, Comhaltas Ceoltóirí Éireann; Mr. Frank Curran; Col. Eoghan Ó Neill; An tUasal Micheál Ó Loingsigh, Irish Sovereignty Movement (11 October, 1983).
- No. 7 Rev. Sydney Callaghan (20 October, 1983).
- No. 8 Rev. Dr. W. T. McDowell, Synod of Dublin, Presbyterian Church in Ireland; Mr. Michael O'Flanagan and Mr. Michael O'Mahony, Federalism and Peace Movement (3 November, 1983).
- No. 9 Women's Law and Research Group; Very Rev. Dr. S. J. Park (17 November, 1983).
- No. 10 Church of Ireland; Dr. Richard Kearney and Dr. Bernard Cullen; Dr. George Gordon Dallas; Mr. David Roche and Mr. Brian Gallagher, Irish Information Partnership (8 December, 1983).
- No. 11 Mrs. Sylvia Meehan; Messrs. Christopher and Michael McGimpsey; Mr. Clive Soley MP; Belfast Group of Unionists (19 January, 1984).
- No. 12 Irish Episcopal Conference (9 February, 1984).

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CAIN contains information and source material on the conflict and politics in Northern Ireland.  
CAIN is based within the University of Ulster.



**DELIVERED BY HAND TO LEINSTER HOUSE ALONG WITH ACCOMPANYING  
LEVER ARCH FILE**

26 January 2017

The Pat Finucane Centre  
7 College Street  
Armagh  
BT61 9BT

Dear Senator Daly,

**INTRODUCTION:**

The Pat Finucane Centre is a non-party political, anti-sectarian human rights group advocating a non-violent resolution of the conflict on the island of Ireland. We believe that all participants to the conflict have violated human rights.

The PFC asserts that the failure by the British state to uphold universal human rights, that "all are equal before the law and are entitled without any discrimination to equal protection of the law", is the single most important explanation for the initiation and perpetuation of violent conflict.

The mission of the PFC is to support the right to truth of every victim and survivor of the conflict through innovative and creative processes designed to meet their needs. The core values of the PFC are honesty, empowerment, respect and being victim-centred.

We also work on researching and analysing declassified documents and what they indicate about official responses to the conflict in Ireland. This work is fact-based. We follow the paper trail wherever it leads.

**YOUR REQUEST:**

Your request to Anne Cadwallader, and by extension her PFC colleagues, was as follows:

**What percentage of the attacks by loyalist paramilitaries during the conflict was carried out with the aid, assistance or guidance of British security forces?**

## OUR RESPONSE:

The PFC is confident that the loyalist capacity for violence was greatly enhanced by the encouragement or direct support afforded by elements within British military intelligence and RUC Special Branch throughout the conflict, from its start to its conclusion.

We believe successive British governments were aware of this collusion and took little or no action to prevent it. We also believe elements within the British political and security establishments actively encouraged collusion. We are unable, however, to give you an accurate percentage – and doubt this is, in fact, possible.

Aside from the obvious outcome (the deaths of many individuals north and south of the border) London's primary security focus on republican violence, and its encouragement of loyalist violence, led to another outcome - a huge fear in the Republic, and resulting political imperative to prevent loyalist violence spreading across the border.

Loyalist violence led to a perception in the south that any moves towards a unitary state, however tentative, would inevitably result in a fierce backlash south of the border. This has influenced public opinion and government policy for over 40 years.

In Britain, fear of loyalist violence led to the "bloodbath theory", i.e. a belief in the inevitability that loyalists would wage an outright civil war against a defenceless Catholic minority, in the event of Britain even hinting at a declaration of intent to withdraw. Again, this public perception has greatly influenced British government policy.

The PFC claims these policy outcomes were intentional on the part of elements within the British political and security establishments - but we do not say this lightly. These conclusions are the result of 15 years work and are based in hard factual evidence which we invite you and your colleagues to assess.

We also invite your committee to consider:

- (a) my own work (*Lethal Allies: British Collusion in Ireland*, Mercier Press, 2013)
- (b) the work of my colleague at Justice for the Forgotten, based in Dublin, Margaret Urwin (*A State in Denial: British Collaboration with Loyalist Paramilitaries*, Mercier Press, 2016)
- (c) A thesis written by Alan Brecknell and Paul O'Connor (my colleagues at the PFC): "*British counter-insurgency practice in Northern Ireland in the 1970s – a legitimate response or terror?*" (from "*Counter-Terrorism and State Political Violence: The 'War on Terror' as Terror*" (2013, edited by Scott Poynting and David Whyte).

In the assumption that not all members of your committee will find all this reading possible, however, I am writing this short paper.

## NOTE ON SOURCES:

The information (much of which is attached) upon which we base our conclusions comes from various official sources which we list here:

- A. The National Archives of the United Kingdom (henceforth "NAUK" with references, eg, written as follows: DEFE24/835)

B. The various reports of the Barron Inquiries into the Dublin/Monaghan bombings and other attacks south of the border

C. Scrutiny and analysis of the Barron Reports by the Joint Oireachtas Committee on Justice, Equality, Defence and Women's Rights

D. Various reports written by the Historical Enquiries Team (henceforth "HET") of the Police Service of Northern Ireland (henceforth "PSNI") which, in turn, used information found in the closed (to the public) archives of the Royal Ulster Constabulary (henceforth "RUC")

E. Reports by the Office of the Ombudsman for Northern Ireland (henceforth "OPONI")

F. Open sources such as newspaper archives, BBC and other broadcasting reports etc.

### **METHODOLOGY OF OUR RESPONSE:**

We divide our statements and supporting evidence into 14 main sections. Each will be illustrated and documents substantiating will be either described or attached in the accompanying lever-arch file and coloured dividers.

### **SUMMARY OF PFC FINDINGS:**

The **Ulster Defence Regiment** (henceforth "UDR") was the largest regiment at the time in the British Army. The PFC can demonstrate that it was established with prior knowledge it would be infiltrated by loyalist paramilitaries. This resulted in the training and arming of one section of the community in NI. London also knew that intelligence would pass, and did pass, from the UDR to loyalist paramilitaries

London took no effective action to vet UDR recruits to prevent known or suspected loyalists from joining the regiment and thus gaining access to training, arms and intelligence. London knew there was widespread and systemic collusion between members of the UDR and RUC with loyalist paramilitaries.

Despite this, London expanded the numerical strength of the UDR; its geographical deployment into particularly sensitive areas (e.g. South Armagh) and its role into intelligence-gathering.

London tolerated the existence of the **Ulster Defence Association** (henceforth "UDA") throughout the conflict, until 1992, when it was banned, knowing it was directly involved in violent actions against the nationalist community and that the organisation styling itself the "Ulster Freedom Fighters" did not exist.

London covertly held talks with both the UDA and **Ulster Volunteer Force** (henceforth "UVF") throughout the conflict, even in the teeth of the Dublin/Monaghan bombings, the single largest loss of life during the conflict.

Although much of our findings relates to the 1970s, we can demonstrate that collusion persisted throughout the conflict by referring, *inter alia*, to much later involvement by British military intelligence in facilitating the arming of loyalists with weapons imported from South Africa – whereby they tripled their kill rate.



One of those centrally involved in handling weapons in both the 1970s and 1980s, for example, was a former RUC Reservist (James Mitchell) whose home was the base for many paramilitary killings in the South Armagh area and a staging post for the Dublin/Monaghan bombings.

Mitchell was arrested (December 1978), convicted (1980) and given a suspended sentence of one year for possession of guns, ammunition and bomb-making material. Yet, in 1987, his property was also used to store the South African weapons – with no RUC officer thinking to search his home until they had been removed by the UDA, UVF and Ulster Resistance.

One of these weapons was used in the 18 June 1994 Loughinisland Massacre at The Heights Bar in which six people were killed (see:

<https://www.policeombudsman.org/PONI/files/17/17aea3d1-c4c6-4f02-8ebc-4eb39af9b168.pdf>). This sorry episode, fully evidenced in the OPONI report, demonstrates a continuum of collusion through the 1970s, 1980s and 1990s.

We also refer to the now-established, extensive infiltration, during the later stages of the conflict, of the UDA in Belfast. This resulted in the murders of many Catholic civilians, including the solicitor Patrick Finucane for which the former British prime minister, David Cameron, has apologised (see:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/246867/0802.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/246867/0802.pdf)). A full, independent inquiry into the murder, as promised by London, remains an dishonoured promise..

All this demonstrates that collusion between loyalists and the security forces was a key factor in the continuing violence from the start of the conflict right up to the IRA 1994 ceasefire.

The PFC contends that the British government knew in the early 1970s, even as the UDR was formed, that it was inevitable active loyalists would enlist for the wrong reasons (the Ministry of Defence euphemistically called it “subversion”). They did so to gain training in the use of firearms, access to firearms and to intelligence on potential targets within the nationalist population.

We attach a key document (we entitle it **Document A**) “Subversion in the UDR” (DEFE/24/835) dated August 1973. We also attach a verbatim account of the same document for ease of reading as the original is of poor quality. This declassified document, to which we will refer extensively, is an internal British Army assessment of loyalist infiltration into the UDR.

An “unspoken” function of the UDR (see below) was to siphon loyalists into the British Army. Therefore dual membership of loyalist groups (such as the UDA) was not sufficient, on its own, to bar or expel members as to do so, it was concluded at the time, would badly affect UDR morale.

The outcome of this policy was that, by 1973, the MoD itself judged that between 5-15% of all UDR soldiers were active loyalists (See Document A: NAUK REF: DEFE24/835). This is, of course, likely to be an underestimate.

London also realised, in the early 1970s, that loyalists were regularly misappropriating weapons from the UDR and were being used by them to kill Catholic civilians.



The British authorities repeatedly, and accurately, referred to these concerns as “collusion”, although they signally failed to take action to prevent it. This was known at the highest levels in London, nevertheless, the role of the UDR was expanded (a) operationally, into intelligence-gathering for example, and (b) geographically into sensitive areas such as South Armagh.

The British government did not make identifying or expelling active loyalists from the UDR a priority – their main concern was that it would become publicly known and the subject of parliamentary questions and, in 1980, seven years on – despite the realisation of all the above points, the UDR was given military precedence in eight sensitive areas.

Having set out our stall, we would now like to point to the evidence upon which we base our conclusions.

## SUPPORTING EVIDENCE

### SECTION ONE – THE UDR

We attach at least one document to demonstrate each of the above points. The documents will (in the main) have full NAUK references but, if they do not, you may be assured they were found in the UK National Archives at Kew and we have the originals on file where they can be inspected.

Other documents and points in this letter (where *italics* are used are not included in the attached file but are available on request from the PFC).

**1. The British government knew in the early 1970s as the UDR was being formed (and it became the largest regiment in the British Army at the time) that it was inevitable that active loyalists would join (they called it “subversion”) for criminal reasons.**

**Document 1 A:** (no NAUK reference) dated 31 July 1972 from BA HQNI to Pownall which states (relevant section highlighted in yellow): “It is inevitable that a part of the Protestant element of a part-time Regiment in Ulster will sympathise with the aims of the UDA ... to the extent of active membership.

“The UDR has to draw a line somewhere between hard-line Protestants who can safely be contained within the UDR and those who cannot” etc ...

#### NOTES:

(a) *The PFC also has on file a document in which a civil servant admits: “There are well-established doubts about the Regiment’s reliability” (NIO letter dated 1 September 1975 from B.M. Webster to Mr. Bourne)*

(b) *We also have on file a document in which a civilian member of the UDR Advisory Council accepts that recruitment will inevitably mean “largely arming one section of the community” (F.G. Guckian 10 September 1971)*

**Document 1 B:** We also have an internal British Army issue note reference A/BR/20201/MO3 E/88/1 dated 10 September 1971 in which reference is made to “retaining a semblance of the non-sectarian image”, showing even the military, this early

on in the conflict, acknowledged privately that the “non-sectarian” nature of the UDR was only a “semblance” – not a reality.

**2. An “unspoken” function of the UDR was to siphon loyalists into the British Army. Therefore dual membership of loyalist groups was not sufficient to bar or expel members**

**Document 2 A:** Same letter as referred to in document 1) above but different section highlighted: “One important but unspoken function ... ” etc

**Document 2 B:** Dated 29 November 1972 from MoD in London saying the same: that “an important function” of the UDR is to channel Protestant energies which might otherwise become “disruptive”.

**Document A:** DEFE24/835 - Of particular note here is page 2: “divided loyalties” are “marked”

**3. The outcome of this policy was that, by 1973, London itself judged that between 5-15% of all UDR soldiers were active loyalists.**

**Document 3 A:** DEFE 70/599 – This is a report dated March 1978 on “serious irregularities” at 10 UDR in Belfast where it is admitted that the Battalion has been “infiltrated” by the UVF to whom both money and equipment has been passed.

This was at the time the UVF “Shankill Butchers Gang” was abducting, torturing and murdering Catholic civilians, and others, in the area where 10 UDR was deployed. This hard-core UVF unit had been active in Girdwood over several years. Full document available on request. One of the Shankill Butchers, Edward McIlwaine, was a member of the UDR.

**Document 3 B:** DEFE 24/822 – This details a massive arms raid on Lurgan joint TAVR/UDR base in October 1972 in which collusion (second page) is suspected.

**Document A:** DEFE24/835 - “Subversion in the UDR”, point 10 which is highlighted in yellow in which the writer assesses that between 5 and 15% of ALL UDR soldiers are active paramilitaries.

**4. London also realised in the early 1970s that weapons were being misappropriated by loyalists and used to kill**

**Document 4 A:** DEFE 24/822 – A summary of “weapons losses” in which (page 2) it is stated that “in a number of cases collusion is suspected”

**Document 4 B:** DEFE 24/822 – this relates to a parliamentary question from Bernadette Devlin and is included to show how many weapons were going missing as early as 1972.

**Document 4 C:** DEFE 24/1479 – Acknowledged collusion in raid on Magherafelt UDR base June 1975. This is a full three years after the massive raid on the Lurgan TAVR/UDR base and shows little had been done in the years intervening after the above documents to prevent wholesale theft.



**Document A:** DEFE24/835) “Subversion in the UDR”, point 11, which acknowledges that the “**best single source of weapons (and the only significant source of modern weapons) for Protestant extremist groups has been the UDR**” (our emphasis).

Plus see point 10 of **Document A** DEFE24/835 where it is accepted that loyalists in the UDR will conspire to leak arms and ammunition to “Protestant extremist groups”.

**Documents 4 D, E, F and G:** Three extracts from HET reports establish that weapons taken from the UDR were used to kill Catholic civilians (and a declassified document on a raid at a UDR armoury in 1973).

The three HET extracts are taken from inquiries into the murders of:

(D) Martin McVeigh in Portadown on 3 April 1975 where the HET says there were suspicions that the raiders who took the weapon used to kill him had “inside knowledge and assistance”

(E) Terence McCafferty in Belfast on 31 January 1974 where a “stolen” UDR weapon was used (the same weapon was used to kill Henry Cunningham, a Presbyterian from County Donegal on 9 August 1973)

(F) Denis Mullen in Collegelands on 1 September 1975 (this gun was taken from the UDR base at Glenanne, South Armagh, and used to kill a total of 11 people in the space of 11 months– the HET could find no evidence of any investigation, military or RUC, into its loss PLUS

(G) NAUK DEFE 24/822 - Account of a raid on UDR armoury 23 October 1973

These three HET extracts (and NAUK DEFE 24/822) are provided to establish that stolen UDR weapons were used to kill all three of these Catholic civilians (and a fourth, a Protestant). Note: The murder weapon used to kill Denis Mullen was also used to kill ten other people (Peter and Jenny McKearney, Brian, John-Martin and Anthony Reavey, Fred McLoughlin, Patsy McNeice, Patsy Donnelly, Michael Donnelly and Trevor Brecknell).

## **5. The British Army, at the time, correctly and repeatedly identified this as “collusion”**

The use of the word “collusion” occurs frequently in contemporaneous documents.

**Document 5 A:** Dated 7 August 1972 DEFE 24/822 uses the word “collusion” twice in rapid succession indicating how frequently it was used at the time.

**Document 5 B:** DEFE 24/822 – This document again uses the word “collusion” twice and is one of a regular series of monthly reports on how many weapons were being misappropriated and that collusion was the most frequent explanation.

*Note: Weapons went “missing” so frequently that a British officer considered it worthwhile noting, in November 1972, that no weapons had gone missing in the previous week. Document available on request.*

## **6. Members of the UDR were involved in loyalist activity including murder throughout the 1970s**

**Document 6 A:** Extracts from Lethal Allies (pages 50, 60, 64, 77 and 103 citing examples where UDR soldiers were involved in murder (many more available) – see **yellow highlighted** sections.



**Document 6 B:** Appendix from "Lethal Allies" identifies 11 either former or serving UDR members involved in murder and other paramilitary activities.

**Document 6C:** Cutting from *The Irish News* dated 1 July 1991 showing a 9.1% incidence of crime per 100,000 compared to 5.9% of the community as a whole.

## **7. This was known at the highest levels in London**

**Document 7:** This key document establishes that knowledge of loyalist infiltration of the UDR was acknowledged not just at a high level in the MoD but at the highest political level – at Cabinet level – by 1975.

PREM 16/520 - Letter dated 11 September 1975 records a meeting involving the then British Prime Minister (Harold Wilson), the SOS NI (Merlyn Rees) Margaret Thatcher (then newly-elected leader of the opposition Conservative Party) and Airey Neave (her advisor on NI).

Highlighted in **yellow**, page 3 – It was the British Army's judgement that the "UDR were heavily infiltrated by extremist Protestants and that in a crisis situation they could not be relied upon to be loyal". The document also records that some in the RUC were considered to be too close to the UVF and leaked information to Ian Paisley.

## **8. Nevertheless, the role of the UDR was expanded:**

**(A) geographically into sensitive areas such as South Armagh and**

**(B) operationally into intelligence-gathering.**

**Document 8 A (i):** Security Review Meeting 13 January 1976: (page 4 – see highlighted section). This meeting was exclusively called to discuss the deteriorating security situation in Armagh and it was decided to triple UDR numbers on the ground by day and nearly double their numbers by night.

*(Note: We also have newspaper articles – available on request – citing the then deputy leader of the SDLP, Seamus Mallon, opposing the expansion of the UDR's role into South Armagh. See page 142 of "Lethal Allies" quoting Seamus Mallon saying it was: "... utter and dangerous madness ... it should not even be contemplated using them in a full-time capacity in South Armagh".)*

**Document 8 A (ii):** CJ 4/1307: (page 3, highlighted in **yellow**) dated 7 January 1976 (three days after the Reavey/O'Dowd murders and two days after the Kingsmills killings) in which one option (eventually adopted) is to extend the call-out of the UDR on a semi-permanent basis.

**Document 8 A (iii):** Minutes of a meeting held in 10 Downing Street in which (page 2) it is recorded that two battalions of the UDR are to be deployed into Armagh

**Document 8 B (i):** DEFE 13/835 – Proposals in April 1974 to extend the UDR's role into intelligence-gathering discussed and deferred as there were perceived dangers if this role was implemented "too ostentatiously".

This new role for the UDR is not to be announced - see highlighted reference on page 3.

**Document 8 B (ii):** DEFE – Acceptance in October 1974 (six months after the deferral above) it is decided to extend the UDR's role into intelligence on the "understanding that the new arrangements are made as discreetly as possible", ie covered-up.

**9. The British Army did not make identifying or expelling active loyalists from the UDR a priority – their main concern was that it would become publicly known.**

**Document A:** DEFE24/835 "Subversion in the UDR": page 3 – highlighted section points 7 and 8 – shows that identifying collusion was not a priority although it was accepted that intelligence in this area was poor. The document notes that some members live double-lives and membership by a UDR man of loyalist paramilitary groups is not thought worth noting. It also notes that the vetting system is unlikely to reveal all those with dual membership.

**Document 9 A:** Letter dated 24 June 1974 from NIO London to A. G. Rucker in which it is stated (highlighted) that there is "no intention of recruiting or encouraging members of the UDR to inform on any subversive elements within the Regiment".

**Document 9 B:** Memo dated 17 July 1972 from Lt. Col. J. Pownall to John Rowe re "UDR - membership of the UDA". Highlighted section shows that the Under-Secretary of State (Army) was concerned about UDA membership of UDR and regimental weapons "being made available" to the UDA because "sooner or later it would become public knowledge". A "Private Eye" article is mentioned (attached) and potential embarrassing Parliamentary Questions.

Pownall, in considering future action (page 2), muses on the risk to morale, recruitment and political embarrassment caused if UDR members were told their dual membership of the UDA posed a problem.

**10. Seven years on, in 1980, despite all the above being known, the UDR was given military precedence in sensitive areas.**

**Document 10:** CJ4/3064 (Future Organisation of the UDR) dated 30 May 1980 – This document shows – seven years on from "Subversion in the UDR" - that the UDR was given military primacy over the regular British Army in eight areas on a 24-hour basis. Page 4 makes it clear the local UDR commander is the local military commander.

Further down the page, the writer accepts that most UDR soldiers are Protestants and (over the page) that a key function of the UDR is as a "political safety valve". Once again, the political function of the UDR is emphasised with the writer identifying the "political need" for the UDR as "a controlled outlet for Loyalists wishing to make a contribution" as "ineradicable".

**11. London took no effective action to vet UDR recruits to prevent known or suspected loyalists from joining the regiment and thus gaining access to training, arms and intelligence**

Although the MoD/RUC engaged in a form of security vetting, prior to accepting anyone into the UDR, two points need to be made:

A. Civil servants suspected the RUC were doctoring criminal records to facilitate those with loyalist links to be accepted into the UDR

B. The MoD “relaxed” the screening and deliberately kept that decision secret.

Two letters establish this:

**Document 11 A:** Dated 15 May 1974, a lieutenant colonel tells a civil servant in the Ministry of Defence that ‘the RUC may have attempted on some occasions deliberately to conceal criminal records’ (to facilitate recruitment into the regiment), a fact he finds ‘very disturbing’.

**Document 11 B:** Dated 15 July 1974, a different civil servant admits ‘some relaxation of security screening for UDR’ recruits and that ‘If news of this ... were to leak out ... it could be distinctly awkward.’ NAUK DEFE 24/875.

## SECTION TWO – THE NON-PROSCRIPTION OF THE UDA

**12. London tolerated the existence of the Ulster Defence Association throughout the conflict, until 1992, when it was banned, knowing it was directly involved in violent actions against the nationalist community and that the organisation styling itself the “Ulster Freedom Fighters” did not exist.**

The British authorities were well aware that the “Ulster Freedom Fighters” (UFF) was nothing more than a *nom de guerre* for the UDA. This is the subject of pages.163-4 (Chapter 7) in *A State in Denial* (also see p.251, Chapter 10, for Sir Desmond de Silva’s remarks about the UFF).

We attach the front page and two pages of a NAUK document (labelled 12A and 12B) dated 2 September 1976 illustrating this. The document is one of the regular internal British assessments of the relative strengths of the different paramilitary groups in Northern Ireland.

**Document 12A:** Reads, in part: “It [the UDA] tries to maintain a respectable front and, to this end, either denies responsibility for sectarian murders and terrorist bombings or claims them in the name of the ULSTER FREEDOM FIGHTERS (UFF), a proscribed and essentially fictitious organisation which is widely known to be a *nom de guerre* of the UDA”.

**Document 12B:** refers to the UDA’s self-styled “Supreme Commander”, Andy Tyrie, who is characterised as follows:

“TYRIE is ... not averse to killing Catholics, even those who have no Republican connections, if he thinks it necessary at any particular point in time”.

The PFC contends the two extracts from this declassified internal British assessment show that London knew that the UDA was involved in paramilitary activity and that its leader, Tyrie, also supported sectarian murder and that the UFF did not exist as a separate organisation.

**Document 12 C:** CJ4/3963 Dated 5 June 1981 - “Proscription of the UDA”. In this document, the Secretary of State for NI records that members of the security forces had “access” to UDA members who “were also active in terrorism”. He also records his decision not to proscribe the UDA, on the advice of the Chief Constable, despite a discovery of arms at UDA headquarters and that the British government would “not appear



impartial". He urges the Chief Constable to take action to place the government in a "better light" and minimise the [negative] effect of his failure to proscribe the UDA.

**Document 12 D:** CJ4/4198 - Note from C. Davenport, Law and Order Division (sic.) dated 22 September 1981 in which Davenport says the civil service have "always regarded the existence" of UDA denials of responsibility for sectarian murder (in this case of Eugene Mulholland) as "more important than their accuracy".

This shows that the upper echelons of the British civil service were well aware that UDA denials of responsibility were inaccurate but chose to accept them rather than tackle proscription. This document also cites Gerry Fitt as saying the proscription of the UDA "should be the new Secretary of State's 'most urgent task'".

**Document 12 E:** CJ4/4198 dated 12 January 1982 – Note from one senior civil servant, Mr. Boys Smith, to another, Mr. Buxton, of a meeting with the Chief Constable, Sir John Hermon. It records Sir John wanting the UDA "brought into the political fold" while simultaneously advising that the same group, the UDA, had decided to "adopt a more violent tactic".

### **SECTION THREE – COVERT ADVICT TO THE UVF**

**13. London de-proscribed the UVF around the time of the Dublin/Monaghan bombings and covertly held talks with the UVF in the immediate aftermath of the bombings, in the knowledge that the UVF was responsible**

**Throughout the conflict London held covert meetings with both the UDA and UVF, listened to their grievances and, on occasion, moved to assist them in their aims and objectives.**

Evidence for collusion between loyalists and British state forces in the Dublin/Monaghan bombings, and other attacks in the Republic, is included in the "Barron Reports".

There were four Barron Reports in total: one on Dublin/Monaghan/John Francis Green (December 2003); one on the Dublin bombings of 1972/73 and Belturbet bombings etc. (November 2004); one on the killing of Seamus Ludlow (November 2005); and one on Kay's Tavern and Donnelly's Bar, and other attacks in Castleblayney, Dublin Airport, Miami Showband and others in the Murder Triangle (July 2006). All four reports are available at Justice for the Forgotten's website:

<http://www.dublinmonaghanbombings.org/index2.html>

For further details on London's links with the UVF at the time it carried out the Dublin/Monaghan bombings, see pp.106-18 (Chapter 5) of *A State in Denial*.

Also see **Document 13 A:** (attached: NAUK CJ4/1919: First page of a meeting between Minister of State, Stan Orme and NIO officials with UVF leaders on 15 May 1974). This document shows the British side anxious to assist the UVF delegation in their wish to get the UVF de-proscribed so they can stand in elections.

Two days later, the UVF bombed Dublin/Monaghan. Plans to do so must have been well in train on the day of this meeting.

**Also see Document 13 B:** CJ4/2038 - Account of a meeting between Mr. Gibson (UVF) and Mr. Allen (NIO) and Mr. Michael Oatley (MI5/NIO) on 23 May 1974, six days after the Dublin/Monaghan bombings) and the same day as the de-proscribing of the UVF came into effect.

The astonishing aspect of this document is the evidence it gives of the meeting's timing. London MUST have known, six days after the Dublin/Monaghan bombings, that the UVF had been centrally-involved. Yet a senior NIO civil servant sat down to discuss the UVF with its leading members.

During this meeting, the UVF side averred that they "certainly did not advocate violence" and said they were "desperately searching for assistance in the form of a policy" they could "sell" in paramilitary and Ulster Workers' Council circles. *Inter alia*, Allen refers to loyalists as a "bunch of pretty unintelligent men".

It is worth drawing attention here to the conclusions of Mr. Justice Henry Barron, in his first report on the Dublin/Monaghan bombings, that: "It was 'neither fanciful nor absurd' to believe that members of the Northern Ireland security forces could have been involved. It was likely that individual members of the UDR and RUC had participated, or were at least aware at the planning stage".

On 29 November 2006, the Oireachtas Joint Committee on Justice, Equality, Defence and Women's Rights considered the Barron Report on Kay's (and other related attacks). Having considered its findings, it concluded that the evidence produced amounted to "international terrorism".

In more detail, the committee concluded that:

- Information had been withheld from Barron by the RUC, giving rise to "a suspicion" that its actions "were designed to limit information relating to security forces collusion in terrorist activity from reaching the public domain".
- The gang responsible for Dublin/Monaghan "contained members of the RUC and UDR".
- Senior members of the security forces allowed "a climate to develop in which loyalist subversives could believe they could attack with impunity".
- Some loyalists "were reliably said to have had relationships with British intelligence and/or RUC Special Branch and exchanges of information took place".
- People employed by the British state ostensibly to preserve peace and to protect the public were instead "engaged in ... the butchering of innocent victims".
- The British cabinet was then "aware of the level at which the security forces had been infiltrated by terrorists" and that its refusal to act "permitted the problem to grow".

#### **SECTION FOUR – COLLUSION/ENCOURAGEMENT OF LOYALISTS CONTINUES INTO 1980S**

##### **14. Collusion and deep penetration of loyalist groups continued seamlessly from the 1970s into the 1980s.**

**Document 14 A:** PRONI/CENT/3/20A/1986 – Note of meeting at Stormont on 17 June 1986 during which the Chief Constable, Sir John Hermon, says loyalist organisations are "well penetrated and intelligence about their intentions and capabilities remained good". He also says loyalists will continue attacks on Catholic schools and businesses as well as RUC members and moderate Protestants.



**Document 14 B: BBC report dated 28 May 2015.** In this report, Sr. John Stevens, former Chief Constable of the London Metropolitan Police, says that of 210 loyalists arrested during his protracted investigation into the murder of Pat Finucane, all but three were state agents or informers.

The de Silva report into the murder of Patrick Finucane (page 11, paragraph 49) reads: "In 1985, the security service [MI5] assessed that 85% of the UDA's "intelligence" originated from sources within the [British] security forces" (see: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/246867/0802.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/246867/0802.pdf)).

**15. Late on in the conflict, British military intelligence facilitated the arming of loyalists with weapons imported from South Africa – whereby they tripled their "kill rate".**

This was established by NGOs such as Relatives for Justice (*Collusion 1990-1994 Loyalist Paramilitary Murders in North of Ireland*, see: <http://relativesforjustice.com/wp-content/uploads/2012/12/COLLUSION-REPORT-1990-1994-PDF.pdf> and others).

It has now been confirmed by the Office of the Police Ombudsman for Northern Ireland. (See: <https://www.policeombudsman.org/PONI/files/17/17aea3d1-c4c6-4f02-8ebc-4eb39af9b168.pdf>)

## **FURTHER ISSUES:**

### **1. Legally-held weapons:**

The PFC would also be concerned at the relatively high level of legally-held weapons in NI (taking into account RUC-issue weapons, gun licences held for personal protection, sporting gun club members and those used by farmers to control vermin).

We would also be concerned at the level of illegally-held weapons (the outstanding Ulster Resistance arsenal from the South African arms importation of 1986 and other loyalist weapons that were never decommissioned).

Some of these weapons, we have no doubt, are being held for use in the event of what loyalists view as a "Doomsday" situation. This potential for loyalist violence must be of concern to those compiling your report on an eventual move towards a unitary state in Ireland.

Note: Dr. Joe Hendron of the SDLP (and myself, Anne Cadwallader) did some research on this back in the early 1990s. Both of us concurred that there was a far higher level of gun-ownership in Northern Ireland compared to, say, Scotland which has a similar rural/farming population.

These statistics may now be out-of-date, however, and it may be worth your committee commissioning some work on the current position.

Research carried out five years ago by *The Detail* (see <http://www.thedetail.tv/articles/who-owns-northern-ireland-s-153-000-legally-held-guns>) reported PSNI statistics as of 1 March

2012 showing that over 7,000 weapons are owned by serving police officers while 146,000 are in other hands of a further 60,000 private citizens.

## **2. London's continuing denial of collusion:**

The British government has not begun to engage with the realities of collusion or its implications for the future of peace in Britain and Ireland. As the title of Margaret Urwin's book says, Britain is a "State in Denial".

Our concerns arise, firstly, from persistent denials in the House of Commons and elsewhere that those involved in collusion with loyalists was anything more serious than the existence of a few bad apples, a tiny minority, and not a systemic response to the threat posed by the IRA.

If London cannot accept the role played by past members of the security forces (including the British Army, the UDR, the RUC, MI5, the Force Research Unit, the Military Reaction Force and a host of other agencies) then it will be difficult for it to plan for a peaceful transition to a unitary state on the island of Ireland.

We reference here two letters. The first (Attachment B in file) was written by the then Minister of State at the Ministry of Defence, Anna Soubry to Mark Durkan, SDLP MP, in November 2013 when – faced with the evidence she refused to contemplate the possibility that the authorities had not tackled collusion within the UDR.

Evidence that London has not begun to consider the future security implications for loyalist violence further comes in a letter (Attachment C) from Andrew Murrison, MP, then parliamentary under-secretary of state for NI, dated 24 March 2015, where he says he does not "see any evidence that such subversive or collusive behaviour was led or permissioned by the [British] Government. Indeed ... I believe that the evidence suggests the contrary."

This is all indicative of a lack of genuine British engagement in recent Irish history, even amongst those whose direct responsibility includes the record and activities of their own security forces.

If these letters reflect the private view of successive British governments, i.e. that collusion was not systemic and merely the result of a few "rotten apples", they indicate a stony refusal on London's part to face up to the reality exposed by the results of our research.

In turn, this indicates a continuing refusal to consider the implications for the future should the prospect arise of a unitary Irish state.

We urge politicians in Ireland to engage their counterparts in London in a long-term conversation about these issues so the people of both islands can plan for a peaceful future rather than a repetition of a violent past.

## **CONCLUSION:**

Loyalist violence – whether actual or threatened - has always a central factor in both London and Dublin's calculations on how to proceed. On whether this is "giving in to terrorism" we make no comment but the same issue arises now.

One internal British Army declassified document (previously referred to above – numbered 1B dated 10 September 1971) refers to the threat of a “backlash” if loyalists believed their constitutional position was crumbling – a backlash referred to in the same document as “very menacing” and a “threat”.

The threat of a backlash has to be a major and continuing factor in long-term planning to ensure that policy-makers move forward in the best interests of all the people of Britain and Ireland and to ensure the threat does not become a reality..

It is, however, our view that - with modern methods of surveillance, any group intent on violence, relative to the 1970s and 1980s, would find it far harder to pursue a sustained campaign, especially within the small population and geographical boundaries of Northern Ireland.

Loyalists, however, have always attacked a soft target – the Catholic civilian population. They do not need large arsenals of high-quality modern weaponry to do so. The potential remains, then, for major loss of life should loyalists be “spooked” without prior long-term political and security preparations.

If politicians in Dublin and elsewhere are to begin planning for a unitary state, then they need to consider London’s past record on failing to focus on the potential for loyalist violence and persuade the British authorities that an entirely different focus is needed.

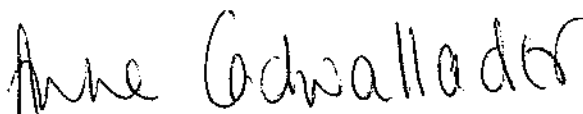
Without that, it is entirely possible that history would merely repeat itself.

The PFC is firmly of the view, however, that whatever steps may be considered to counter the potential capacity for future loyalist violence, they must fall within international human rights laws and principles.

This would rule out “shoot to kill”, the illegal use of lethal force by the state such as plastic bullets; torture; internment without trial; impunity for informers and agents; collusion and other failed British undercover counter-insurgency tactics that proved so counter-productive in the war against republican violence from 1969 to 1996.

We commend the committee for its work and would be willing to attend in person to explain or add to any of our research, analysis and conclusions.

Yours sincerely,



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Case Workers, The Pat Finucane Centre

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#### OBJECTIVES AND METHODS

1. This paper is not an attempt to present an exhaustive study of the state of subversion in the Ulster Defence Regiment (UDR): given the limited state of our knowledge in this field, and the lack of relevant intelligence, such a task would not be possible at the present time. The paper will examine the evidence and intelligence available to us. In well documented areas limited judgements will be made, and with due cognisance of the dangers involved, an attempt will be made to extrapolate from this position, in order to draw conclusions relevant to the UDR as a whole. One of the objectives the paper may well achieve is to point up how limited our knowledge is in this field.

2. The basic sources for the paper have been:

- a. Questionnaires put to HQ-UDR, G-SD, and 12 Int and Sy Coy
- b. An examination of 12 Int and Sy Coy records of UDR personnel, and reports on arms losses
- c. An examination of the details of subversive traces on UDR personnel held by G Int/Sy - HQMI
- d. Discussion with GSD (Int/Sy (HQMI) following his visits to UDR battalions
- e. Intelligence reports.

#### HISTORICAL AND BACKGROUND

3. The UDR came into being on 1 April 1970. It was formed following the recommendations of the Hunt Report (in 1969) that the Ulster Special Constabulary ('B' Specials), who were 100% Protestant, should be disbanded, and a new locally recruited, non-denominational, part time force, under the DCC Northern Ireland, be set up. In fact the percentage of Catholic members has continually declined since the formation of the regiment,

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and currently stands at just under 45 (see Annex A).

4. The UDR is organized into 11 Battalions and 59 companies: there are two battalions in Belfast and the remainder cover county or sub-county areas. Seven of the 11 Battalions are commanded by Regular Commanding Officers. In addition the Training Majors, Quartermaster, Regimental Sergeant Majors, Chief Clerks, and Signaller NCOs are also Regulars. There are a number of 'Conrats' (full time UDR) posts in each unit, including Adjutants, Permanent Staff Instructors, Security Guards, etc. Many of the officer and senior rank Conrats are ex-Regulars. The remainder are part-timers. Their main tasks are guarding key points, patrolling, and surveillance, and manning Vehicle Check Points. They do not operate in the 'hard' areas of Belfast, and are not permitted to become involved in crowd confrontations anywhere. Men are armed with self-loading rifles, or sub-machine guns. The current strength of the Regiment is 7910.

WHY IS THERE INTEREST IN SUBVERSION IN THE UDR

5. Since the first days of the UDR the dangers of raising a local force from the two communities, at a time of intercommunal strife, has been clearly recognised, and each applicant has been subjected to a security vetting process. However, following the impetus given to the recruiting of Protestant para-military and extremist groups by the imposition of direct rule (the UDA in particular was estimated to have a strength of 4,000 - 6,000 members in Belfast plus 15,000 supporters by September 1972) the problem of divided loyalties amongst UDR recruits became more marked. Joint membership of the UDA (which had objectives incompatible with those of the UDR) and the UDR became widespread, and at the same time the rate of UDR weapons losses greatly increased.

Subsequently a number of UDR members with traces in other subversive organisations have come to light.

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DEFINITIONS

6. For the purposes of this paper subversion may be considered to include:

- a. strong support for, or membership of, organizations whose aims are incompatible with those of the UDR
- b. Attempts by UDR members to use their UDR knowledge, skills, or equipment to further the aims of such organizations.

SECURITY OF PERSONNEL

7. The current policy on the discharge from the UDR of men who are involved with the UDA or similar organizations was established in late 1972 and is quoted in full at Annex B. In the period November 1972 to 25 July 1973, 73 men have been discharged for this reason, the cases of 35 men have been placed on the 'link' procedure (a system of regular review where a possible subversive trace is suspected) and a further 20 men have resigned. The majority of these cases have occurred in 9 UDR (Co. Antrim), which includes Carrickfergus, Larne, and Ballymena, and 10 UDR (Belfast). During the past 9 months approximately 3% of the current strength of 9 UDR, and approximately 4% of the current strength of 10 UDR have been discharged or have resigned as a result of subversive traces coming to light (statistical details are at Annex C). Most of the possible subversive traces are contained in intelligence material. The discovery of members of para-military or extremist organizations in the UDR is not, and has not been, a major intelligence target. In many reports where the orbit of a particular subversive group is listed, it is mentioned 'en passant' that a man is a member of the UDR, and it seems unlikely that our intelligence coverage of this area is in any way comprehensive. Examples of some of the more interesting traces that have come up, and of incidents in which UDR

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soldiers have been involved are at Annex D.

8. In the absence of intelligence it is often extremely difficult for a UDR commanding officer to discover whether his soldiers are involved in subversive or para-military activity. In many areas company headquarters are isolated, and the soldiers and NCOs are not well known to battalion headquarters staff; in such circumstances it would not be difficult to maintain contacts with or joint membership of a subversive group, and remain undiscovered. Indeed, in many areas where officers and men have known each other all their lives through church or social or Orange Order activities, membership of a Protestant para-military group might not be considered at all unusual or worth reporting to higher authority. At least some UDR battalion commanders appear to be concerned at this problem. Some members of the UDR, who also belong to subversive groups, undoubtedly lead 'double lives', and even with the aid of intelligence it is occasionally difficult to persuade a CO that one of his men is a risk. Indicative, but not typical, is the case of a member of 1 UDR, apparently a good citizen (the Deputy Chairman of a District Council) who had the following traces:

- a. Subject was CO of Mullgrens UDA
- b. Subject had obtained exemption for the UDA
- c. Subject was suspected of illegal arms dealings, and of acquiring an M16 and an SM2 in Scotland, and of selling them to the UDA.

He was however described by his CO as 'a model soldier'.

9. There is some evidence that on occasion members of subversive or extremist groups have deliberately attempted to join their local UDR group 'on knees'. On 21 March 1973 applications to join 14 UDR were received from six men in Portadown, all of whom had UVF traces. Information had already been received however that an attempt of this type was in hand; in any case

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all the men were known to the agencies involved in processing the applications, and there was no chance of their being accepted. The motives of the UVP were probably to obtain weapons training, and perhaps to place its members in a position where they had access to arms and ammunition. There have been other reports in the past of UDA and Orange Volunteer leaders encouraging their members to join UDR, but it has been by no means clear that their motives were subversive. It would be surprising if similar attempts to infiltrate the UDR had not been made by other subversive groups, but we have no knowledge of this or of their degree of success. In the last three months however, 29 of the 99 rejected applicants for the UDR were turned down because of the existence of subversive traces on them.

10. Despite the improvements in the vetting of applicants, it seems quite unlikely that the security vetting system, or subsequent intelligence material can reveal all the members of subversive groups who have applied to join the UDR. It seems likely that a significant proportion (perhaps 5% - in some areas as high as 15%) of UDR soldiers will also be members of the UDA, Vanguard Service Corps, Orange Volunteers or UVP. Subversion will not occur in every case, but there will be a passing on of information and training methods in many cases, and a few subversives may conspire to 'leak' arms and ammunition to Protestant extremist groups. The presence within the UDR of members of extremist groups does however contain within it the danger that at some future stage, if HEC's actions were perceived to be unfavourable to 'loyalist' interests, these men could act as a source of information, training and weapons for their fellows, and might even work within the UDR to make it unreliable.

#### LOSS OF THE ARMED REPRESSION

11. Since the beginning of the current campaign the best single source of

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weapons (and the only significant source of modern weapons) for Protestant extremist groups has been the UDR. The details of UDR arms losses for 1972/3 are set out below:

a. 1972

	LOST/STOLEN AT ARMOURY OR ON DUTY	LOST/STOLEN AT HOME OR ON WAY TO WORK	TOTALS
<u>SLR</u>	102 - 62 were recovered shortly after the Lurgan arms theft.	36	140 - 62 of these were recovered shortly after the Lurgan arms theft
<u>SMG</u>	24 - 8 were recovered shortly after the Lurgan arms theft	4	28 - 8 were recovered shortly after the Lurgan arms theft
<u>PISTOL</u>	7	15	22
<u>TOTAL</u>	133 ( - 70 of these were recovered shortly after the Lurgan arms theft)	55	188 ( - 70 of these were recovered shortly after the Lurgan arms theft)

By comparison Regular Army weapons losses in Northern Ireland in 1972 were 6 SLRs, 1 SMG, and 9 pistols.

b. 1973 to end July

	LOST/STOLEN AT ARMOURY OR ON DUTY	LOST/STOLEN AT HOME OR ON WAY TO WORK	TOTALS
<u>SLR</u>	10	3	13
<u>SMG</u>	1	1	2
<u>PISTOL</u>	6	7	13
<u>TOTAL</u>	17	11	28

By comparison Regular Army weapons losses in Northern Ireland in the same period were 2 SLRs, nil SMGs, and 6 pistols.

12. We believe that the vast majority of weapons stolen from the UDR during this period are in the hands of Protestant extremists. In the case of the

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Weapons stolen from UDR armaments and from the UDR guard detachments  
disarmed at a rolling station (7 March 1979) and a key point (7 Nov 72)  
in Belfast there is a substantial body of intelligence to support this  
view. The question of whether there was collusion by UDR members in these  
thefts is a difficult one. In no case is there proof positive of collusion  
but in every case there is considerable suspicion, which in some instances  
is strong enough to lead to a judgement that an element of collusion was  
present.

a. The raid on the HQ of 10 UDR at Lislan Drive (14 Oct 72)

14 self-loading rifles and a quantity of ammunition were stolen from  
this location, when armed men 'overpowered' the Camp Guard. The raid was  
well organized and was carried out by persons who had prior knowledge of  
the unit layout, and details of guard arrangements. It subsequently  
transpired that the guard commander on the night of the raid had nine previous  
convictions for deception and had spent a period in jail. He had been arrested  
in September 1972 for riotous behaviour outside Tennant Street RUC station  
following the shooting of two men by security forces in the Shankill, and  
the arrest of a UDA leader. He had one UDA trace and three separate reliable  
reports subsequently indicated that he was a member of the UDF. The  
initial security report into the incident concluded that it was probably  
carried out with 'inside help' and that it was possible that 'one or more  
members of the guard had prior knowledge of the intended raid, and actively  
assisted in its prosecution'.

b. The raid on the UDR/IRA centre at Lurgan on 23 Oct 72

At about 0420 on the morning of 23 October 1972 members of 'C' Coy 11  
UDR, and 65 Sqn, 40 (Motor) Sig. Regt. SAVA on guard at the Kings Park

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Camp in Lurgan were 'overpowered' by a number of armed men, and 65 SLRs and 21 M16s were stolen. It is reported that the raiders found rather more weapons in the armoury than they had bargained for and within a matter of hours 65 SLRs and 8 M16s had been recovered close to an abandoned Land Rover. Of the 22 SLRs and 13 M16s that were not recovered, 15 and 11 respectively were the property of the UDR, the rest of the TAAR. One of the concluding paragraphs in the Provost Company (RIF) investigations of the incident read as follows:

"It is quite apparent that the offenders knew exactly what time to carry out the raid. Had they arrived earlier they may have been surprised by returning patrols and had they arrived later they may have been intercepted by the Sandroget Power Station guard returning from duty. The very fact that all the guard weapons had been centralized and there was only one man on the main gate, a contravention of unit guard orders, was conducive to the whole operation. The possibility of collusion is therefore highly probable. (Whether by UDR or TAAR is not clear).

c. The theft of UDR weapons from Claudy RIC station (30 Oct 72)

During the night of 30 October 1972, the unarmed RIC station at Claudy (Co. Londonderry) was broken into and four UDR SLRs (minus breech blocks) were stolen. The circumstances of the raid indicated that the raiders knew both the layout of the building and the presence of the weapons. The Security section report on the incident was unable to discount the possibility of collusion by a member of the UDR or the RIC.

d. The possibility of UDR collusion in arms raids by Protestant extremist groups exist in at least two further cases. 8 SLRs and a quantity of ammunition were taken from the UDR guard at a polling station in East Belfast by 6 - 9 armed men on 7 March 1973. Five months earlier

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14. SLRs plus ammunition had been taken from a UDR key point guard by about 8 men (themselves armed with self loading rifles). It may be of interest that shortly before the polling station incident, two men had strolled past the sentry and told him that they would return in a couple of hours 'to steal your guns'.

15. Thus in a series of four arms raids 121 SLRs and 21 SLGs have been taken from armed UDR/TAVR defensive guards by well briefed gangs who knew what they were doing, without a shot being fired in anger, or any significant attempt made to resist. It is difficult to resist the conclusion that members of the UDR were party to these incidents.

16. The circumstances in which some weapons have been stolen from UDR soldiers at home or on the way to work has also aroused suspicion and it is likely that a number of these raids or hold-ups were carried out with the foreknowledge of the subject.

17. Intelligence reports have indicated that there is some leakage of UDR ammunition to groups such as the UDA and UVF. It is almost impossible to estimate the quantities involved. Similarly there have been a number of reports of UDR soldiers giving weapons training to UDA, UVF and OV extremists: the scale of this training is not known.

18. The rate of weapons loss has decreased during 1973: while in some part this may be due to improved security it is more likely that the reduced credibility of Protestant extremist groups in the eyes of the majority community, has made the subversion of UDR members more difficult. During the current year the most successful Protestant extremist arms raids have taken place at the Department of Industrial and Forensic Science, and at firearms dealers in Belfast, Eastwards and Armagh, rather

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than ex-UDR locations.

17. On the evidence available to us it is not possible to judge the extent to which extremist groups have deliberately attempted to infiltrate their members into the UDR in order to make possible the acquisition of weapons. In some cases and particularly the raid on the HQ of 10 UDR, it seems to have occurred.

18. There can be little doubt that subversion in the UDR has added significantly to the weapons and ammunition stocks of Protestant extremist groups. In many cases ex-UDR weapons are the only automatic and semi-automatic weapons in their possession. Neither the British Army, nor the minority community has yet experienced the full force of these weapons, for many are in store. Several have however been used and there is strong evidence that they have been in the hands of the most violent of the criminal sectarian groups in the Protestant community. One of the Sterling SIGs stolen from the Lurgan UDR/TAVR Centre (para 12b reform) was recovered in the Shankill on 21 July 1973 in the possession of three men, two of whom were known members of the Shankill UFF/UFF group: they had just robbed a bar. Research at the Data Reference Centre has subsequently indicated that this weapon has been used in at least 12 terrorist outrages, including the murder of a Catholic, and seven other attempted murders (details are at Annex E).

19. It is a statement of the obvious that circumstances may well arise in which all the weapons stolen from the UDR may well be used, perhaps against the British Army. They would form a most significant part of the armory of the Protestant extremists.

#### LOSS OF DOCUMENTS

20. There is no substantial evidence that accountable documents in the possession of the UDR have been passed or leaked to subversive or extremist

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groups. There is some cause for concern on the question of personal identity (ID) cards. In one of the UDR battalions recently, 103 ID cards were not returned by soldiers who had left the service over a three-month period. Clearly, in not every case could the motive be subversive, but this lax control of ID cards in one unit made possible the exploitation of the situation by well informed subversive groups.

CIRCUMSTANCES IN WHICH SUBVERSION MIGHT ARISE UNDER THE UDR (OR ELEMENTS OF IT)  
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21. The ability of the UDR to carry out its duties has been compromised on only a very few occasions to date by the activities of disloyal or subversive soldiers (some of the incidents are quoted in paragraphs 12 (a) (b) (d)). It does not require great mental agility however to conceive of circumstances in which subversion in the UDR might become a much greater problem, or in which elements of the regiment might become unreliable. The circumstances prevailing at the time of its formation have made this a clear possibility, and the restrictions placed upon its activities are a recognition of this. There are two possible situations in which elements of the UDR might well cease to be reliable.

- a. Should the Assembly fail and future Westminster plans also meet with no success, it is possible that the future leader of a "Loyalist" political party might well declare a "UDI" for Eire in an attempt to return power to "Loyalist" hands. In these circumstances the loyalty of UDR members to EIS would be seriously tried, particularly if required to play any part in military activity against "Loyalist" groups.
- b. If at any time it became a feature of EIS policy (perhaps under a ~~Labour Government~~) to encourage early and substantial progress towards the setting up of a powerful Council of Ireland, or towards the achievement of a United Ireland, the reliability of elements of the UDR would be brought into serious question. If the latter policy objective were to be undertaken by EIS it is conceivable that a large number of UDR soldiers would desert taking their weapons with them.

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22. If the deterioration in the situation was gradual 'thrusts' and 'leakages' of arms and ammunition might well occur at an earlier stage than outright unreliability. The small number of subversives within the UDR would act as a focus for this. The battalions most likely to encounter early difficulties would be those responsible for Belfast, Co. Antrim and Co. Londonderry: Carrickfergus, Larne, Monkstown and Coleraine might well be difficult areas.

#### THE THREAT FROM REPUBLICAN SUBVERSIVES

23. The threat of subversion in the UDR from Republican extremists has decreased as the number of serving Catholics has decreased: the percentage of Catholics in the Regiment is currently under 4%. There have been isolated incidents where Catholic UDR soldiers have 'lost' weapons in suspicious circumstances, but neither the number of weapons nor the threat is thought to be great.

#### CONCLUSIONS

24. The danger of subversion in the UDR, by comparison with other British Army Regiments, is enormously heightened -

- a. By the circumstances in which it was set up
- b. By the communities from which it recruits
- c. By the task it is expected to fulfil
- d. And by the political circumstances that have prevailed in the first three years of its existence.

It goes without saying that the first loyalties of many of its members are to a concept of Ulster rather than to UDR, and that where a perceived conflict in these loyalties occurs, UDR will come off second best. So far this division of loyalties has not been seriously tested, but already disquieting evidence of subversion is available.

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25. We know comparatively little from an intelligence point of view, of subversion in the UDR. Often, what intelligence there is, is of a 'post facto' character. But despite our limited sources and the limited evidence available to us, a fair number of UDR soldiers have been discovered to hold positions in the UDA/UVF/UDF. A number have been involved in overt terrorist acts. It is most unlikely that our intelligence coverage presents anything like the whole picture of infiltration of the UDR by the UDA and other groups, and there is no immediate prospect of it doing so. UDR Bn Commanders are not always well informed concerning the reliability of elements of their command. It is likely that there remain within the UDR significant numbers of men (perhaps 5 - 15%) who are, or have been, members of Protestant extremist organizations.

26. Subversion in the UDR has almost certainly led to arms losses to Protestant extremist groups on a significant scale. The rate of loss has however decreased in 1973. Subversion in the UDR may well have been responsible for materially adding to the reservoir of military skills amongst Protestant extremists, and it is likely that there remain in the regiment men who would be willing to engage in further arms raids should it be thought necessary. In most cases our intelligence on stolen arms has been limited to ascertaining blame after the event.

27. Except in limited circumstances subversion in the UDR has not compromised its ability to carry out its duties. There are however a number of predictable political circumstances in which the regiment might not only suffer a much higher level of subversion than at present, but in which elements of it might cease to be reliable.

28. There is no substantial threat of subversion from Republican extremists.

29. The evidence and intelligence available to us on subversion in the UDR is limited, and there are large gaps in our coverage. Improvements in intelligence would certainly help weed out subversive and troublesome

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men. But by the nature of its being, and the circumstances in which it operates, the regiment is wide open to subversion and potential subversion.

Any effort to remove men who in foreseeable political circumstances might well operate against the interests of the DDR could well result in a very small regiment indeed.

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APPENDIX 2 TO HQ - 1(50)

A LIST OF THERMIST CARTRIDGES  
IN WHICH ONE OF THE SUB-MACHINE  
GUNS FIRED IN THE MURKIN MURDER  
CASES ARE D.D. ON 23 OCTOBER 1972,  
HAS SUBSEQUENTLY BEEN USED.

The examination (by the D.O.) of test cases fired from the SMO recovered from three men, two of whom were known UFF/UFF, following an armed robbery and attempted murder at 192 Shankill Rd on 24 July 1973, has revealed that the same weapon has been used in the following incidents.

1. 3/2/73 - find of fired case in car C1J 7010 at junction Crumlin Rd/Century St.
2. 3/2/73 - Kidnapping of R.E. Stewart. Fired cases found in car 584B WZ. Bally-garrin Rd.
3. 20/3/73 - The attempted murder of three youths, who were fired at from a passing car, on Brookvale Avenue.
4. 9/5/73 - The attempted murder of Mrs E Armstrong, Toborgill St. Fired cases found at scene and in car AIA 7339.
5. 14/5/73 - The attempted murder of Francis McCourt, Church Rd, Whiteabbey. Fired cases found at scene.
6. 31/5/73 - The murder of Thomas Curry, and the attempted murder of others in in Muldoon's Bar, Tomb St. Fired cases found at scene.
7. 9/6/73 - Find of fired cases at Carnan St. (0450 hrs). No report of shooting incident.
8. 9/6/73 - Attempted murder of Frank Muldoon in Pacific Avenue/Atlantic Avenue. Fired cases found at scene.
9. 10/6/73 - Attempted murder of Moore, Thompson, Cochrane, McEwan, and O'Neill, on the Antrim Rd, who were fired at from a passing car. Fired cases were handed to police.
10. 11/6/73 - Attempted murder of members of the Security Forces, Shankill Rd.
11. 9/6/73 - Attempted murder of J J Hawthorne, on Shankill Rd.

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The document is believed to have been prepared by British military intelligence in August 1973. Although this version is marked as a 'draft' it is clear that a version of the document was presented to the Joint Intelligence Committee (JIC) which provides intelligence assessments to the British Prime Minister and other government ministers.

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#### SUBVERSION IN THE UDR

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#### OBJECTIVES AND METHODS

1. This paper is not an attempt to present an exhaustive study of the state of subversion in the Ulster Defence Regiment (UDR); given the limited state of our knowledge in this field, and the lack of relevant intelligence, such a task would not be possible at the present time. The paper will examine the evidence and intelligence available to us. In well documented areas limited judgements will be made, and with due cognisance of the dangers involved, an attempt will be made to extrapolate from this position, in order to draw conclusions relevant to the UDR as a whole. One of the objectives the paper may well achieve is to point up how limited our knowledge is in this field.

2. The basic sources for the paper have been:

- Questionnaires put to HQ-UDR, G-SD, and 12 Int and Sy Coy
- An examination of 12 Int and Sy Coy records of UDR personnel, and reports on arms losses
- An examination of the details of subversive traces on UDR personnel held by G Int/Sy - HQNI

- Discussion with GSO 1 Int/Sy (HQNI) following his visits to UDR battalions
- Intelligence reports.

#### HISTORICAL AND BACKGROUND

3. The UDR came into being on 1 April 1970. It was formed following the recommendations of the Hunt Report (in 1969) that the Ulster Special Constabulary ('B' Specials), who were 100% Protestant, should be disbanded and a new locally recruited, non-denominational, part time force, under the GOC Northern Ireland, be set up. In fact the percentage of Catholic members has continually declined since the formation of the regiment, and currently stands at just under 4% (see Annex A).

4. The UDR is organised into 11 Battalions and 59 companies: there are two battalions in Belfast and the remainder cover county or sub-county areas. Seven of the 11 Battalions are commanded by Regular Commanding Officers. In addition the Training Majors, Quartermaster, Regimental Sergeant Majors, Chief Clerks, and Signaller NCOs are also Regulars. There are a number of 'Conrate' (full time UDR) posts in each unit, including Adjutants, Permanent Staff Instructors, Security Guards, etc. Many of the officer and senior rank 'Conrates' are ex-Regulars. The remainder are part-timers. Their main tasks are guarding key points, patrolling, and surveillance, and manning Vehicle Check Points. They do not operate in the 'hard' areas of Belfast, and are not permitted to become involved in crowd confrontations anywhere. Men are armed with self-loading rifles or sub-machine guns. The current strength of the Regiment is 7910.

#### WHY IS THERE INTEREST IN SUBVERSION IN THE UDR

5. Since the first days of the UDR the dangers of raising a local force from the two communities, at a time of intercommunal strife, has been clearly recognised, and each applicant has been subjected to a security vetting process. However, following the impetus given to the recruiting of Protestant paramilitary and extremist groups by the imposition of direct rule, (the UDA in particular was estimated to have a strength of 4,000 - 6,000 members in Belfast plus 15,000 supporters by September 1972), the problem of divided loyalties amongst UDR recruits became more marked. Joint membership of the UDA (which had objectives incompatible with those of HMG) and the UDR, became widespread, and at the same time the rate of UDR weapons losses greatly increased. Subsequently a number of UDR members with traces in other subversive organisations have come to note.

#### DEFINITIONS

6. For the purpose of this paper subversion may be considered to include:

- strong support for, or membership of, organisations whose aims are incompatible with those of the UDR
- Attempts by UDR members to use their UDR knowledge, skills, or equipment to further the aims of such organisations.

#### SECURITY OF PERSONNEL

Point 2



7. The current policy on the discharge from the UDR of men who are involved with the UDA or similar organisations was established in late 1972 and is quoted in full at Annex B. In the period November 1972 to 25 July 1973, 73 men have been discharged for this reason, the cases of 35 men have been placed on the 'Link' procedure (a system of regular review where a possible subversive trace is suspected) and a further 20 men have resigned. The majority of these cases have occurred in 9 UDR (Co. Antrim), which includes Carrickfergus, Larne, and Ballymena, and 10 UDR (Belfast). During the past 9 months approximately 3% of the current strength of 9 UDR, and approximately 4% of the current strength of 10 UDR have been discharged or have resigned as a result of subversive traces coming to light (statistical details are at Annex C). Most of the possible subversive traces are contained in intelligence material. The discovery of members of paramilitary or extremist organisations in the UDR is not, and has not been, a major intelligence target. In many reports where the orbel of a particular subversive group is listed, it is mentioned 'en passant' that a man is a member of the UDR, and it seems unlikely that our intelligence coverage of this area is in any way comprehensive. Examples of some of the more interesting traces that have come up, and of incidents in which UDR soldiers have been involved are at Annex D.

8. In the absence of intelligence it is often extremely difficult for a UDR commanding officer to discover whether his soldiers are involved in subversion or para-military activity. In many areas company headquarters are isolated, and the soldiers and NCOs are not well known to battalion headquarters staff; in such circumstances it would not be difficult to maintain contacts with or joint membership of a subversive group, and remain undiscovered. Indeed, in many areas where officers and men have known each other all their lives through church or social or Orange Order activities, membership of a Protestant para-military group might not be considered at all unusual or worth reporting to higher authority. At least some UDR battalion commanders appear to be concerned at this problem. Some members of the UDR, who also belong to subversive groups, undoubtedly lead 'double lives', and even with the aid of intelligence it is occasionally difficult to persuade a CO that one of his men is a risk. Indicative, but not typical, is the case of a member of 1 UDR, apparently a good citizen (the Deputy Chairman of a District Council) who had the following traces:

- a. Subject was OC of Ballymena UDA
  - b. Subject had obtained ammunition for the UDA
  - c. Subject was suspected of illegal arms dealings, and of acquiring an SLR and an SMG in Scotland, and of selling them to the UDA.
- He was however described by his CO as 'a model soldier'.

9. There is some evidence that on occasion members of subversion or extremist groups have deliberately attempted to join their local UDR group 'en masse'. On 21 March 1973 applications to join 11 UDR were received from six men in Portadown, all of whom had UVF traces. Information had already been received however that an attempt of this type was in hand; in any case all the men were known to the agencies involved in processing the applications, and there was no chance of them being accepted. The motives of the UVF were probably to obtain weapons training, and perhaps to place its members in a position where they had access to arms and ammunition. There have been other reports in the past of UDA and Orange Volunteer leaders encouraging their members to join UDR, but it has been by no means clear

that their motives were subversive. It would be surprising if similar attempts to infiltrate the UDR had not been made by other subversive groups, but we have no knowledge of this or of their degree of success. In the last three months however, 29 of the 99 rejected applicants for the UDR were turned down because of the existence of subversive traces on them.

10. Despite the improvements in the vetting of applicants, it seems quite unlikely that the security vetting system, or subsequent intelligence material, can reveal all the members of subversive groups who have applied to join the UDR. It seems likely that a significant proportion (perhaps five per cent - in some areas as high as 15 per cent) of UDR soldiers will also be members of the UDA, Vanguard service corps, Orange Volunteers or UVF. Subversion will not occur in every case but there will be a passing on of information and training methods in many cases and a few subversives may conspire to 'leak' arms and ammunition to Protestant extremist groups. The presence within the UDR of members of extremist groups does, however, contain within it the danger that at some future stage, if HMG's actions were perceived to be unfavourable to 'loyalist' interests, those men could act as a source of information, training and weapons for their fellows and might even work within the UDR to make it unreliable.

#### LOSS OF ARMS AND AMMUNITION

11. Since the beginning of the current campaign the best single source of weapons (and the only significant source of modern weapons) for Protestant extremist groups has been the UDR. The details of UDR arms losses for 1972/3 are set out below:

a. 1972	LOST/STOLEN AT ARMOURY OR ON DUTY	LOST/STOLEN AT HOME OR ON WAY TO HOME	TOTALS
SLR	102	38	140
	- 62 were recovered shortly after the Lurgan arms theft.		- 62 of these were recovered shortly after the Lurgan arms theft
SMG	24	4	28
	- 8 were recovered shortly after the Lurgan arms theft		- 8 were recovered shortly after the Lurgan arms theft
PISTOL	7	15	22
TOTAL	135	57	190
	( - 70 of these were recovered shortly after the Lurgan arms theft)		( - 70 of these were recovered shortly after the Lurgan arms theft.

By comparison, Regular Army weapons losses in Northern Ireland in 1972 were 6 SLRs, 1 SMG and 9 pistols.

#### b. 1973 to end July

	LOST/STOLEN AT ARMOURY OR ON DUTY	LOST/STOLEN AT HOME OR ON WAY TO HOME	TOTALS
SLR	10	3	13
SMG	1	1	2
PISTOL	6	7	13
<b>TOTAL</b>	<b>17</b>	<b>11</b>	<b>28</b>

By comparison Regular Army weapons losses in Northern Ireland in the same period were 2 SLRs, nil SMGs and 6 pistols.

12. We believe that the vast majority of weapons stolen from the UDR during this period are in the hands of Protestant extremists. In the case of the weapons stolen from UDR armoures and from the UDR guard detachments dismantled at a polling station (7 March 1973) and a key point in Belfast (7 Nov 1972) there is a substantial body of intelligence to support the view. The question of whether there was collusion by UDR members in these thefts is a difficult one. In no case is there proof positive of collusion; but in every case there is considerable suspicion, which in some instances is strong enough to lead to a judgement that an element of collusion was present.

#### a. The arms raid on the HQ of 10 UDR at Lisles Drive (14 Oct 72)

14 self-loading rifles and a quantity of ammunition were stolen from this location, when armed men 'overpowered' the Camp Guard. The raid was well organised and was carried out by persons who had prior knowledge of the unit layout and details of guard arrangements. It subsequently transpired that the guard commander on the night of the raid had nine previous convictions for deception and had spent a period in jail. He had been arrested in September 1972 for riotous behaviour outside Tennant Street RUC station following the shooting of two men by security forces in the Shankill and the arrest of a UDA leader. He had one UDA trace and three separate reliable reports subsequently indicated that he was a member of the UVF. The initial security report into the incident concluded that it was probably carried out with 'inside help' and that it was possible that 'one or more members of the guard had prior knowledge of the intended raid and actively assisted in its prosecution'.

#### b. The arms raid on the UDR/TAVR (Protestant army) armoury at Lurgan on 23 Oct 72

At about 0420 on the morning of 23 October 1972 members of 'C' Coy 11 UDR, and 85 Sqn, 40 (Ulster) Sig. Regt. TAVR on guard at the Kings Park Camp in Lurgan were 'overpowered' by a number of armed men and 85 SLRs and 21 SMGs were stolen. It is apparent that the raiders found rather more weapons in the armoury than they had bargained for and within a matter of hours 63 SLRs and eight SMGs had been recovered close to an abandoned Land Rover. Of the 22 SLRs and 13 SMGs that were not recovered, 16 and 11 respectively were the property of the UDR, the rest of the TAVR. One of the concluding paragraphs in the Provost Company (RMF) investigation of the incident read as follows:

"It is quite apparent that the offenders knew exactly what time to carry out the raid. Had they arrived earlier they may have been surprised by returning patrols and had

they arrived later they may have been intercepted by the Tandragee power station guard returning from duty. The very fact that all the guard weapons had been centralised and there was only one man on the gate, a contravention of unit guard orders, was conducive to the whole operation. The possibility of collusion is therefore highly probable." (Whether by UDR or TAVR is not clear).

#### c. The theft of UDR weapons from Claudy RUC station on (30 Oct 1972)

During the night of 30 October 1972, the unmanned RUC station at Claudy, (Co. Londonderry) was broken into and four UDR SMGs (minus breach blocks) were stolen. The circumstances of the raid indicated that the raiders knew both the layout of the building and the presence of the weapons. The security section report on the incident was unable to discount the possibility of collusion by a member of the UDR or the RUC.

14. The possibility of UDR collusion in arms raids by Protestant extremist groups exist in at least two further cases. 8 SLRs and a quantity of ammunition were taken from the UDR guard at a polling station in West Belfast by 6 - 9 armed men on 7 March 1973. Five months earlier 14 SLRs plus ammunition had been taken from a UDR key point guard by about 8 men (themselves armed with self-loading rifles). It may be of interest that shortly before the polling station incident, two men had strolled past the sentry and told him that they would return in a couple of hours 'to steal your guns'.

13. Thus in a series of four arms raids 121 SLRs and 21 SMGs have been taken from armed UDR/TAVR defensive guards by well briefed gangs who knew what they were doing, without a shot being fired in anger, or any significant attempt made to resist. It is difficult to resist the conclusion that members of the UDR were party to these incidents.

14. The circumstances in which some weapons have been stolen from UDR soldiers at home or on the way to work has also aroused suspicion and it is likely that a number of these raids or hold-ups were carried out with the foreknowledge of the subject.

15. Intelligence reports have indicated that there is some leakage of UDR ammunition to groups such as the UDA and UVF. It is almost impossible to estimate the quantities involved. Similarly there have been a number of reports of UDR soldiers giving weapons training to UDA, UVF and OV extremists; the scale of this training is not known.

16. The rate of weapons loss has decreased during 1973; while in some part this may be due to improved security it more likely that the reduced credibility of Protestant extremist groups in the eyes of the majority community, has made the subversion of UDR members more difficult. During the current year the most successful Protestant extremist arms raids have taken place at the Department of Industrial and Forensic Science, and at firearms dealers in Belfast, Newtownards and Armagh, rather than on UDR locations.

17. On the evidence available to us it is not possible to judge the extent to which extremist groups have deliberately attempted to infiltrate their members into the UDR in order to make possible the acquisition of weapons. In some cases and particularly the raid on the HQ of 10 UDR, it seems to have occurred.

18. There can be little doubt that subversion in the UDR has added significantly to the weapons and ammunition stocks of Protestant extremist groups. In many cases ex-UDR weapons are the only automatic and semi-automatic weapons in their possession. Neither the British army, nor the minority community has yet experienced the full force of these weapons, for many are in store. Several have, however, been used and there is strong evidence that they have been in the hands of the most violent of the criminal sectarian groups in the Protestant community. One of the Sterling SMGs stolen from the Lurgan UDR TAVR centre was recovered in the Shankill on 21 July 1973 in the possession of three men, two of whom were known members of the Shankill UFF/UVF group; they had just robbed a bar. Research at the data reference centre has subsequently indicated that this weapon has been used in at least 12 terrorist outrages, including the murder of a Catholic, and seven other attempted murders (details are at Annex E).

19. It is a statement of the obvious that circumstances may well arise in which all the weapons stolen from the UDR may well be used, perhaps against the British army. They would form a most significant part of the armoury of the Protestant extremists.

### LOSS OF DOCUMENTS

20. There is no substantial evidence that accountable documents in the possession of the UDR have been passed or leaked to subversive or extremist groups. There is some cause for concern on the question of personal identity (ID) cards. In one of the UDR battalions recently, 103 ID cards were not returned by soldiers who had left the service over a three month period. Clearly, in not every case could the motive be subversive, but this lax control of ID cards in one unit made possible the exploitation of the situation by well informed subversive groups.

### CIRCUMSTANCES IN WHICH SUBVERSION MIGHT RENDER THE UDR (OR SEGMENTS OF IT) UNRELIABLE

21. The ability of the UDR to carry out its duties has been compromised on only a very few occasions to date by the activities of disloyal or subversive soldiers (some of the incidents are quoted in paragraphs 12 (a) (b) (d)). It does not require great mental agility, however, to conceive of circumstances in which subversion in the UDR might become a much greater problem, or in which elements of the regiment might well become unreliable. The circumstances prevailing at the time of its formation have made this a clear possibility, and the restrictions placed upon its activities are a recognition of this. There are two possible situations in which elements of the UDR might well cease to be reliable.

- a. Should the Assembly fail and future Westminster plans also meet with no success, it is possible that the future leader of a 'Loyalist' political party might well declare a 'UDI' [Possible reference to a 'Unitarian Declaration of Independence'] for Ulster in an attempt to return power to 'Loyalist' hands. In these circumstances the loyalty of UDR members to HMCG would be sorely tried, particularly if required to play any part in military activity against 'Loyalist' groups.
- b. If at any time it became a feature of HMCG policy (perhaps under a Labour Government) to encourage early and substantial progress towards the setting up of a powerful council of Ireland, or towards the achievement of a United Ireland, the

reliability of elements of the UDR would be brought into serious question. If the latter policy objective were to be undertaken by HMCG it is conceivable that a large number of UDR soldiers would desert taking their weapons with them.

22. If the deterioration in the situation was gradual, thefts and 'leakages' of arms and ammunition might well occur at an earlier stage than outright unreliability. The small number of subversives within the UDR would act as a focus for this. The battalions most likely to encounter early difficulties would be those responsible for Belfast, Co. Antrim and Co. Londonderry; Carrickfergus, Larne, Monkstown and Coleraine might well be difficult areas.

### THE THREAT FROM REPUBLICAN ELEMENTS

23. The threat of subversion in the UDR from Republican extremists has decreased as the number of serving Catholics has decreased: the percentage of Catholics in the Regiment is currently under 4%. There have been isolated incidents where Catholic UDR soldiers have 'lost' weapons in suspicious circumstances, but neither the number of weapons nor the threat is thought to be great.

### CONCLUSIONS

24. The danger of subversion in the UDR, by comparison with other British Army regiments, is enormously heightened -

- a. By the circumstances in which it was set up
- b. By the communities from which it recruits
- c. By the task it is expected to fulfil
- d. And by the political circumstances that have prevailed in the first three years of its existence.

It goes without saying that the first loyalties of many of its members are to a concept of 'Ulster' rather than to HMCG, and that where a perceived conflict in those loyalties occur, HMCG will come off second best. So far this division of loyalties has not been seriously tested but already disquieting evidence of subversion is available.

25. We know comparatively little, from an intelligence point of view, of subversion in the UDR. Often what intelligence there is, is of a 'post facto' character. But despite our limited sources and the limited evidence available to us a fair number of UDR soldiers have been discovered to hold positions in the UDA/UVF. A number have been involved in overt terrorist acts. It is most unlikely that our intelligence coverage presents anything like the whole picture of infiltration of the UDR by the UDA and other groups, and there is no immediate prospect of it doing so. UDR Bn Commanders are not always well informed concerning the reliability of elements of their command. It is likely that there remain within the UDR significant numbers of men (perhaps 5 - 15%) who are, or have been, members of Protestant extremist organisations.

26. Subversion in the UDR has almost certainly led to arms losses to Protestant extremist groups on a significant scale. The rate of loss has, however, decreased in 1973. Subversion in the UDR may well have been responsible for materially adding to

the reservoir of military skills amongst Protestant extremists and it is likely that there remain in the regiment men who would be willing to engage in further arms raids should it be thought necessary. In most cases our intelligence on stolen arms has been limited to ascertaining blame after the event.

27. Except in limited circumstances subversion in the UDR has not compromised its ability to carry out its duties. There are, however, a number of predictable political circumstances in which the regiment might not only suffer a much higher level of subversion than at present, but in which elements of it might cease to be reliable.

28. There is no substantial threat of subversion from republican extremists.

29. The evidence and intelligence available to us on subversion in the UDR is limited, and there are large gaps in our coverage. Improvements in intelligence would certainly help weed out subversive and troublesome men. But by the nature of its being, and the circumstances in which it operates, the regiment is wide open to subversion and potential subversion. Any effort to remove men who in foreseeable political circumstances might well operate against the interests of the UDR could well result in a very small regiment indeed.

#### ANNEX E TO NS - 1(S9)

#### ALIST OF TERRORIST OUTRAGES IN WHICH ONE OF THE SUB-MACHINE GUNS STOLEN IN THE LURGAN UDR/TAVAR CENTRE ARMS RAID ON 23 OCTOBER 1972 HAS SUBSEQUENTLY BEEN USED

The examination (by the DRC) of test cases fired from the SMG recovered from three men, two of whom were known UFF/UVF, following an armed robbery and attempted murder at 192 Shankill Rd on 21 July 1973, has revealed that the same weapon has been used in the following incidents.

1. 3/2/73 - Find of fired case in car CU 7010 at junction Crumlin Rd/Century St.
2. 3/2/73 - Kidnapping of R. W. Stewart. Fired cases found in car 5848 WZ. Bailly-gonardin Rd.
3. 20/3/73 - The attempted murder of three youths, who were fired at from a passing car, on Brookvale Avenue.
4. 9/5/73 - The attempted murder of Mrs E. Armstrong, Tobergill St. Fired cases found at scene in car AJA 7339.
5. 14/5/73 - The attempted murder of Francis McCourt, Church Rd, Whiteley. Fired cases found at scene.
6. 31/5/73 - The murder of Thomas Curry, and the attempted murder of others in Maldoon's Bar, Tomb St. Fired cases found at scene.
7. 9/6/73 - Find of fired cases at Carran St (0450 hours). No report of shooting incident.
8. 9/6/73 - Attempted murder of Frank Haddock in Pacific Avenue/Atlantic Avenue. Fired cases found at scene.

9. 10/6/73 - Attempted murder of Messrs. Thompson, Cochrane, McGowan, and O'Neill, on the Antlin Rd, who were fired at from a passing car. Fired cases were handed to police.

10. 11/6/73 - Attempted murder of members of the Security Forces, Shankill Rd.

11. 9/6/73 - Attempted murder of J J Hawthorne, on Shankill Rd.

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UK EYES

ATTACHED TO FILE - 1(30)

A LIST OF THE SCENES OF CRIME  
IN WHICH ONE OF THE SVCS - PATRICK  
OLIVIER WAS INVOLVED IN THE PERIOD 1968/1973  
CENTRE ARMS 2 IS ON 21 OCTOBER 1972,  
AND SUBSEQUENTLY NOTED.

The examination (by the SVCS) of test cases fired from the SVCS recovered from three cars, two of which were found in 1971, following an armed robbery and attempted murder at 196 Shankill Rd on 21 July 1971, had revealed that the same weapon has been used in the following incidents.

1. 1/2/73 - Find of fired cases in car G10 1010 at junction Cronin Rd/Century St.
2. 1/2/73 - Kidnapping of P.M. Stewart. Fired cases found in car 584B 12. Bally-pennan Rd.
3. 20/2/73 - The attempted murder of three youths, who were fired at from a passing car, on Brookside Avenue.
4. 9/5/73 - The attempted murder of P.M. Armstrong, Taborhill St. Fired cases found at scene and in car A10 7199.
5. 14/5/73 - The attempted murder of Francis McCourt, Church Rd, Whiteabbey. Fired cases found at scene.
6. 11/5/73 - The murder of Thomas Curry, and the attempted murder of others in a Muldoon's Bar, Tomb St. Fired cases found at scene.
7. 9/6/73 - Find of fired cases at Carrion St. (0410 hrs). No report of shooting incident.
8. 9/6/73 - Attempted murder of Frank Haddock in Pacific Avenue/Atlantic Avenue. Fired cases found at scene.
9. 10/6/73 - Attempted murder of Messrs. Thompson, Dochane, McGowan, and O'Neill, on the Antrim Rd, who were fired at from a passing car. Fired cases were handed to police.
10. 11/6/73 - Attempted murder of members of the Security Forces, Shankill Rd.
11. 9/6/73 - Attempted murder of J.J. Hawthorne, on Shankill Rd.

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May 28,  
2009

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From: J.F. Howe, Civil Adviser to General Officer Commanding



HEADQUARTERS NORTHERN IRELAND  
Lisburn Co Antrim

Army Network Lisburn Military } ext 426  
Post Office Lisburn 5111

Lt Col J.L. Pownall, OBE,  
AG Secretariat,  
Ministry of Defence,  
Main Building,  
Whitehall,  
London, SW1.

Your reference

Our reference

Date

Asst Sec. ....  
Principal ....  
AAG ....  
HEO ....  
DAAG 1 ....  
DAAG 2 ....  
EO ....  
UDR Principal ....  
Chief Clerk ....  
31st July 1972

Dear John.

UDR - MEMBERSHIP OF UDA

Thank you for your letter of 17th July about UDR involvement in the UDA.

It is inevitable that a part of the Protestant element of a part-time Regiment in Ulster will sympathise with the aims of the UDA; and it is suspected that there are cases where this sympathy is carried to the extent of active membership. There are however no proven facts as yet on which to base an estimate of the scale of the problem. The following are the firmer reports that have been received, and they are being investigated:

- In a television interview in Belfast on 15th July, a masked man wearing a beret claimed that he was a UDR officer.
- A UDR part-timer from a City battalion has furnished a list of nine other UDR men, including one officer, whom he says are active members of the UDA.
- Two series of weapons losses are thought to be almost certainly in part the work of Protestant organisations. These are the losses of 9 SLRs since the beginning of the year in 8 UDR (East Tyrone), and 12 SLRs in the last few weeks in the Portadown area (2 UDR).

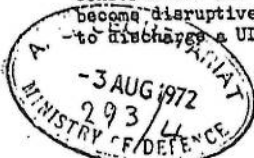
The losses of two pieces of radio equipment in West Tyrone in March are not necessarily attributable to Protestant organisations.

The areas where HQ UDR believe that this involvement is most likely to exist are Portadown and Lurgan (2 UDR), the Bann Valley (5 UDR), Ardboe and Aughnacloy (8 UDR), Carrickfergus (9 UDR), and West Belfast (10 UDR).

The UDR has to draw a line somewhere between hard-line Protestants who can safely be contained in the UDR, and those who cannot. The UDA is not an illegal organisation, and membership of the UDA is not an offence under the military laws; it is also a large organisation not all of whose members can be regarded as dangerous extremists. One important (but unspoken) function of the UDR is to channel into a constructive and disciplined direction Protestant energies which might otherwise become disruptive. For these reasons it is felt that it would be counter-productive to discharge a UDR member solely on the grounds that he was a member of the UDA.

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/Similarly..



May 28,  
2009

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Similarly, it is not formally laid down that where an applicant to join the UDR is found to be a member of the UDA, his application must automatically be rejected. But the screening process for UDR applicants has recently been tightened up so that due weight is given to extreme Protestant sympathies and although each application is considered on its merits a person who was known to be a member of the UDA would be most unlikely to be admitted.

Commander UDR has recently written to Battalion Commanders instructing them on the line to take with members of the force who are found to be involved in the UDA. I attach a copy. Officers are expected to resign if they take an active part in UDA activities, and other ranks are to be warned that such behaviour is inconsistent with their position in the force. If a soldier's involvement in the UDA constitutes a military offence, the UDR takes a hard line and dismisses the man under Regulation 'O490 Serial 7. Such circumstances are:

- a. where a soldier has failed to meet an UDR commitment because he was taking part in UDA activities,
- b. where a soldier wears UDR uniform while taking part in UDA activities,
- c. where a man carries an Army Department firearm while taking part in UDA activities,
- d. Connivance with the UDA in providing military information or in the theft of Army weapons, or encouraging other soldiers to commit such acts.

I am sure that this moderate line towards UDA supporters is the right one in view of the role of the UDA as a safety valve. In my opinion it would be politically unwise to dismiss a member of the UDA from the UDR unless he had committed a military offence; the dismissal of a member of the UDR, on lesser grounds could well lead to wide-spread morale problems particularly in certain areas.

I recognise the reasons why Ministers might wish to be able to say unequivocally, in reply to Parliamentary Questions, that membership of the UDA is not compatible with membership of the UDR and that we have no evidence that any UDR member is actively associated with the UDA. But I fear it would be wrong to offer categorical assurances on either point, and indeed it might be very damaging politically if Ministers were to make a public statement which implied that the UDA was an outlawed organisation. I suggest that the line to take is that the UDR is a non-sectarian force and that its members represent a wide range of political viewpoints; but that if a member's conduct, arising out of his membership of the UDA or any other organisation, constitutes a military offence or calls his future loyalties in question, action is taken. Any reported involvement of UDR members in extremist activities is a matter of concern to the military authorities and we would be grateful for details of cases so that they may be investigated.

STAFF-IN-CONFIDENCE  
CONFIDENTIAL

Yours ever,  
John

the  
late box.

Reference A/HR/20201/403 E788/



NATIONAL PATIENT  
FINANCIAL  
CENTRE

Copy to: MA/CGS  
MA/VDGS  
DASD  
SUS(CS)  
BGS(Int)  
Head of DS 6  
DD of DEP

1. I attended the briefing of the COS by the GOC and CLF in HQ Northern Ireland from 0900-1115hrs Thu 9 Sep. I subsequently attended a meeting with the GOC, CLF and D Int from 1130-1245 hrs; dined with CLF; and spent the afternoon with COS before flying back to London in the evening.

3. CGS Briefing. Only CGS, GOC, CLE, D Int, COS, Col GS MO3 and MA/GSS were present for the full briefing. Comd UDR joined half way through.

a. We are winning, but are we winning quickly enough?

c. One of the many dilemmas is that increased military pressure tends to cool the political situation; and an even or decreased tempo excites it.

e. We have reached a stage where we must not shrink from adopting some existing organisations.

6. The UDR. We need to capture the imagination of the public and harness their energy while retaining a semblance of the non-sectarian image.

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May 28,  
2009



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From: J.P. Howe, Civil Adviser to General Officer Commanding



**HEADQUARTERS NORTHERN IRELAND**  
Lisburn Co Antrim

Army Network Lisburn Military Post 426  
Post Office Lisburn 5111

Asst Sec. ....  
Principal .....  
AAG .....  
HEO .....  
DAAG 1 .....  
DAAG 2 .....

Lt Col J.L. Fownall, OBE,  
AG Secretariat,  
Ministry of Defence,  
Main Building,  
Whitehall,  
London, SW1.

Your reference: EO .....  
Our reference: UNISCC Principal .....  
Date: Chief Clerk .....  
31st July 1972

1347/72

Dear John,

UDR - MEMBERSHIP OF UDA

120

Thank you for your letter of 17th July about UDR involvement in the UDA.

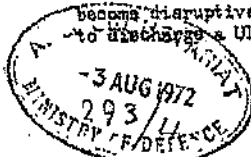
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May 28,  
2009

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Similarly, it is not formally laid down that where an applicant to join the UDR is found to be a member of the UDA, his application must automatically be rejected. But the screening process for UDR applicants has recently been tightened up so that due weight is given to extreme Protestant sympathies and although each application is considered on its merits a person who was known to be a member of the UDA would be most unlikely to be admitted.

Commander UDR has recently written to Battalion Commanders instructing them on the line to take with members of the force who are found to be involved in the UDA. I attach a copy. Officers are expected to resign if they take an active part in UDA activities, and other ranks are to be warned that such behaviour is inconsistent with their position in the force. If a soldier's involvement in the UDA constitutes a military offence, the UDR takes a hard line and dismisses the man under Regulation 0490 Serial 7. Such circumstances are:

- a. where a soldier has failed to meet an UDR commitment because he was taking part in UDA activities,
- b. where a soldier wears UDR uniform while taking part in UDA activities,
- c. where a man carries an Army Department firearm while taking part in UDA activities,
- d. Connivance with the UDA in providing military information or in the theft of Army weapons, or encouraging other soldiers to commit such acts.

I am sure that this moderate line towards UDA supporters is the right one in view of the role of the UDA as a safety valve. In my opinion it would be politically unwise to dismiss a member of the UDA from the UDR unless he had committed a military offence; the dismissal of a member of the UDR on lesser grounds could well lead to wide-spread morale problems particularly in certain areas.

I recognise the reasons why Ministers might wish to be able to say unequivocally, in reply to Parliamentary Questions, that membership of the UDA is not compatible with membership of the UDR and that we have no evidence that any UDR member is actively associated with the UDA. But I fear it would be wrong to offer categorical assurances on either point, and indeed it might be very damaging politically if Ministers were to make a public statement which implied that the UDA was an outlawed organisation. I suggest that the line to take is that the UDR is a non-sectarian force and that its members represent a wide range of political viewpoints; but that if a member's conduct, arising out of his membership of the UDA or any other organisation, constitutes a military offence or calls his future loyalties in question, action is taken. Any reported involvement of UDR members in extremist activities is a matter of concern to the military authorities and we would be grateful for details of cases so that they may be investigated.

Yours ever,

John

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MINISTRY OF DEFENCE

MAIN BUILDING, WHITEHALL, LONDON, S.W.1

TELEPHONE WHITEHALL 7022

CONFIDENTIAL

MO 19/3A

29th November 1972

AN 2

*Dear Christopher,*

At the GEN 79(72)33rd meeting on 11th September the Prime Minister said that "the question of members of the UDR who were also associated with the UDA required further consideration. The Secretary of State (for Northern Ireland) should circulate a note indicating what he proposed".

The policy in force at that time was established in July 1972 in the light of three major factors. First, the UDA is not an illegal organisation and membership of it is not an offence under military law. Secondly, an important function of the UDA is to channel into a constructive and disciplined direction Protestant energies which might otherwise become disruptive. Thirdly, although an application to join the UDR would not be automatically rejected because of UDA membership, due weight would be given in the vetting process to extreme Protestant sympathies and a person known to be a member of the UDA would be most unlikely to be admitted.

Against this background, the policy established in July was that an officer should be asked to resign if he took an active part in UDA activities. A soldier would be warned if suspected of sufficient sympathy for UDA aims to affect his military duties or call in question his loyalty; if his conduct arising from UDA membership constituted a military offence or unsatisfactory conduct, he would be dismissed.

This policy was kept under review, but only recently has it been considered necessary to make changes. Following discussions with the GOC, and consultation with the Secretary of State for Northern Ireland, the Defence Secretary has decided to apply this policy more strictly. He has therefore approved a new Regimental Routine Order which was issued on 27th November. I attach the text of this at Annex. It was

C W Roberts, Esq.



Document 2B

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AUS(A/Q)(AD)  
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DHO  
DASD  
BGS(Int)  
DPR(Army)  
Head of DSIO  
Head of Legal Sec  
D Sy(Army)  
Mr. Marshall (NIO)

\* War  
upgraded  
to secret  
UR CIES A  
7/10/78  
see 49

DD 1.4.78  
Sy 3a  
DD 5.7.78  
secret CS 6/3  
4.10.78  
30.7.78

UDR IRREGULARITIES

The Secretary of State should be aware that the SIB and the RUC are currently investigating certain serious irregularities which have come to light concerning 10 UDR which is based in Belfast. It appears that there has been a cash loss amounting to some £30,000 and that there has also been a loss of stores and equipment (though there is no indication that any weapons are missing). It seems likely that the Battalion has been infiltrated by the UVF and that both the money and equipment has been passed to them. It is also believed that up to 30 members of the Battalion have been involved. However, until the investigation is complete, we will not know the full extent of the loss or how many people are implicated.

2. So far the story has not been picked up by the Press but it must be only a matter of time before this happens. A defensive PR brief has been agreed by the NIO and HQNI as follows:

"We can confirm that the SIB in conjunction with the RUC are investigating certain financial discrepancies which have come to notice in 10 UDR. The investigation, which is still in progress, has also revealed some related irregularities in stores and security procedures which are themselves also being investigated. Because these enquiries are not yet completed there is no further comment we can make at this stage."

3. Quite separately there is another SIB/RUC investigation into allegations of misuse of UDR weapons (negligent discharge, 'borrowing') which may have involved criminal activity.

4. The Secretary of State for Northern Ireland is aware of the foregoing. I will keep you informed of any further developments.

2 March 1978

J. DROMGOOLE  
AUS(GS)

DIRECTORATE OF SECURITY  
(ARMY)  
CENTRAL REGISTRY  
- 3 MAR 1978  
2/6  
MINISTRY OF DEFENCE

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DEFB 24/622

Robbie Keston/Robbie Keston

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LOSS MINUTE

A/DR/80/804

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PS/Minister of State  
PS/US of S(A)  
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DUS(A)  
DASD  
AUS(GS)  
ECS(Int)  
NPR(A)  
Head of DS7  
Head of DS10

NORTHERN IRELAND

RAID ON TAVE CENTRE LURGAN

- RAID ON TAYLOR CENTRE JERGAN
1. At approximately 0415-0420 hours 23 October 1972 a Red Ford Cortina drove up close to the main gates. Two men dressed in heavy pullovers and baretas approached the 40 Signal Regiment (TA) sentry who, thinking they were UDR, did not challenge them. The second cover sentry had been withdrawn to prepare to issue the COMRATE guard weapons.
  2. As the two men passed the gate sentry, one of them drew a pistol and placed it to the head of the sentry. The second man took away the sentry's SIG. Both held the sentry by the Sangar whilst a third man got out of the Ford Cortina and entered the main compound followed by up to ten men. (all dressed in combat kit) all of whom walked toward the armoury/guard-room.
  3. Two of the hooded raiders burst into the guard-room and ordered the remainder of the 'sleeping' guard to lie on the floor saying "We are the UVF, don't worry we won't harm you, all we want are the weapons which we'll put to better use than you before December". The armorer hearing a connection in the guard-room slammed and locked the door of the armoury which is adjacent to the guard-room. At this time more raiders entered the guard-room and the 'leader' asked for the armoury keys.
  4. A member of the guard said they were not held in the guard-room. A weapon was cocked and the 'leader' stated he would shoot if the keys were not produced. It became clear that the armoury was occupied by the armorer at which the raiders, shouting through the armoury door, threatened to shoot the guard one by one until the door was opened. At this the armorer Cpl opened the door. He was tied up. Eventually the raiders found a work-ticket in which were keys for a 40 Signal Regiment landrover. Very quickly 85 MLE's and 21 SIG with 1300 rounds of ammunition were loaded onto the landrover and all had left by about 0430 hrs. At this time someone believed to be a UDR Comrate guard coming on duty raised the alarm with the PSI.

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5. Revised check of stolen items as at 0840 hrs 23 October 1972

83 x SLR (not 85 as previously reported)  
21 x SMG  
10 x Scherwall, Flares  
3 x 1" Red cartridges  
8 x Flak jackets  
21 x SMG magazines  
145 x SLR magazines  
973 x 7.62 mm rounds  
396 x 9 mm rounds

6. At 0810 hrs the landrover was found at GR 082505 in a lane near a farm five miles South of Lurgan. 827 x 7.62 rounds were found in the vehicle. A follow up search revealed 61 x SLRs and 7 x SMGs dumped near the vehicle. A further 1 x SMG was found on the Lurgan-Gilford Road and handed into a UDR Sergeant. (Comment - it is thought the raiders stole more weapons than they thought they could and had already worked out a distribution. Hence they dumped the 'surplus' weapons).

7. CO 40 (Ulster) Signal Regiment (V) is responsible for the security of the TAVR Centre Lurgan, but shares his armoury with CO 11 UDR.

8. The normal night guard at the Lurgan Centre is 1 NCO and 7 soldiers. This guard is found from 40 Signal Regt. The Contractor's guard, which is also the inlying piquet at night takes over from the night guard at 0500 hours daily. On the night 22/23 Oct 72 the guard was provided by 40 Signal Regt.

9. An SIB investigation is in progress now. This will be followed in due course by a Board of Inquiry.

10. Meanwhile the COC has ordered a major review of the protection of all armouries throughout Northern Ireland, to take account of the new factor of possible collusion between individual TA/UDR guards and UDA/UVF raiders. Different orders will clearly be needed to cater for the remote possibility of a traitor in the guard. It is stressed that collusion in the LURGAN case is only a possibility at this stage.

11. HQ Northern Ireland preliminary view is that the written orders and technical means (ie alarms) relevant to the protection of this particular armoury were as comprehensive as they needed to be. It was in the non observance of them by the guard that there was clearly some shortcoming.

23 October 1972

*H. S. L. Dalzell-Payne*  
H S L DALZELL-PAYNE  
Col GS M04  
Room 5119 Ext: 2011  
Main Building

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BACKGROUND NOTE

1. Consideration has been given to whether it is desirable to give the geographical breakdown of arms losses requested in this question. The objections which were felt to releasing the detailed geographical deployment of troops are not considered to apply to the present statistics.

2. Analysis of the UDR weapon losses this year by circumstances of loss shows:

Stolen from home	40	
Stolen in transit	23	
Stolen from armouries	110	(Lurgan 95)
Stolen from duty posts	20	
	<u>193</u>	

3. In the Lurgan raid on 23 October 106 weapons in all were taken, of which 95 were UDR weapons and the rest RAVR. The GOC ordered a review of protection of all armouries in Northern Ireland. HQNI's preliminary view is that written orders and physical security measures were comprehensive but that the guard did not fully observe them.

4. 2298 UDR members are issued with service pistols for their personal protection. It is not our policy to reveal this.

14 NOV 1972

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A/ER/210/3/MO4

LOOSE MINUTE

PS/US of S (ATEY)

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Head of DS10 ✓  
ASD 12  
DX(NL)

NORTHERN IRELAND  
LOSS OF UDR WEAPONS

Reference: A. A/ER/210/3/MO4 dated 19 July 1972.

Attached is the summary of UDR weapon losses completed  
by APM Headquarters Northern Ireland.

*for*  
H S I DALZELL-PAYNE  
Colonel GS MO4  
Room 5119 Ext: 7876  
Main Building

20 July 1972

JOE/NOB

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BACKGROUND NOTE

1. UDR weapon losses for the period of 1st February to 31st July are:

SAC	4
SIR	31
Pistol or Revolver	14
	<hr/> 49

2. These were stolen either from individual UDR soldiers, or from their homes in their absence, or from UDR armouries or guard rooms. One privately owned pistol is included which, together with an official revolver, was stolen from a UDR officer.

3. In a number of cases collusion is suspected.

27/4/2

PG 3141A

FOR ORAL REPLY THURSDAY, 30TH NOVEMBER 1972

MISS BERNADETTE DEVLIN (MID-WILSTER):

Miss Bernadette Devlin - To ask the Minister of State for Defence, how many weapons issued to members of the Ulster Defence Regiment in Belfast, and in each of the six counties in Northern Ireland have been reported lost, mislaid, or stolen this year.

PROPOSED REPLY

UDR weapons reported lost, mislaid or stolen during 1972 are as follows:

Belfast	26
Co. Antrim	1
Co. Armagh	125
Co. Londonderry	74
Co. Down	13
Co. Fermanagh	1
Co. Tyrone	13

These figures include 76 weapons subsequently recovered.



DEFE24/1479: UDR GENERAL 1975-76Transcription of Section of Original Document (available on request)Report of raid on Magerafelt (5 UDR, F Company location)From 178 Provost Company (Investigations), 1<sup>st</sup> Regiment Royal Military Police,  
British Forces Post Office 801, Lisburn Mil, (Lisburn 5111) Ext. 2266.To the Officer Commanding 178 Provost Commanding 178 Provost Company  
(Investigations).

The raid took place at about 0255 hrs Mon 16 June 75. Pte TE Chambers was the sentry on duty when a beige coloured 1800 motor car approached the gate. The driver asked Chambers if the last patrol had gone home. The driver was wearing combat clothing, flak jacket and dark beret. From the man's clothing, the way in which he spoke and what he said, Chambers assumed that he was a member of the regular Army. When he got closer to the vehicle Chambers saw that two of those in the back seat were pointing a SMG and SLR at him. They got out and said: 'This is the UVF'.

Extract:

'Local knowledge of raiders

All the members of F Company 5 UDR who were in the camp when the theft occurred have been questioned at length. From the reported comments of the raiders and the manner in which they carried out the raid it was apparent to the guard that they had considerable knowledge of the Company and were familiar with the layout of the camp. Apparently they knew that the keys to the Armoury were kept in the Ops Room and were not perturbed when the guard refused to tell them where they were located. Pte Darragh was of the opinion that from what he could hear they encountered little difficulty in selecting from a bunch, the right keys with which to open the Armoury door. Ptes Kerr and Lennox even say that the raiders recognised Pte Darragh as a Catholic and commented accordingly.

It would seem clear that whoever was responsible for the raid did have inside knowledge of that Company. They knew the location of the Ops Room and Armoury and the storeroom where they could obtain wire cutters and indeed, knew which one of several wires to attack in order to cut the camp's telephone links. They also knew that the combination blister contained the Armoury keys. The company were due to move shortly into an adjacent new build location where provision has been made for a secure Armoury. WO 2 Smith said that there telephone conversations concerning the removal of all the weapons to Ebrington Barracks, Londonderry prior to the Company going on Camp to Ballykinlar on Friday 20<sup>th</sup> June 1975. On Sun 15 June 75, the day prior to the raid, WO 2 Smith had decided that the weapons would be moved on Wed 18 Jun 75 and was involved in a telephone conversation to this effect in the unit lines. Consequently it will be appreciated that the raid took place on the first of the only three nights that the weapons would still be in situ.

Extensive enquiries have been made amongst all F Company personnel. Considerable difficulty was encountered when questioning them concerning their activities on the Sunday night. Initially large discrepancies were found when comparing times that on and off duty personnel entered and left camp. Very few carry watches to enable them to be precise on the timings but eventually it was discovered, particularly with the mobile patrols that night, that whereas they had been reasonably willing to admit they had finished duty and let 1 hour before the recognised time, they were more reluctant to admit that this in fact, had been some two hours earlier.

F Company mobile patrol task that night was to carry out foot patrols in Magerafelt and Bellaghy and VCPs in the area of entry and exit roads to those places. Their duty was from 2000 hrs until 0200 hrs. It is understood that normally the members of these patrols leave F Company to go home about 0230 hrs. Their raiders with their obvious knowledge, would have known that by this time all weapons were in the Armoury and only guard members would be in the unit. Presumably this thought prompted their question to Pte Chambers when they arrived at the barrier. In fact all patrol members left about 0130 hrs whereas the register of duties which they signed showed them as being present to 0330 hrs.'

The next section which is headed 'Activity in the F Coy Bar' is stamped 'Closed for 50 years under Section 5 (1).'

In a further paper dated 14 October 1975 it is stated:

'Discipline. The OC of F Coy 5 UDR at Magherafelt had been fined £100 by CLF arising out of a charge under Section 69 of the Army Act following the arms raid. Two officers and two other ranks had been dealt with and disciplinary action had been concluded. Action had also been taken against the Guard Commander and his assistant at Coolkeeragh. They had been severely reprimanded. The results of the Board of Enquiry were with OC 5 UDR and would be forwarded to HQ NI.'



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CONFIDENTIAL 055008/5

178 Provost Company (Investigations)  
1st Regiment Royal Military Police  
British Forces Post Office 801

Lisburn Mill  
(Lisburn 5111) Ext 2266  
Telax 747370

Officer Commanding  
178 Provost Company (Investigations)

ARMED ROBBERY

INTRODUCTION

1. Further to this office Interim Brief of even reference dated 16 Jun 75, it will be recalled that an armed robbery took place on 'F' Coy location, 5 UDR, Magherafelt, Co Londonderry, during the early hours of Mon 16 Jun 75 and a large quantity of small arms and ammunition were stolen from the unit armoury.
2. On Tue 17 Jun 75 all of the stolen weapons and the majority of the ammunition were recovered from a slurry pit in farmland about 6½ miles north of the unit lines.
3. Extensive enquiries have since been undertaken in close liaison with RUC and Int Corps and as a result much information of intelligence interest and value has come to light. Unfortunately, little of it so far to hand is of evidential value and consequently it is not possible at present to implicate definitely any persons in the commission of this offence. However, this report is produced as a resume of the course of enquiries to date and as a source of information should further evidence be produced which could form the basis of a prosecution. To assist the reader, his attention is invited to the cap at Annex A, the aerial photograph of Magherafelt at Annex B and the photographic supplement.

BACKGROUND

4. 'F' Coy 5 UDR is located in buildings of temporary construction at GR 899909 on the NE outskirts of Magherafelt, near the junction of Station Road and Castledown Road. The camp is situated on high ground above Station Road and is roughly triangular in shape. The perimeter fence on the rear side of the camp is closely bordered by trees. There are three main single storey wooden buildings, one containing the Ops Room, Coy Stores and other offices, the second containing the Club and bar, and the third is used as a guardroom. The armoury is situated at the rear of the guardroom.

'F' Coy consists of some 195 all ranks, of which 25 are on consolidated rates of pay. The remainder are part-time soldiers who have other civilian employment.

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6. On the night of the robbery it was the responsibility of No 2 Sect, 29 Pl, to provide the guard on the Coy location. Orders concerning guards etc are issued by Lt Col, 3 WDA, and are adapted to a certain degree by 'F' Coy to suit local circumstances. The Orders for the Guard Commander show that a night guard should consist of 2 WODs and 3 Ptes, who should be employed as Gate Sentry, Cover Sentry, 2 Prowler Sentries and 4 Relief Sentries in the Guardroom. Copies of these particular Orders and those for the Duty Officer are attached to this report. The Duty Officer that night was Capt J A Howard (P/489841). It is understood that normally the Duty Officer sleeps in but it seems Capt Howard went home on this occasion because of a shortage of bedding, leaving instructions to be called at 0530 hrs. Apparently 24244632 Cpl Boyce P J was the Guard Commander during the earlier part of the night and he handed over these duties when 24345262 L Cpl Henry R J B arrived in the unit lines about 0030 hrs. Several of the guard did not report for duty until midnight. There was no guard mounting procedure nor prepared duty roster, and it was not until after L Cpl Henry arrived that those in the guardroom "drew out of the hat" for duty at the barrier. Apparently guard reports were no longer made out by 'F' Coy and only a register of nightly duties was maintained.

7. 'F' Coy run a canteen and bar which was opened by the barman, 24205040 S Sgt Lennox R H, about 2000 hrs on the night in question. There is a divergence of opinion as to what time the bar closed and the last persons left the canteen, but the premises would seem to have been clear by about midnight. It was a normal evening and at least 20 members of the Coy, both on and off duty, used the premises at various times and for varying periods. A similar number of civilians were in attendance, most of whom have been identified as relatives and friends living in Magherafelt and the surrounding district. However, at the outset of enquiries it was found that there were about three or four persons seen in the premises who could not readily be named and their presence that night seemed to be at least worthy of note.

#### THE RAID

8. About 0255 hrs Mon 16 Jun 75 24345808 Pte Chambers T E commenced duty as sentry at the entrance to 'F' Coy lines. He was alone and not covered by a sangar sentry. About ten minutes later a beige coloured 1800 motor car approached the gate. Chambers moved forward to the barrier and the driver of the car asked him if the last patrol had gone home. Although there is only a certain amount of illumination at the barrier, dawn was breaking and Chambers, armed with a torch, was able to see that the driver of the car was wearing combat clothing, flak jacket and dark beret. From the man's clothing, the way in which he spoke and what he said, Chambers assumed that he was a member of the Regular Army. Pte Chambers asked for some means of identification and approached the vehicle. As he did so he saw that it contained four other men wearing similar military style clothing. He then realised that two of those in the back seat were pointing a SMG and SLT at him. Some of the men then got out of the vehicle and as they did so Chambers saw that one of them was carrying a second SMG. Chambers then felt an arm put round his chest from the rear and a pistol held at his right temple. The man holding the pistol told him not to make a move or sound and said, "This is the UVF." Chambers' SLR was then taken from him and at this point he saw a second

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Car arrive on the scene and three men dismount. Chambers could only say that this car appeared to be smaller than the first. His arms were tied behind his back and he was blindfolded. The raiders, of whom Chambers estimated there to have been about a dozen, then marched him to the guardroom. The other members of the guard were overpowered and Chambers was tied to a bed and heard the raiders asking for the keys to the armoury. Shortly afterwards Chambers heard the sound of ammunition being taken from the armoury and he estimated that it was about thirty minutes later that he heard vehicles being driven from the unit lines.

9. The NCOIC of the guard, L Cpl Henry, states that about 0310 hrs that day he was in the guardroom with the other members of the guard when suddenly Chambers entered, his arms behind his back and blindfolded, with another man beside him pointing a pistol at Chambers' head. This other man, who had a mask over his face, announced that they were UVF and that as long as the UDR soldiers did not move they would not be hurt. Henry then saw two other raiders wearing combat clothing, masks and armed with an SMG and SLR. The members of the guard were then disarmed, blindfolded and tied up. Whilst this took place Henry saw a fourth raider standing in the doorway of the guardroom who was wearing a flak jacket and carrying a riot baton. Henry subsequently heard the sound of keys being used to open the armoury and heavy articles being dragged past the guardroom. Henry put it at about forty-five minutes later that he heard vehicles being driven out of the unit.

10. In addition to L Cpl Henry, 24345556 Pte Lennox R D, 24308490 Pte Wilson G, 24345292 Pte Robinson T A, 23512796 Pte Darragh R and 24301102 Pte Kerr R A, were in the guardroom when the raiders arrived. Although not members of the guard, Ptes Kerr and Darragh were in the unit lines that night because they were due to commence duty at 0600 hrs the following morning. These two were awake, as was Pte Robinson, when Chambers was brought into the guardroom. Their descriptions of the raiders, the dress of these men and what took place is similar to that given by L Cpl Henry. Pte Lennox was asleep when the men entered the guardroom but was awakened by the noise and the first thing he saw was Chambers lying blindfolded on the bed next to his. Pte Wilson was the only person hurt during the raid and apparently he was hit about the head several times when he suddenly awakened and caused a commotion. After the raid he was taken to the Mid-Ulster Hospital at Magherafelt for minor treatment and was discharged the following day.

11. After the raiders left, the guard released themselves and discovered that the combination lock to the security blister in the Coy Ops Room had been forced and the armoury keys taken from inside. Subsequently marks were found on the armoury door indicating that a half-hearted attempt had been made to force this door, which members of the guard had heard, but then the keys had been used to gain entry. The guards found that all of the arms and ammunition had been removed from the armoury and that two unit landrovers and a trailer were also missing. One set of vehicle keys had been taken from the Ops Room, the other from the CO's office nearby.

12. Pte Darragh, who was the first to release himself, after discovering that the telephones were not working released Henry who drove in his car to Magherafelt RUC Station to report what had occurred. According to L Cpl Henry, the time then was about 0415 hrs. At that time Pte Darragh was able to contact the Ops Room of 1 Bn at Magherafelt Police Station by radio. L Cpl Henry confirmed that the time was 0415 hrs when L Cpl Henry reported the incident to their County Coy Ops Room and a patrol was dispatched to the Ops Room.

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13. The receptacle from which the armoury keys were stolen is a Manila Mk 4 combination lock key box recessed in concrete on the Ops Room floor. Normally an office table with a blanket stands over the top of the box. Nobody was on duty in the Ops Room at the time of the raid.

14. The Coy armoury is of the 'freightliner' type, a steel built container measuring about 23' x 7'. Examination indicated that sacks originally containing animal feed had been used to carry away the weapons and ammunition. Some rounds of ammunition had been dropped on the ground outside the door. Samples of the feed found on the floor of the armoury and outside were preserved and submitted for forensic examination. The only place that finger impressions believed to be those of the raiders were found, were on weapon conversion kit boxes which had been moved by them when they had forced a locked cupboard at the rear of the armoury. It is estimated that the weapons and ammunition would have weighed in the region of 1800 lbs and that about a dozen sacks would have been required to remove them.

15. In addition to the armoury and Ops Room, the raiders broke into the Coy bar, and forced the doors of the CSMs stores and other offices. However, some £170 cash left on a table behind the bar was not disturbed and no stock removed. From the storeroom a pair of wirecutters were taken which presumably were used to cut the telephone line near the entrance to camp. This particular store contained many other attractive items of military clothing and equipment but at the time of initial enquiries 24273033 Cpl Evans J, who is a part-time member of UER and is employed as civilian CSM storeman, appeared quite confident that no other items had been taken. Several days later, however, the CSM, 24199988 WO 2 Smith A A, claimed that a number of Bardic leaps, blankets and Flak jackets had also been stolen.

16. The two landrovers which were taken had been standing on the Coy MP park outside the Ops Room. One of the landrovers, Reg No 18 FJ 35, had been used earlier in the night by a 'F' Coy patrol but the other one, Reg No 16 FJ 49, had been put off the road because of faulty steering. The trailer had been parked at the rear of the Ops Room.

#### THE IMMEDIATE AFTERMATH

17. About 0500 hrs that morning Mr A McCormick, a Solicitor, of 54 Quarry Road, Knockloughrim, discovered the two landrovers and trailer burning fiercely in a small lane off the Knockloughrim/Gulladuff road about 5½ miles directly North of Magherafelt (GR B98988). Although he did not actually see the vehicle, Mr McCormick also heard a car drive away from the scene. The only items found at this scene apart from the vehicles were 23 SIG mags, 1 SMG mag and 18 rds of .38 ammo in the trailer. A commercial type plastic petrol can was also found near the vehicles.

18. Subsequently a sand-yellow coloured 1800 motor car was found abandoned on a track between two low walls just off a minor road SE of Bnatragh, about 3 miles NW

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of the point where the landrovers were found (GR 870061). Apparently it was seen in this position by a farmworker about 0900 hrs and at that time its headlights were still on. It was later established that this car had been stolen on Fri 13 Jun 75 between 2100 hrs and 2200 hrs from outside the 'Blues' Club in Lisburn. The number plate at the front of the car when found near Swatragh was correct as registered, FTA 6931, but the one at the rear, 8521 NZ, belongs to another car. The owner of this second car had been seen. He is still in possession of the vehicle and there is no evidence to involve him in this incident. ATO was tasked and the suspect vehicle was burned out.

19. Meanwhile, the Security Forces were reacting, and VCPs were established as quickly as possible after news of the raid had been received. Later a full-scale search operation of the surrounding area was launched under the control of 1 WBR.

#### RECOVERY OF THE WEAPONS

20. About 1330 hrs, Tue 17 Jun 75, an anonymous telephone call was received at the house of Cpl Evans, mentioned in paragraph 15, who is also employed as the Int HQO of 'F' Coy, 5 UDR. A male caller told Evans to go to "Hyndman's" at Gulladuff and to "take a sharp knife". The caller declined to identify himself and Cpl Evans did not recognise the voice. Evans immediately reported this to his OC, Maj S J Hudson.

21. As a result, a patrol of F Coy, 5 UDR went to the area in question. About 1530 hrs that day Lt W.R. Haasin (P/495044) and 24216156 Sgt Evans D.F.O. discovered a path trampled through grass to the edge of a slurry tank at the rear of a piggery in Rafferty's lane immediately East of Maghera and about 1 1/2 miles NW of Gulladuff (GR 883008). They then found an assortment of weapons and ammunition close to or on the surface of the slurry.

22. The pit in question measures about 12 yds by 4 yds and is about 15 ft deep. A search team from 12 Fd Sqn RE was tasked with emptying the pit and by 0500 hrs Wed 18 Jun 75 this operation was complete. All of the stolen weapons, 148 SIR, 35 SM2, 28 .38 revolvers, 3 .22 rifles, 4 Veray pistols, 1 9mm pistol and 1 GPMG, were recovered together with

1458	rd	.33mm
3874	"	7.62mm
988	"	9 mm
4440	"	.22 mm
286	SIR	msg
119	SM2	msg

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- 20 1" illuminating flares
- 10 1" green flares
- 1 1.5 rocket
- 10 grenades green/blue
- 1 torch
- 1 Machette

contained in several hessian bags. It would appear that less than 500 rounds of various ammunition remained unaccounted for after the search.

23. Although it had been reported to the local police at Maghera, investigators were not aware until after the weapons were recovered that a 1958 manufactured 9mm round had been found just outside the piggery about 1645 hrs Mon 16 Jun 75. This discovery had been made by Geoffrey Moore, a 14 yr old schoolboy who is employed part-time at the piggery. When questioned he was fairly certain that the bullet had not been in this position between 0900 hrs and 1150 hrs that day otherwise he would have seen it whilst working there. Mr T Whyte of 9 Ford Road, Portlaoine, rents the piggery. He says that the piggery was unattended most of that day. Ammunition of this nature and vintage is not on issue to Security Forces employed in the Magherafelt area, and it seems likely that this round could have been dropped accidentally by some person involved in the raid.

#### BONUS WEAPONS

24. Also recovered from the slurry were 1 Colt automatic .45 pistol, 2 SMGs and 1 SIR which had not been stolen from 'F' Coy location on the night in question.

25. The pistol, serial No 750703, was marked as being US Army property and subsequent enquiries through FBI in Washington confirmed that it is of the type issued to US Army personnel in 1942. Subsequent ballistics examination has revealed that this weapon was used during an armed robbery when shots were fired in the area of the BOC Factory, Maydown, Londonderry on 24 Oct 74. This incident was said to have been the responsibility of the UDA.

26. The SIR, serial No UDA 24889, complete with magazine and 15 rds of ammo, was stolen between 1630 hrs 17 Mar 73 and 2130 hrs 18 Mar 73 from the house of 24289198 Pte Cornar J C, 'F' Coy, 5 UDR, at 505A Littledale, Garvagh. This office report CCRIO RMP 03664/1 dated 20 Apr 73 refers. Apparently Pte Cornar and his wife were visiting Belfast during the period in question and had left the house unoccupied. The weapon was on permanent issue to Cornar and he said that he had stripped it down and had concealed the various parts around the house.

27. The two SMGs, serial Nos UF 57A 26215 and 57A 56720, were amongst four such weapons, less breach blocks, sight rings and 119 rds of 9mm ammo on charge to 'G' Coy, 5 UDR, which were stolen on Mon 20 Oct 73 from the Glady RUC Station.

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Apparently this Police Station was forcibly entered between 0500 hrs and 0900 hrs that day, a period when the building was unoccupied and the weapons and ammunition, with others, had been left in a metal locker. When these two weapons were found in the slurry they both had home-made but well-machined breech blocks.

28. Ballistic examination of all these weapons is continuing and further links between them and other incidents may yet be revealed.

#### THE COURSE AND OUTCOME OF INVESTIGATIONS

##### GENERAL

29. From the outset of enquiries, the closest links were maintained with RUC and Int Corps, and joint conferences held every few days as necessary to review progress to date, consider any new evidence brought to light, and to plan jointly the next stages of the enquiry. As intimated at the outset of this report, investigations have so far proved inconclusive. However, much evidence or information of interest or value has been obtained and the principle matters of importance are described in succeeding paragraphs. These should be considered against a background of an intensely close-knit rural community with strong local loyalties and prejudices.

##### LOCAL KNOWLEDGE OF RAIDERS

30. All the members of 'F' Coy 5 UDR who were in the camp when the theft occurred have been questioned at length. From the reported comments of the raiders and the manner in which they carried out the raid it was apparent to the guard that they had considerable knowledge of the Company and were familiar with the layout of the camp. Apparently they knew that the keys to the Armoury were kept in the Ops Room and were not perturbed when the guard refused to tell them where they were located. Pte Darragh was of the opinion that from what he could hear they encountered little difficulty in selecting from a bunch, the right keys with which to open the Armoury door. Ptes Kerr and Lennox even say that the raiders recognised Pte Darragh as a Catholic and commented accordingly.

31. It would seem clear that whoever was responsible for the raid did have inside knowledge of that Company. They knew the location of the Ops Room and Armoury and the storeroom where they could obtain wire cutters and indeed, knew which one of several wires to attack in order to cut the camp's telephone links. They also knew that the combination blister contained the Armoury keys. The Company were due to move shortly into an adjacent new build location where provision has been made for a secure Armoury. WO 2 Smith said that there had been telephone conversations concerning the removal of all the weapons to Barrington Barracks, Londonderry prior to the Company going on Camp to Ballyvaughan on Friday 20th June 1975. On Sat 15 Jun 75 the day prior to the raid, WO 2 Smith had decided that the weapons would be moved on Wed 18 Jun 75 and was involved in a telephone conversation to this effect in the unit lines. Consequently it will be appreciated that the raid took place on the first of the only three nights that the weapons would still be in situ.

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32. Extensive enquiries have been made amongst all 'F' Coy personnel. Considerable difficulty was encountered when questioning them concerning their activities on the Sunday night. Initially large discrepancies were found when comparing times that on and off duty personnel entered and left camp. Very few carry watches to enable them to be precise on the timings but eventually it was discovered, particularly with the mobile patrols on duty that night, that whereas they had been reasonably willing to admit they had finished duty and left 1 hour before the recognised time, they were more reluctant to admit that this in fact, had been some two hours earlier.

33. 'F' Coy mobile patrol task that night was to carry out foot patrols in Magherafelt and Bellaghy and TUPs in the area of entry and exit roads to those places. Their duty was from 2000 hrs until 0200 hrs. It is understood that normally the members of these patrols leave 'F' Coy to go home about 0230 hrs. The raiders with their obvious knowledge, would have known that by this time all weapons were in the Armoury and only guard members would be in the unit. Presumably this thought prompted their question to Pte Chambers when they arrived at the barrier. In fact all patrol members had left about 0130 hrs whereas the register of duties which they signed showed them as being present to 0330 hrs.

ACTIVITY IN THE 'F' COY BAR

GROUP FOR 5 YEARS UNDER  
SECTION 11A

was matched to the bullet used in Martin's murder.

4 (vi) a **Mc**

The gun, a .38 revolver, serial number ZJ3691, was recovered by the police on Wednesday, October 10, 1979 in Lurgan following the arrest of the members of the UVF. The circumstances and issues arising from the incident are discussed in the Outcome of HET Review section of the report.

This weapon was stolen on Tuesday, October 23, 1973 from E Company 11 Ulster Defence Regiment depot at Fort Seagoe, Portadown, Co. Armagh, when 12 armed men tied up the guards and bypassed the internal security systems. The raiders, who told the guards they were UVF, escaped with four self-loading rifles, two sub-machine guns, five pistols (including this 38) and 150 rounds of ammunition.

HET Comment: The circumstances of the raid prompted suspicions that there must have been inside knowledge and assistance. Connecting doors that should have been locked were left unsecured, a fence that would normally be overlooked was cut without any alarm raised and the raiders knew the combination of the cabinet containing the armoury keys.



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Document 4D



## *HET Report - Terence McCafferty*

The gun was previously used in 1973 outside the greater Belfast area in the murder of a protestant man who was apparently shot in the mistaken belief that he was a catholic.

This sub-machine gun was one of a consignment of weapons stolen during a robbery at a joint UDR/Territorial Army Volunteer Reserve Centre (TAVR) in Lurgan on Monday, October 23, 1972 when 85 self loading rifles (SLR), 21 sub-machine guns and 1300 rounds of ammunition were stolen. Sixty three of the rifles and eight sub-machine guns were recovered a short time later.

### HET Research

The incident at Lurgan was not an isolated case of a theft from a security base. HET has been supplied with details for the period between October 1970 and March 1973, which reveal that 222 weapons belonging to the UDR were either misplaced, lost or stolen from the homes of soldiers, UDR armouries, their duty posts or while in transit. Over this same period, 81 of these weapons were recovered.



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Document 4E

**HET Comment:** *This weapon replaced the Sten SMG Document 4F*  
*Army issue in the 1950's/1960's. By 1975 the Sterling*  
*SMG on general issue to British soldiers. It was also is*  
*forces throughout the world.*

## Weapon Links

While this linkage is extremely important information to investigators, it is limited in that although it links weapons to other crimes, it does not necessarily implicate individuals. This is because paramilitary groups held their illegal weapons in pools or armouries under the control of a self styled quartermaster.

Weapons were often issued for a specific purpose/offence and returned. Therefore, the multiple use of a specific weapon by various individuals, at different locations and different time periods frequently occurred.

A ballistic report identifies the weapon used as having been linked to a number of murders and attempted murders in the mid-Ulster and south Armagh areas. All of these incidents were attributed to the UVF.

**Sterling sub machine gun (SMG) Model L2A3 - serial number UF57A30490**

Ballistic reports link the Sterling submachine gun to the following murders:

- (112)
1. Peter Joseph McKearney and Jane McKearney on October 23, 1975 at Listamlet, Dungannon, Co. Tyrone.

**Convicted:** *Garnet Busby was convicted of these murders at Belfast Crown Court on October 23, 1981 and sentenced to life imprisonment. Busby was a member of the UVF at the time.*

- (31415)
2. Michael Donnelly, Patrick Donnelly and Trevor Brecknell on December 19, 1975, at 'Donnelly's' Bar, Silverbridge, Co. Armagh.

**HET Comment:** *Lawrence McClure and Sarah Lily Shields were charged with withholding information concerning these murders, but the charges were marked as 'Nolle Prosequi' on April 8, 1981 and not proceeded with. McClure was a serving member of the RUC at the time.*

*These murders remain undetected.*

61748

3. Anthony Reavey, Brian Reavey and John Reavey on January 4, 1976, at 42 Kingsmill Road, Greyhilla, Whitecross, Co. Armagh.

HET Comment: *These murders remain undetected.*

9

4. Frederick McLoughlin on May 15, 1976 at the Eagle Bar, Charlemont, Co. Tyrone.

*Convicted: Garfield Gerard Beattie and David Henry Dalzell Kane were convicted of the murder at Belfast City Commission on September 12, 1977 and sentenced to life imprisonment.*

*Convicted: Joseph Norman Lutton was convicted of the murder at Belfast City Commission on February 16, 1979 and sentenced to life imprisonment.*

10

5. Patrick Francis McNeice on July 25, 1976 at Loughall, Co. Armagh.

*Convicted: Garfield Gerard Beattie and Henry Garfield Liggett were convicted of the murder at Belfast City Commission on September 12, 1977 and sentenced to life imprisonment.*

*Liggett was a member of the UVF at the time.*

*Edith Dorothy Mullan was convicted of assisting an offender and sentenced to ten years imprisonment.*

The Sterling SMG was also linked to the following incident:

6. The non fatal shooting and bombing incident on May 7, 1976 at Tully's Bar, Belleek, Co. Armagh.

HET Comment: *This offence remains undetected.*

Weapon history

+ Denis = 11 dead with same gun

A UDR corporal reported the Sterling SMG as stolen from the Glenanne UDR Centre sometime between May 20, and May 21, 1971. HET has been unable to find any documentation that explains the circumstances of the theft or what investigation took place. During the four-year period between May 1971 and September 1, 1975, the whereabouts and use of the weapon is not known. It did not feature in any ballistic reports before Denis' murder.

*we have this part ourselves*



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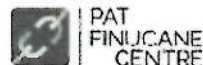
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112



## Document 4G

EXC

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Head of DS10  
DPR(Army).

### THEFT OF WEAPONS FROM UDR ARMOURY ON 23 OCTOBER 1973

1. You will wish to know that on 23 October 1973 (the anniversary of the Lurgan arms raid when 104 weapons were stolen from the TAVI Centre), an armed raid was carried out on the guard room of E Coy UDR in Portadown. The following arms ammunition and equipment were stolen:

- 4 SLRs plus 80 rounds of ammunition
- 2 SMGs plus 40 rounds of ammunition
- 5 pistols plus 30 rounds of ammunition
- 2 Flak jackets
- 3 Iyc pocket phone radios
- 5 Hardic Lamps

2. The circumstances of the raid are under investigation but it appears that at 0545 hrs 12 armed men, 11 of them masked, cut through the diamond wire fence that surround the company base. They then climbed through a single window and entered the guardroom through an open door at the rear of the building. The 5 members of the UDR guard were held up at gunpoint and tied up with rope. The weapons and equipment were then collected by the raiders who were shortly afterwards heard to drive away in what may have been a large van.

3. There is as yet no positive information as to who the men were, but during the raid they assured the UDR guard that they were members of the UVF and showed them a Red Hand medallion to prove it. In addition some of the men were alleged to be wearing Royal Irish Rangers TA badges.

4. Follow up action to recover the weapons and arrest the raiders is now being carried out. This action includes the search of a number of houses occupied by well known members of the UDA and UVF. Nothing positive has yet been found in connection with the raid itself, but a search of a house South of Portadown revealed nearly 140 lbs of explosives, 2 grenades, bomb making equipment, 2 radios and about 5,000 rounds of assorted ammunition. The Protestant householder was arrested. Further searches continue and it is thought that there may be more finds made.

Winston Buchanan, UDR

RMW

24 Oct 73

C.R. Huxtable

C R HUXTABLE  
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Room 5121 Ext: 2024  
Main Building

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23804

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CCDE 1077

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Reference

E119

Loose Minute

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Head of DS7

Head of DS10

DFR (Army)

THEFT OF WEAPONS FROM UDR ARMOURY ON 23 OCTOBER 1973

Reference:

A. Our A/BR/20/8/1004 dated 24 Oct 73.

1. The initial report of the incident in which 12 armed men raided a UDR armoury in Portadown and stole 11 weapons was given in Reference A. Since then an investigation, by the Int and 5y Coy HQ Northern Ireland, has been initiated. They have covered little ground as yet (due to non-availability of UDR personnel etc) but have submitted an interim report.

2. This report indicates that there are grounds to suggest that the raiders had assistance from members of HQ or B Coy 11 UDR. The following facts tend to support this belief (a sketch map of the area is at Annex. A):

a. Two fences were negotiated, one of which was cut, in front of an unmanned sangar through which they then climbed. As it is not normally possible to tell from the outside whether a sangar is manned or unmanned the raiders would appear to have had prior information.

b. The connecting door between the sangar and the building, through which the raiders gained access to the building, was open. It is normally kept locked and a cleaner confirms that this was so the previous evening. It must have been deliberately unlocked by someone, probably just prior to the raid. There is no record of the key having been officially withdrawn from the key press during the intervening period.

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Reference

- c. The guard commander was ordered by the raiders to open the combination key box holding the armoury key, using a combination which the raiders gave him. This combination, although inaccurate, was similar to the correct one.
- d. The raiders avoided a time when the whole guard would have been at standto - eg at guard change.
3. Although the circumstances were suspicious there is no evidence yet that any particular individual was involved. The investigation continues and in the meantime measures have been taken to increase the security of the arms storage.

8 Nov 73

C.R. Huxtable  
C R HUXTABLE  
Col GS MO4  
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A few weeks after the bombing that killed Francis, Secretary of State William Whitelaw banned the 'Ulster Freedom Fighters' (UFF), a flag of convenience for the UDA, but the UDA per se remained legal. Both the SDLP and the Catholic Church had been bringing pressure on Whitelaw to ban the UDA, but he refused, saying it 'would drive the organisation underground, with a consequent decrease in intelligence about its activities. It would also involve the Army in possible confrontations with large sections of the Protestant population in areas where the UDA is strong, such as the Shankill and east Belfast, confrontation which the Army apparently wishes to avoid.'<sup>42</sup>

On 12 November, three car bombs exploded at Catholic-owned bars in Armagh city, and that evening loyalists also bombed Quinn's Pub in Dungannon, injuring three people. A former UDR soldier, Arthur Roger Lockhart of Richhill, was convicted of planning routes and targets for the Armagh bombs. UDR man William Thomas Leonard admitted involvement in the bombing of Quinn's Pub, Dungannon, but was never prosecuted.<sup>t</sup>

Outside Mid-Ulster, political developments were progressing. In mid-November, the UVF called a ceasefire. It said it wanted to pursue a political path. The ceasefire lasted forty-three days. On 21 November, the power-sharing Executive was declared, in the teeth of loyalist opposition (there was as yet no agreement on a Council of Ireland). Five days later, loyalists disrupted assembly proceedings at Stormont. The DUP and Vanguard, along with Harry West (a leading opposition UUP member) formed the United Ulster Unionist Council (UUUC), pledged to bring down power-sharing.

On 6 December 1973, at the British civil service staff college at Sunningdale in Berkshire, a deal was struck on the Irish dimension

<sup>t</sup> At the time of his admissions of involvement, Leonard was already in jail serving two life sentences for the shooting of James and Gertrude Devlin.



Coalisland, County Tyrone. It was one of hundreds of bombings that year, and is mentioned here only because of those involved. The gang kidnapped two men in a bread van and loaded a bomb into it before driving into the middle of a Catholic housing estate. The explosion damaged several houses and injured nine people, four seriously, including a five-week-old baby girl, whose head was lacerated.

On 13 March, Trevor Barnard of Jackson Villas, Moygashel, was charged that he, and others unknown, had unlawfully imprisoned the two men in the bread van, and with possession of 124 rounds of ammunition. Two days later, brothers John and Wesley Somerville appeared at Belfast magistrates' court, also on charges of assaulting and kidnapping the two men. They were granted bail of £600 each.

When Barnard appeared in court, a prosecuting lawyer said he and the Somervilles had been involved in the kidnapping but not the bombing. On 24 October 1974, Barnard was sentenced to one year's imprisonment for possession of the ammunition, and the following month to a further two years for the kidnapping.

No explanation can be found for the mysterious evaporation of the charges against the Somerville brothers – both notorious loyalists. It was reported in *The Irish Times* (after his subsequent death at the scene of the Miami Showband attack in 1975) that Wesley had been acquitted in 1974 in connection with the loyalist attack on the housing estate.<sup>12</sup> Had the Somerville brothers been convicted on this charge, many lives might have been saved.<sup>h</sup>

UDR man William Thomas Leonard (later convicted for the double killing of James and Gertrude Devlin) admitted involvement in the same attack. A prosecution file was sent to the DPP but a decision was made not to prosecute him, with no reason given.

The political and security temperature was rising. On 19 March, *The*

<sup>h</sup> Barnard published a sympathy note for Wesley, his 'friend and comrade', from jail after the Miami Showband attack.

innocent people who have been ruthlessly cut down. During the past week eleven people have been murdered, one a woman member of the security forces, the other ten all Catholics.<sup>18</sup> Patricia was too ill to attend the funeral. From her hospital bed, she watched her parents' cortège pass. She 'celebrated' her eighteenth birthday in the same place.

The police went through the usual motions, but, apart from Patricia, there were no eyewitnesses. A near-permanent UDR checkpoint at a nearby electricity sub-station did not seem to be on duty that night.<sup>j</sup> Fifteen months later, however, there was a breakthrough. In August 1975, a man was arrested after a bombing in Dungannon. William Thomas Leonard, a single, twenty-one-year-old phone engineer living in the loyalist stronghold of Moygashel was also a member of the UDR. Detective Inspector Harold Colgan interviewed Leonard about the murder of the Devlins. On 21 August, two days after his arrest, he made a comprehensive statement admitting his guilt. He said he had joined the UVF fifteen months before the murders and was informed of plans to kill the Devlins a few days in advance. He was told when they usually arrived home and took part in a dummy run at their home the night before the shooting.

On the night of the murder, Leonard had picked up the two gunmen from Moygashel, one of whom was wearing what he described as a British Army uniform, the other carrying a plastic bag containing the guns.<sup>k</sup> He then dropped them off near Congo House and waited while they shot the Devlins. Leonard had even seen the headlamps of the couple's car as it turned into the lane, before hearing the sound of gunfire. He then waited for the gunmen to return and drove them back to Moygashel. Leonard told police the names of the two gunmen

<sup>j</sup> In *The Triangle of Death* Fathers Faul and Murray say the removal of UDR patrols just before loyalist killings was a common experience.

<sup>k</sup> Neither can be named here to avoid prejudicing future legal action. One was a UDR man.

been stolen in Portadown days before the bombing. Some wondered if the intended target had been Paddy Short's Bar just around the corner. Paddy was a local character and his bar was a mandatory watering-hole for visiting journalists.

Aside from the link to Portadown (the stolen car) and the divisional commander's view that the UVF was responsible, the only link between the Hughes' and McArdle's bombings and the Mid-Ulster series of killings is a claim from former Armagh SPG member (and convicted murderer), John Weir.<sup>aa</sup> An affidavit sworn by Weir on 3 January 1999,<sup>ab</sup> and quoted by the HET in its report, claims that UDR man Robert McConnell carried out the McArdle's attack using a getaway car provided by RUC Reservist James Mitchell and his housekeeper, Lily Shields. No hard evidence has yet been produced to back up his statement -- none of the three named was questioned about the attack.<sup>ab</sup>

As the bombs that night at Hughes' and McArdle's Bars took place so close together, were similar in target, without warning and were of roughly the same size and lit with a fuse, the HET considers it likely that they were linked. There was no other loyalist gang operating in the greater Portadown/Armagh area capable of such bombings.

In 1974, loyalists had killed 131 people on both sides of the border, yet the UDR (between 5 and 15 per cent of whose members were in the UDA, UVF and other loyalist groups, according to the British Army's own internal assessment) was playing an increasingly vital role in counter-insurgency with its intelligence-gathering operations strengthened.<sup>43</sup>

The bloodshed continued into 1975.

aa Weir was later convicted of murder and claimed in his 1999 affidavit that senior RUC officers knew of collusion between loyalists and police/UDR. See Chapter 9: The 'Short Arm' of the Law.

ab McConnell was also allegedly involved in the Dublin/Monaghan bombings, the shooting of John Francis Green and the killing of Seán Farmer and Colin McCartney. He was shot dead by the IRA in April 1976. For more about Mitchell and Shields, see later chapters.

Searches and arrests continued apace and with some sense of urgency. The two governments, for the first time, issued a joint statement. Not that London and Dublin were entirely singing from the same hymn sheet. London was irritated by claims from Dublin of 'security force involvement', which, it said, were 'totally without foundation and were rightly repudiated'.<sup>29</sup>

Five days later the British were forced to backtrack. A Northern Ireland Office civil servant noted to a colleague in the Foreign Office that he had officially informed the Irish Ambassador to London that a serving UDR man had been charged with murder.<sup>30</sup> While this was 'unfortunate', he said, there was 'always the risk of the bad hat [*sic*] in any large organisation'. The RUC, he said, were 'pretty certain' that they knew the identities of all involved, but 'there seemed no prospect of charging any others with murder – evidence was not available'. Either the civil servants or the RUC were wrong. In the end, three men were convicted of the murders: UDR man James Roderick Shane McDowell (arrested at Robin Jackson's home in Lurgan<sup>v</sup>), UDR man Thomas Raymond Crozier and loyalist John Somerville.<sup>w</sup>

The Miami Showband massacre had taken place close to Jackson's home turf of Donaghmore. He was by then well known (to the police) as a loyalist killer. It must have been as plain as day that Jackson was involved. Arrested on 5 August, he was questioned about the deaths but claimed police had mistreated him and he was released without charge two days later.<sup>x</sup> That was it as far as Jackson was

v McDowell was found in Jackson's home by police searching for the killers of Peter and Jane McKearney on 23 October 1975. Released almost immediately, McDowell was, however, discharged from the UDR because of his association with Jackson. He was rearrested in January 1976 after evidence from the Miami Showband scene implicated him.

w Somerville was arrested first, soon after the attack (18 August), and was rearrested in September 1980, five years later, when he made admissions of guilt (along with confessing to the murder of Patrick Falls in November 1974).

x The two CID officers Jackson accused of punching him were found guilty and fined £10 each, but were acquitted on appeal.



5 11 UDR men named/identified



Document 6B

## APPENDIX

### KNOWN SERVING (OR FORMER) SECURITY FORCE MEMBERS INVOLVED IN MURDER AND OTHER SERIOUS CRIMINAL OFFENCES - MID-ULSTER 1970s

1 Gary Armstrong: an RUC sergeant when he kidnapped Fr Hugh Murphy and at the time of his alleged involvement in the attack on the Rock Bar.

Garfield Beattie: TAVR man when involved in the simultaneous gun-and-bomb attacks on Clancy's (three dead) and the Eagle Bars (one dead), and the shooting dead of Patsy McNeice, for which he was convicted.

Thomas Crozier: UDR man at the time of his involvement in the Miami Showband attack.

Andrew Godfrey Foote: former B Special, church elder and justice of the peace who allowed his farm to be used for storing a stolen car later used to kill four people at the Clancy's and Eagle Bars attack and where a large quantity of ammunition was discovered (some issued to the British Army within the twelve months beforehand).

2 William Hanna: former UDR sergeant and weapons instructor, who had served with the Royal Irish Fusiliers in Korea, involved in the Dublin/Monaghan bombings and many other attacks.

3 Robin Jackson: part-time UDR man (also RUC agent) expelled for illegal possession of ammunition. Involved in the shooting dead of trade unionist Patrick Campbell, the Miami Showband murders, the Dublin/Monaghan bombings, at least one raid on a UDR armoury when SMGs were stolen and in the murders of three members of the O'Dowd family.

4 David Kane: former UDR man at the time he was convicted for his part in the attack on the Eagle Bar. A neighbour of murder victim Patsy McNeice.

5 William Leonard: UDR man at the time of his involvement in the murders of Gertrude and James Devlin. Also believed to have been involved in at least three other bombings in the Dungannon area.

Joseph Lutton: an RUC Reservist at the time of his believed involvement in the shooting dead of SDLP official Denis Mullen. He was convicted for the attacks at Clancy's and the Eagle Bars (Charlemont) in which four died, although his employment as an RUC man was deliberately concealed from the court.

'Man B': RUC man who cannot be named for legal reasons but was a chief suspect in the murders of Arthur Mulholland and Eugene Doyle at Hayden's Bar.

6 Samuel McCartney: former UDR man convicted for possession of explosives.

William McCaughey: RUC man convicted of shooting dead William Strathern and the gun-and-bomb attack on the Rock Bar; believed also to have been involved in the shooting of the three Reavey brothers and many other offences.

Laurence McClure: RUC man at the time of his involvement in the attack on the Rock Bar (for which he was convicted), the Donnelly's Bar gun-and-bomb attack and was a suspect for the murders of Seán Farmer and Colm McCartney.

7 Robert McConnell: UDR man at the time of his (believed) involvement in the attack on Donnelly's Bar, the murders of Seán Farmer and Colm McCartney, and the Dublin/Monaghan bombings.

8 James Roderick Shane McDowell: UDR sergeant at the time of his involvement in the Miami Showband attack.

9 Derek McFarland: had served as a member of the RUC, the UDR and the Ministry of Defence police, convicted of the attempted murder of Marian Rafferty and Thomas Mitchell – named by a convicted UVF bomber as involved in numerous other attacks.

Ian Mitchell: RUC man at the time of the Rock Bar attack for which he was convicted. Took statements in his capacity as a police officer at the scene of this attack.

James Mitchell: RUC Reservist when involved in the Step Inn and Donnelly's Bar attacks in which five people died. His farmhouse was used to plan the Dublin/Monaghan bombings, in which thirty-four people were killed. He was only ever convicted of possession of weapons and explosives for which he received a one-year suspended sentence.

Edward Sinclair: former B Special who became UVF quartermaster. The

gun used to murder Peter and Jenny McKearney was discovered in his bedroom, making him a prime suspect; convicted for possessing a gun used in the Miami Showband killings; and believed to have been involved in the Traynor's Bar bombing in which two men died. The HET believes his farmhouse was used in the planning and execution of many attacks between Dungannon and Portadown.

(D) 'Suspect 2': UDR man who cannot be named for legal reasons but was a chief suspect in the murders of James and Gertrude Devlin and in the murders of two men at Hayden's Bar.

(I) Laurence Tate: UDR man arrested after the Miami Showband murders who confessed to involvement in a non-fatal explosion.

John Weir: RUC sergeant at time of his involvement in William Strathern's murder and planning of the aborted attack on a bar in County Monaghan (the target was then switched to the Step Inn, where two died).

David Wilson: RUC man at the time of the attack on the Rock Bar.

Stewart and Ivor Young: both served in the Royal Ulster Rifles. Stewart is named by the Barron Report (2006) as being involved in the Monaghan bombing and suspected of involvement in the Donnelly's Bar bombing. Ivor is also suspected of involvement in a variety of attacks.





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Cope to Dales

Breakey

11 Downing Street  
Whitehall

11 September 1975



Dear Sir,

Mrs. Thatcher's Call on the Prime Minister on  
10 September

As you know, Mrs. Thatcher, accompanied by Mr. Airey Neave, called on the Prime Minister in the House of Commons at 5.45 p.m. yesterday evening for a talk on the current situation in Northern Ireland. The call arose from a suggestion put forward by your Secretary of State when he spoke to the Prime Minister on the telephone on 8 September. Mr. Merlyn Rees was present, except for the first few minutes of the talk. Unfortunately, I had to be absent myself for a part of the meeting, and the following does not, therefore, purport to be a full record.

The Prime Minister explained to Mrs. Thatcher that his intention on 8 September in inviting her to call was to give her the background to events in Northern Ireland at a point when it looked as though the Chief Justice might manage to pull something off and when there appeared to be some hope that the S.D.L.P. might accept the idea of select committees, without full acceptance of the idea of power-sharing, but nevertheless accepting the principle of coalition for up to three or five years ahead. The vote in the U.U.G.C. had followed and it was still not entirely clear what the respective positions of Mr. Paisley and Mr. Craig would be. The Secretary of State said that Mr. Craig looked as though he would now be a moderating influence. He thought that within the next two weeks we would be able to see where the Convention was going, although it could last until November and even continue for a further three months thereafter, although the Convention members would not receive any pay for that period, without renewed parliamentary approval. It was clear from all the reports coming out of the Convention so far that they did not want integration and were still in favour of devolved government. He thought that this might be a factor which would pull the Convention back from a breakdown. The Prime Minister said that the Government still wanted an Ulster solution, and that there was nothing which the Government ought to be doing at present. It was wrong to regard the present situation as a breakdown and Government policy was to allow the Convention to exhaust their timetable. If the Convention decided that they should remain in session for a further three months, they would certainly have the Government's blessing.

The Secretary of State

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The Secretary of State said that the Irish press were bound to continue to talk about a British pull-out from Northern Ireland, but this was nonsense. The Prime Minister said that we could never give in to I.R.A. wishes in this way, since they represented only a very small minority of public opinion in Ireland. In reply to a remark by the Secretary of State, Mrs. Thatcher expressed surprise that Mr. Enoch Powell should be in favour of integration and asked whether he had any significant influence on Irish opinion. The Secretary of State said that he certainly had some pull with Irish politicians (and Mr. Airey Neave agreed), but not with the community at large. It remained to be seen whether Mr. Craig could recover from his recent set-back. Mrs. Thatcher said that, as she understood it, the present position was that everything was still in play and must stay in play until all steps had been exhausted. Ireland was a place where the unexpected could always happen, but how much longer could the situation drag on? She agreed that, so long as the Convention existed, the Government should not make any move until it had to. It was a question of conjecture on how one interpreted Mr. Craig's position and Mr. Harry West's absence from the recent vote.

The Secretary of State said that there was undoubtedly a power struggle going on between Mr. Craig and the Reverend Ian Paisley. The Ulster Workers Council (U.W.C.) had asked to see him, but he had been advised by his officials against it, and to see the co-ordinating committee, which supported Mr. Craig instead. Mr. Paisley was now in charge of the U.W.C. and there was evidently strong inter-factional argument going on. A recent incident in which two members of the UDA had been shot was almost certainly the work of the UVF.

Mr. Airey Neave raised the question of his forthcoming visit to Northern Ireland, and said that he did not want to make things more difficult. Would the Prime Minister advise him to see the leaders of the main Parties? The Prime Minister said that there was no objection to doing this in their capacity as politicians, but not as members of the Convention. Mr. Airey Neave accepted this, and interpreted the Prime Minister's advice as being to keep off Convention business during his visit.

The Secretary of State then gave a general account of the security situation and the origin of the ceasefire. The IRA had reached a situation at the end of last year where they realised that they had reached the end of the road and were not going to win, and had indicated to a group of clergymen in Northern Ireland that they were ready for a ceasefire. The Secretary of State also explained his policy on detention, and told Mrs. Thatcher that although Sinn Fein had made contacts with the Government, nothing had been done which had not been reported to the House of Commons. He could assure Mrs. Thatcher that no "deal" had been done on anything at all.

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The problem of lack of control by the IRA was increasing daily. In South Armagh, subversive elements were acting independently, although it was at least possible that the IRA had given them encouragement to do so. The IRA Officials, who were mainly Irish Marxists, had had a ceasefire for some 3 years. The IRSP, however, was a Trotskyist breakaway group who had attracted to them certain ex-Provisionals who were chafing at the ceasefire. The Prime Minister commented that some of the assassinations of Official IRA members had taken place without the Provisionals being involved at all. In his view, the sudden arrest of David O'Connell by the Irish Government had removed the one person who was able to exert tight control at the top, and who was determined, for whatever reason, to maintain the ceasefire.

The Secretary of State said that he was more worried by the current sectarian murders than by the bombings in Belfast. Unfortunately, there were certain elements in the police who were very close to the UVF, and who were prepared to hand over information, for example, to Mr. Paisley. The Army's judgement was that the UDR were heavily infiltrated by extremist Protestants, and that in a crisis situation they could not be relied on to be loyal.

The Secretary of State then referred to the statement which the Army had put out that day in Northern Ireland about Seamus Twomey. He explained that no people had been detained since February, and that detention was strictly a matter for himself as Secretary of State, as it had been for Mr. Whitelaw. The aim of widespread detentions had been to break up the active service units, and they had been operated as a "revolving system". The process of house to house visits had led to a total of about 600 detentions by the end of last year, at the expense of the sympathy of the Irish Government and the Catholic hierarchy. The Prime Minister said that the Church leaders who had called on him at the New Year had confirmed that the effect of the ceasefire in Northern Ireland had been magical.

The Prime Minister added that the RUC were now much more successful than before at getting people before the Courts. He had no doubt that the desire of the mass of the Catholic population for peace had contributed to this. Mrs. Thatcher asked whether more intelligence was becoming available following the ceasefire, or less? She presumed that the new factor of intra-sectarian strife was preventing some intelligence getting through. The Secretary of State said that if there was a return to full scale warfare, he might have to go back to the earlier policy of breaking up the active units. In response to a question from Mrs. Thatcher, he confirmed that we knew the identity of at least the main leaders and organisers of those units. He added that, even though the arrest of wanted offenders was now a matter for the Courts, he was still liable to be blamed for everything.

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The Prime Minister said that the police in Northern Ireland were of a much better calibre now than they had been previously, and that Mr. Whitelaw had been responsible for starting this improvement. The current Police Chief was due to retire next year and Scotland Yard had a good potential successor for him. There had also been improvements in the mechanical organisation of police work in Northern Ireland.

After asking whether it was still a criminal offence to be a member of a proscribed organisation, Mrs. Thatcher said she understood that this was no longer a matter for detention under the Secretary of State's authority, and that cases of this sort would have to go through the Courts. The Secretary of State confirmed that this was so. Mrs. Thatcher asked nevertheless whether there was nothing in the Act to ensure against the risk of the authorities becoming a laughing stock, if someone like Seamus Twomey were to deny flatly that he was a member of such an organisation. The Secretary of State said that it was very difficult to make accusations of membership stick in the Courts, compared with the situation in Southern Ireland where the police had merely to say that they had reason to believe that the accused was a member of the IRA. There was also the problem that arrests for membership only exacerbated the difficulties we were facing over the shortage of space in the prisons in Northern Ireland. Mrs. Thatcher said that she understood this, but that it was also a political problem. The Prime Minister added that, at the time of the burning of the Maze Prison, there had also been a problem of a shortage of warders. The Secretary of State said that recruitment to the prison service had recently shot up by leaps and bounds, but that the accommodation problem still remained. He mentioned that Mr. Whitelaw had started the system of special category prisoners and he would have done the same. But he wanted soon to announce the end of special category status for new prisoners and would keep in touch on this with Mr. Airey Neave. The difficulty was that no parole system existed in Northern Ireland and it was essential to find some way of reducing the prison population. The Prime Minister said that in effect this might mean letting the common criminals such as shoplifters out rather earlier than might otherwise have been the case. Mrs. Thatcher said that presumably an announcement of the end of special category prisoners would depend on the outcome of the Convention, since it was a very political decision.

In conclusion, the Secretary of State said that the new General Officer Commanding in Northern Ireland had said that the situation was much improved. Mrs. Thatcher said that her impression was that the Army were not now getting the intelligence which they had previously received. The Secretary of State acknowledged that this was so in terms of necessary intelligence for waging an urban guerrilla campaign, but many of the murders now being committed could be traced back to one gun. Mrs. Thatcher commented that, if our intelligence was good, no doubt that one gun could be picked up.

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Mrs. Thatcher asked whether the recent bombing at the Hilton Hotel was the work of a splinter group. It did not sound like the classic work of the IRA. The Secretary of State said that this was a matter for the Home Secretary, to whom he had spoken. Sinn Fein had fervently denied responsibility but it was clearly the work of either a breakaway group or the IRA. The answer was probably that both Caterham and the Hilton looked like the work of a breakaway organisation although the only thing that distinguished the Hilton bombing from old style IRA activity was that no code word had been given.

Mrs. Thatcher said that every politician on both sides of the House received letters asking why we did not pull out of Northern Ireland. People unfortunately did not realise that the result of a pull out would be much greater carnage here. The Conservative Party understood the need to protect innocent people in all parts of the United Kingdom, even if this was not widely appreciated elsewhere. The Prime Minister agreed and said that any impression that the Government were taking the line that the Irish could cut their own throats would immediately give the appearance that we had given in to the IRA.

The meeting ended at about 7.00 pm. Before leaving, Mrs. Thatcher agreed that the Press should be told that this had been a routine meeting to review the situation in Northern Ireland. The Prime Minister confirmed his agreement that Mrs. Thatcher should give Mr. Whitelaw an account of the discussion.

I am sending a copy of this letter to Richard Dales (Foreign and Commonwealth Office) and Chris Brearley (Cabinet Office).

P. R. H. WRIGHT

Ken Jordan, Esq.,  
Northern Ireland Office.

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May 27,  
2009

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SRM (76) 2nd Meeting

NOTE OF A SECURITY REVIEW MEETING HELD AT STORMONT CASTLE AT 11.00 ON  
13 JANUARY 1976

PRESENT: Secretary of State  
Mr Concannon  
Sir Frank Cooper  
Sir David Holden  
Mr Harris  
Mr Parkes  
Mr Leahy  
Mr Barker  
Mr Craddock  
Mr Parke  
Mr Gilliland  
Mr Webster  
Mr Jackson  
Mr Middleton  
Mr Stewart  
Mr Macmahon (Attorney General's Office)

GOC  
Chief Constable  
Lt Col Coppen-Gardner  
Supt Crutchley

SECRETARY: R L Smith

SUBJECT

PARAGRAPH

Security Review

General	1 - 6
The Beesbrook murders	7
Forensic connections between terrorist acts	8
Prisons	9
Special Category status	10
New Cellular Accommodation	11

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SECURITY REVIEW

General

1. The GOC and the Chief Constable reported on the security situation since the last Security Review Meeting (see Annex 1 and 2).

2. The GOC reported that a quiet period had been experienced following the Bessbrook murders on 5 January. These murders were thought to have been in direct retaliation for the murder of 5 Catholics in the previous 24 hours. The GOC commented that the murder of an RUC Constable also on 5 January should not be forgotten amongst the publicity about the sectarian massacres.

3. The GOC pointed out that one of the incidents cited in paragraph 3b of his report was a particularly nasty punishment shooting in which the victim was shot through both ankles and both elbows.

4. The GOC confirmed that the helicopter crash referred to in paragraph 6 of his report had been an accident and not the result of terrorist activity.

5. The Chief Constable explained that recent claims that intimidation was rife in South Armagh were exaggerated. Certain residents were sleeping away from their homes and returning only during the day, but this was a result of general fearfulness rather than direct intimidation.

6. The Chief Constable referred to a recent allegation in the Sunday Press (11 January) that the RUC knew the identities of those responsible for the Dandalk bombing on 19 December and were refusing to furnish the Garda with information. There was absolutely no foundation for this report. The Chief Constable had spoken to the Irish Police Commissioner and there had been high level special branch contacts. The Gardai themselves were annoyed by the article.

The Bessbrook murders

7. The Secretary of State stated that as he understood it a vehicle thought to be connected with the Bessbrook murder had been identified returning to the Republic after the incident. The vehicle was found in Dandalk and then taken by Police to Dublin for forensic tests. The Chief Constable confirmed that this account was correct.

Forensic connections between terrorist acts

8. The Secretary of State asked whether information about forensic connections between recent terrorist incidents had been made public. The Chief Constable reported that forensic tests on bullets recovered after the Bessbrook murders indicated that each of three weapons used there had been used in previous attacks including the ambush of the 3 RRF observation post on 22 November in which 3 soldiers were killed. Information about those links had not been officially released but the Newspapers appeared to have got hold of some of the story. Links with past Protestant extremist atrocities had similarly been established in the case of weapons used in the murder of the O'Dowds on 4 January. The Secretary of State said that he would like to make these facts known. They confirmed the view that only a very small number of men on both sides were involved in the hard-core acts of violence. This countered the arguments of the armchair strategists who believed that ever greater concentrations of troops were the answer to the Armagh problem.

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Prisons

9. It was reported that it had been a quiet week in the prisons. The sectarian murders had led to strong horrified reaction among the faction leaders in HM Prison, Maze, who appeared united in their condemnation of such acts.

Special Category status

10. The Secretary of State asked about the criteria for granting special category status to offenders. He proposed that those guilty of acts which clearly gave rise to general revulsion in both communities should not be allowed special category status. It was agreed that from then on each application would be looked at more carefully and a meeting would be set up to consider criteria for further exclusions.

New Cellular Accommodation

11. It was reported that the present position with regard to cellular accommodation at HM Prison, Maze was:

- a. 200 places were now ready of which 56 were occupied by young prisoners.
- b. Building had started on 300 more to be ready by the end of the year.
- c. A further 300 were planned for completion in 1977.
- d. In addition 300 places at the Young Offenders' Centre in Hydebank Wood would be completed in 1977.

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APPENDIX A TO GOCs NOTES  
DATED 13 JAN 1976

RECENT DEPLOYMENTS

1. Spearhead Bn (about 580 men)

a. Deployment

- (1) Coy 2 QUEENS arrived BRESSBROOK (7 Jan) - (to under comd 1 RS) to replace Coy 1 KOSB which returned to 39 Inf Bde as Province Reserve.
- (2) Coy 2 QUEENS arrived PORTADOWN (7 Jan) to replace Coy 1 KOSB which returned to 39 Inf Bde.
- (3) Coy and Tac HQ 1 DWR to PORTADOWN (8 Jan). Coy 1 QLR returned to BALLYKINLER as Province Reserve.
- (4) Coy 1 DWR to GLENANNE (8 Jan) under comd 1 RS.
- (5) 2 Coys 1 DWR (14 Jan) to replace 2 QUEENS Coys.

b. Task 1 DWR. Ops Police Div J (less HILLSBOROUGH) with under comd 2 Coys in PORTADOWN and a Bty in LURGAN. (39 Med Regt (-) to HMP MAZE and HILLSBOROUGH). Task: to deter further attacks and restore public confidence by intensive VCP and patrol operations.

c. UDR

- (1) 11 UDR - selective call-out (one Coy) from 051800Z Jan to 111200Z Jan. Normally 30 men by day and 80 by night. But during call-out 150 all day and night.
- (2) 3 UDR - selective call-out (one Coy) from 051200Z Jan to 100800Z Jan. Normally 35 men by day and 80 by night. But during callout 120 all day and night.
- (3) PRUDR Force (Coy 9 UDR) to 3 Inf Bde for ops OMEATH VCP and NEWRY - DUBLIN road 10-11 Jan.

d. RUC (about 70-100 men)

- (1) Sect SPG DUNGANNON - 7 Jan.
- (2) Sect RUC/RMP Task Force (BALLYKELLY) to PORTADOWN 6 Jan.
- (3) A Squad to PORTADOWN/SOUTH ARMAGH.

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APPENDIX B TO GOCs NOTES  
DATED 13 JAN 1976

MAJOR SECTARIAN INCIDENTS SINCE 19 DEC 75

1. Major sectarian attacks since 19 Dec 75 are as follows:

Srl	Date	Type	Place	By	Casualties
(a)	(b)	(c)	(d)	(e)	(f)
1	19 Dec	Bomb	DUNDALK	Protestants	2 dead, 19 injured
2	19 Dec	Bomb	SILVERBRIDGE	Protestants	3 dead, 6 injured
3	24 Dec	Bomb	COACH	Protestants	4 injured
4	24 Dec	Bomb	LOVER MARKETS, BELFAST	Protestants	nil
5	26 Dec	Bomb	NOY	Protestants	1 dead, 3 injured
6	27 Dec	Bomb	LONDONDERRY	Protestants	nil
7	28 Dec	Bomb	COACH	PIRA	nil
8	30 Dec	Shooting	CAMLUGH	PIRA	1 injured
9	30 Dec	Bomb	DUNGANNON	PIRA	8 injured
10	31 Dec	Bomb	GILFORD	PIRA	3 dead, 25 injured
11	31 Dec	Bomb	BALLYMACARRETT, BELFAST	Protestants	5 injured
12	3 Jan	Bomb	UNIVERSITY AREA, BELFAST	Protestants	nil
13	3 Jan	Bomb	FORTADOWN	PIRA	12 injured
14	3 Jan	Bomb	TOOME	Protestants	nil
15	3 Jan	Bomb	CAMLUGH	Protestants	17 injured
16	4 Jan	Shooting	WHITECROSS	Protestants	2 dead, 1 injured
17	4 Jan	Shooting	Near LURGAN	Protestants	3 dead, 1 injured
18	5 Jan	Shooting	BESSEROCK	PIRA	10 dead, 1 injured
19	7 Jan	Shooting	VILLAGE, BELFAST	PIRA	1 dead
20	9 Jan	Shooting	NEW LODGE, BELFAST	Protestants	1 dead

2. Summary

- a. Total: 20 major sectarian attacks since 19 Dec 75.
- b. By: Protestants 13  
PIRA 7

3. Casualties

- a. Total: 26 dead 103 injured.
- b. By PIRA: 14 dead and 47 injured.
- c. By Protestants: 12 dead and 56 injured.

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APPENDIX C TO GCG's NOTES

DATED 13 JAN 76

INCIDENTS

Srl	Incidents	Totals	
		This period	Last period
(a)	(b)	(c) (8 Days)	(d) (6 Days)
1. a.	Shootings involving SP	10	2
b.	Shootings involving civilians	20	9
c.	Total shooting incidents	30	11
2. a.	Bomb explosions	7	12
b.	Devices neutralised	8	3
c.	Total bomb attacks	15	15

b. CASUALTIES

Srl	Casualties	Shootings	Bombings	Other Incidents	Totals
(a)	(b)	(c)	(d)	(e)	(f)
1. a.	SP: Killed	1	-	-	1
b.	Wounded	2	-	-	2
2. a.	Civs: Prot killed	12*	-	-	12
b.	(incl Prot injured	1	4	-	5
c.	terr) Cat killed	2*	-	-	2
d.	Cat injured	2	-	-	2

\* Includes: 1 Catholic who died of injuries sustained on 1 Aug 75  
1 Prot who died of injuries sustained on 25 Dec 75

c. HOUSING STATISTICS

PERIOD	GRAND TOTAL	3 BDE		8 BDE		39 BDE		WANTED TO RDC
		CAT	PROT	CAT	PROT	CAT	PROT	
4 Jan - 11 Jan 76	64	11	5	4	-	43	3	7
6 Sep 75 - 11 Jan 76	1398	579	17	210	7	510	75	127

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PUS (mufax)

DOS/L/014(76)

COPY NO. 1 OF 10

cc Mr James - (mufax)  
Mr Barker  
Mr Craddock  
Mr Leahy  
Mr Webster  
Mr Hampton  
Mr Hall

ARMAOH

Thank you for your PUS/L/57 of 6 January 1976. I held a meeting with OLF this afternoon after a preparatory meeting this morning. What follows represents the joint views of the Army and NIC here. We have not consulted the RUC except where stated.

2. Before turning to the particular problem of Armagh I must stress what we here regard as absolutely cardinal points:

a. a publicly announced scheme will demonstrate the Government's firmness of purpose and reassure people in the short run. But we must beware of disillusion in the longer term. The problem of South Armagh is basically the problem of the border. We are doing a lot and may be able to do more. But there are considerable limitations to what we can do without much more co-operation from the southern Irish.

b. it will be all very well designating areas but once we have dealt with Armagh we may then have Fermanagh or Tyrone to

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deal with. So we should talk about measures (rather than areas) which can be stepped up and applied as and where necessary. Certainly at present Armagh is the place where they should be applied.

c. anything we say we are going to do we had better be sure we can carry out - and without counterproductive effects.

Designation of Co Armagh as a Special Emergency Area

3. There would be no need for formal designation requiring legislation. All that would be necessary to achieve the effect desired by the Prime Minister would be for the Secretary of State on Monday to announce that he has decided to regard Co Armagh as a special emergency area and that he intends to introduce special measures within that area to deal with the current security situation there.

Increased level of Security Forces in Armagh

4. Already it has been decided that Spearhead Battalion and the SAS should be introduced meaning an addition of some 600 regular soldiers. In effect however this means that only some 240 soldiers out of the 600 will normally be on operational duty at any one time, a small additional number for such a large area. A number of the proposals discussed below would require additional security forces for enforcement.

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Ways of achieving increased numbers include :

a. the retention of the recently increased force level for a period of say, 6 months.

b. to increase the regular force level above 14 by further reinforcements from Great Britain or BACR. This would involve considerable strain on Army manpower.

5. The options available for increasing the availability of the UDR are -

a. to extend the callout of the UDR on a semi-permanent basis. This would impose considerable strain on the part-time members of the UDR and could lead to some losing their civilian jobs;

b. the forming of a regular Conrate UDR battalion for full-time service in the area. It is not yet clear that it could be recruited. In any case it would take some time to organise and implement and would require legislation. The MCD is already studying the matter. In present circumstances the cost of this measure would have to be related to other defence priorities.

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6. The RUC have already sent up to 100 extra policemen to Co Armagh. They are too stretched to produce more in our view.

7. The idea of a special local force is attractive but there is really nothing to stop people joining the UDR and RUC(R). We should have a campaign to encourage them to do so to capitalise on the emotion aroused amongst both communities as a result of the recent sectarian killings. The Secretary of State could specifically encourage such recruitment in his statement. This would be much preferable to forming separate forces with the risk of 'B' special or vigilante annotations.

#### Vehicle and Personal Checkpoints

8. Clearly it will be reassuring to the local people for as many as possible to be set up in Armagh concentrating on roads near the border, roads near towns and villages in which the PIRA are believed to operate, and roads leading into Armagh which might be used by Protestant terrorists. The extra troops will enable us to operate more. But we should not delude ourselves that they will help us to catch more terrorists, though they will have some deterrent value. The value of checkpoints would be greatly enhanced if we could have joint Army to Garda planning and co-operation.

#### Large Scale Arrests

9. There is ample power to arrest suspects provided they can be found. We will only create hostility to the SF if we arrest at random. The use of the power of arrest in the PTA with a 5 day extension authorised by the Secretary of State cannot be

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Justified unless a high proportion of persons are subsequently charged or excluded. Otherwise the Secretary of State's position would be indefensible.

#### House to House searches

10. House to house searches already take place on a considerable scale in South Armagh. Their value depends on good intelligence. If we get more intelligence there will be more searches. Hopefully the recent revulsion in South Armagh to the recent murders will help. The SF are now getting more co-operation from the people of South Armagh.

#### Change in Rules of Engagement

11. We know that consideration is being given in the MOD to amending the Rules of Engagement applicable to all regular servicemen and UDR soldiers in the Province to permit them to open fire without warning in a number of additional circumstances such as when vehicles fail to stop at SF vehicle checkpoints or when a person is seen carrying an offensive weapon. It is doubtful whether any significant liberalisation of the Rules can be made within the present law. But if the Rules could be liberalised within the law we would be very much in favour.

#### Closure of border roads

12. There are practical difficulties all too well known. But if we could wipe the slate clean and start again, with full co-operation from the Republic, we could have a new and relevant border road closure

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programme which not only closed roads but ensured that they stayed closed.

#### Curfews

13. Curfews can be of two kinds: for vehicles and people. Powers exist under the EPA for vehicle curfews. A new regulation under the EPA would be required to take powers over people. The trouble about any curfew over people is that it would only work if the SF had full powers to shoot on sight. The idea of a vehicle curfew seems more attractive. It would certainly work if a small number of checkpoints were required. This is not the situation in Armagh, particularly if we are to be even handed in our treatment of the population. Moreover, the vast majority of the people are law-abiding. The problem is those who flit to and fro across the border and who could evade the very small curfew area which is probably as much as we could manage with available manpower. Regretfully we conclude that although a vehicle curfew might be a useful short term cosmetic measure it would not help the SF much to counter terrorism and would in the longer term be shown to have proved worthless.

#### Closure of Public Houses

14. Powers already exist under the EP regulations (1973) to close pubs. In itself such a measure would not confer any significant security benefit as people would evade the prohibition one way or another. It would be regarded as a kill-joy measure and would not stop people congregating for a drink in other places.

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Identification Passes

15. There already exists under the Prevention of Terrorism Act a requirement for any person within one mile of the border to present identification upon demand by an examining officer viz policeman or soldier. There is also power under Section 15 of the Emergency Provisions Act for any police officer or soldier to stop and question any person to determine his identity and movements and it is an offence not to answer to the best of a person's ability. These powers are currently used extensively in Armagh and indeed along the whole border. An identity card system might be considered for the Province as a whole. It would not be practicable in Armagh alone where a travelling gunman could not be identified from a bona fide traveller.

Vehicle Pass System for the Border

16. Regulations under the Prevention of Terrorism Act have already been drafted to provide that vehicles may only use unapproved crossings if the driver possesses a pass issued by the NIC or RUC. These Regulations could be introduced very quickly under the urgency procedure but would better be introduced as an amendment at the report stage of the Prevention of Terrorism Bill current before the House. (Report stage will probably take place within 2/3 weeks.) But the same objections apply as in the case of passes. Certainly the Army and RUC are not now in favour unless full co-operation from the South is forthcoming. Could Mr Cooney be asked?

Special Identification marks for vehicles

17. We have considered whether it would be practicable to require all vehicles moving in South Armagh to be

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required to display a special pass or otherwise to be specially marked. We do not think this would be enforceable without numbers of security or administrative forces which are clearly not attainable and without co-operation from the South.

#### Convoy System

18. The use of convoys protected by the security forces would be expensive in manpower. It would be an admission of defeat.

#### The laying of minefields

19. The army are strongly opposed to this because minefields are not much use unless guarded and covered by effective fire.

#### Widespread use of sleeping policemen

20. This was not thought to be desirable as they would facilitate ambushes at these points.

#### ADP

21. For some time the army have wished to introduce ADP for intelligence purposes in Northern Ireland but the Secretary of State stated in Parliament that such use would not be authorised unless he made a prior statement to Parliament. The Debate on Monday might provide a convenient opportunity for such an announcement to be made.

#### The Installation of Special Alarm Systems for isolated families.

22. We are still trying to solve the problem of reconciling this and the risk of come-ons, plus the

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need to have sufficient forces to respond quickly.

CONCLUSION

23. We could no doubt take South Armagh apart, if not bring it to halt, by deploying even larger forces and introducing various Draconian measures. But it would not help to get terrorists. The short point is that the Army, RUC and Garda must co-operate to catch the terrorists. This means

a. that the Government of the South must help much more

b. we must secure changes in the law to enable us to put terrorists away for a determinate period.

*P.T.E. England*

P T E ENGLAND

Stormont Castle  
7 January 1976

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(JMP)

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June 25, 2007

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MISC 115(76) 1st Meeting

COPY NO 17

CABINET

NORTHERN IRELAND

MINUTES of a Meeting held  
at 10 Downing Street  
on TUESDAY 6 JANUARY 1976 at 3.30 pm

PRESIDENT

The Rt Hon Harold Wilson MP  
Prime Minister

The Rt Hon Roy Mason MP  
Secretary of State for Defence

The Rt Hon Marilyn Rees MP  
Secretary of State for Northern Ireland

The Rt Hon David Ennals MP  
Minister of State for  
Foreign and Commonwealth Affairs

THE FOLLOWING WERE ALSO PRESENT

Field Marshal Sir Michael Carver  
Chief of the Defence Staff

General Sir Peter Burt  
Chief of the General Staff

Sir Frank Cooper  
Northern Ireland Office

SECRETARIAN

Sir John Hunt  
Mr J D Bryers

SUBJECT

NORTHERN IRELAND

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June 25, 2009

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NORTHERN IRELAND

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THE PRIME MINISTER said that he had called the meeting in order to decide on measures to counter the recent sectarian attacks in South Armagh, which had culminated in the killing of 5 Catholics on Sunday and 10 Protestants the previous evening.

The meeting discussed first the despatch of additional troops to Armagh. Arrangements had already been made for elements of 2 battalions of the Ulster Defence Regiment and some 420 regular troops to be redeployed to Armagh from elsewhere in Northern Ireland. If the Army's Spearhead battalion were sent to Northern Ireland that evening and a second battalion starting the following day, 200 additional troops would be on the ground by the following morning and a total of some 500 additional troops later in the week. If necessary, these units could also be redeployed to deal with disturbances elsewhere in the Province. An additional battalion in Great Britain, or in the British Army of the Rhine (BAOR) would be nominated as Spearhead to take the place of the battalion sent to Northern Ireland.

THE PRIME MINISTER, summing up that part of the discussion, said that the meeting agreed that immediate arrangements should be made to despatch the Army's Spearhead battalion and a further battalion to Northern Ireland. The Secretary of State for Defence and the Secretary of State for Northern Ireland should review the position on 21 January and make recommendations whether the additional troops should be retained longer in Northern Ireland.

The meeting -

1. Took note, with approval, of the Prime Minister's summing up of that part of their discussion and invited the Secretary of State for Defence and the Secretary of State for Northern Ireland to proceed accordingly.

THE SECRETARY OF STATE FOR NORTHERN IRELAND said that sectarian murder was not a new development in Northern Ireland. There had been large increases in the number of such murders, for example in 1971 and 1972, as well as in 1975. But emotions in both communities in Northern Ireland had been stirred deeply by the killings of the previous few days. The despatch of additional troops to Northern Ireland was necessary. But the evidence pointed to the killing

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June 27 2009  
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in Armagh being the work of two comparatively small groups, neither possibly more than 30 strong; a group of members of the Ulster Volunteer Force (UVF) based in North Armagh and a group of members of the Provisional IRA (PIRA) operating in South Armagh, outside the effective control of the Provisional Army Council, and able to take refuge across the border in the Irish Republic. Forensic evidence showed that the same weapons had been used in the murder of the 10 Protestants the previous day as in the recent murder of 4 soldiers near Forkhill and in the killings in the Orange Hall at Tullyvally in October. The despatch of additional troops was necessary to keep the situation in check and to express our resolve to restore law and order in South Armagh. But other measures too were likely to be needed. For example, a crucial advantage held by the PIRA group in South Armagh was its ability to operate, and fire at our forces, across the border. Any improvement in cross-border co-operation with the Irish security forces that might result from the meeting he was to hold later that week with Mr Dooney, the Irish Minister of Justice, would be of the greatest importance to us. Deep concern at the recent killings had been expressed at the meetings he had held with Northern Ireland political leaders that morning. The leaders were prepared to state publicly their condemnation of sectarian murders, and all were agreed that order must be restored in South Armagh. But the Loyalist leaders had reserved their accusation that the Government lacked determination to beat the IRA and there was evidence of a continuing fear that we would abdicate our responsibilities in Northern Ireland. The leaders of the Ulster Loyalist Central Co-ordinating Committee (ULCCC), whom he had also seen that morning, were extremely worried by the possibility of further sectarian killings leading to unrestrained retaliation by the Loyalist community. The Provisional IRA leadership was in disarray and was having great difficulty in exercising control over its followers. The risk of unpredictable action by the Provisionals, for example after the Parliamentary Debate on the report of the Constitutional Convention, could not be discounted.

THE SECRETARY OF STATE FOR DEFENCE said that the continuing sectarian killings and the high rate of re-involvement in violence of released detainees was putting great strain on the bipartisan policy of the Government and the Opposition on Northern Ireland. Since the beginning of the Provisional IRA's cease-fire there had been some 120 killings and 340 wounding in Northern Ireland. These figures were under continuous criticism by the Opposition. It was estimated that some 35 per cent of those released from detention had become involved again in violence and that most of those recently released



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had returned to their paramilitary units. To counter the criticism which these figures had provoked and to retain the support of the Opposition for the Government's policy in Northern Ireland, it would be necessary to demonstrate not only an intensive security effort on the border with the Republic, but also new efforts to improve co-operation on security matters with the Irish Government. A new approach would be needed to deal with the security situation in Armagh. A possibility would be to treat the whole of the community as a Special Emergency Area and to apply special measures within it. These might include a renewed use of Internment Custody Orders (ICO), the use of computerized intelligence data, for which equipment was already being developed, the deployment of the Special Air Service (SAS) in a surveillance role, and the introduction of controls over movements across the border with the Republic. A determined effort in Armagh, associated with a selection or combination of these measures, could help both to ensure continuing support by the Opposition of a bipartisan policy in Northern Ireland, and to dispel any misapprehension that we were contemplating an abdication of our responsibilities in the Province.

In discussion, it was argued that the use of ICOs in one part of Northern Ireland but not in another would be difficult to defend. Deployment of the SAS could be provocative and might not by itself lead to the capture of those responsible for recent killings. On the other hand, other special surveillance operations in Northern Ireland had been very successful, and use of the SAS would be seen as an expression of our determination to deal with the situation in South Armagh. It would therefore pay a political, as well as a military, dividend.

In further discussion, it was pointed out that we must retain the continuing co-operation of the Irish Government in security matters. The Secretary of State for Northern Ireland would be meeting Mr. Dooney later in the week, but we should explain at once to the Irish Government what measures we had in mind. It was important not to give the Irish Government an opportunity to veto the use of the SAS. We should explain that we planned to deploy the SAS in Armagh as part of a series of measures to restore order in that county. They should be given the opportunity of advancing arguments against this proposal, should they wish to do so, within a period of, say, 24 hours.

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2007  
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THE PRIME MINISTER, summing up the discussion, said that the greater danger lay in under-reaction than in over-reaction to the recent events in Northern Ireland. This had been confirmed by the attitude adopted by the Northern Ireland politicians consulted by the Secretary of State for Northern Ireland that day. The meeting agreed that special measures should be taken to deal with the security situation in Armagh. They were attracted by the proposal that the county should be treated as a Special Emergency Area. The Secretary of State for Defence and the Secretary of State for Northern Ireland should prepare specific proposals for special measures to be put into effect within the county. The meeting considered that the balance of advantage lay in deploying the SIS on surveillance duties, but in Armagh only. He would send a message that evening to the Taoiseach, explaining our intention. Subject to his reaction, arrangements should be made by the Secretary of State for Defence and the Secretary of State for Northern Ireland in consultation for the deployment to take place. The Irish Government should be informed at once of the range of measures which we had in mind and Sir Frank Cooper should visit Dublin the following day for that purpose.

The meeting -

2. Took note, with approval, of the Prime Minister's summing up of their discussion, and invited the Ministers concerned to proceed accordingly.

Cabinet Office  
7 January 1976

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~~SECRET~~ - UK EYES A

Reference VCGS 1180/14

IS of S(Army)

Copy to:

APS/Secretary of State  
PS/Minister of State  
PS/PUS  
DUS(Army)  
LMO  
DASD  
AUS(GS)  
BCS(Int)  
DPR(Army)  
Head of DS7  
Head of DS10

17/4/74

THE UDR AND INTELLIGENCE

1. The success of the Security Forces in Northern Ireland has owed a great deal to good intelligence. At present this is primarily the task of the Regular Army and RUC. The UDR's involvement in intelligence is limited, although each Battalion has an established post for a part-time Intelligence Officer; all of these posts are filled and intelligence gathering is already practised to some extent. UDR battalions could, however, play an increasingly useful part especially in the country areas where the local knowledge of its members is strong. This would provide invaluable reinforcement and augmentation to the intelligence effort of the Regular Army and RUC Special Branch.
2. At present the membership of the UDR is largely Protestant in background and sympathy. Although it has fully maintained a credible non-sectarian image in its current operational activities, there is an obvious risk that its impartiality might be called into question if it were seen too ostentatiously to possess and operate in an intelligence gathering role. Criticism on this score would be less likely to be based on hostility towards properly conducted intelligence duties than on fear lest the UDR become drawn into malicious neighbour-watching. In support of any criticism it might be contended that an intelligence task is outside the terms of reference of the UDR as laid down in 1969 in the White Paper (Cmd 4188), para 5 of which reads:

"It will fulfil its role by undertaking guard duties.... by carrying out patrols and by establishing check points and road blocks...."

In defence it could, however, be validly argued that the collection of intelligence is integral to the UDR's task "to support the regular forces in Northern Ireland..... in protecting the border and the State against armed attack and sabotage" and that the description quoted above of the way in which this task is carried out is not exclusive and in particular cannot preclude such basic military tasks as intelligence. Nevertheless, any extension of the UDR's intelligence-gathering role will need to be carefully controlled.

~~SECRET~~ - UK EYES A

SECRET - UK EYES A

Reference

3. The proposed extension and formalisation of the UDR's intelligence role is, therefore, based on two principles. First, the UDR's intelligence activities should be mainly in the field of gathering and reporting basic intelligence rather than in the matter of its collation, assessment and dissemination. Intelligence from another source will still be passed to the UDR only when required to support an operation by the UDR. Secondly, these activities should be firmly under the control of the Regular Army. This is easy enough to ensure under present conditions, when regular units are deployed in strength and all tasking and operations of the UDR are carried out under close regular army supervision. In the longer term special arrangements would need to be made. In both the short and the long term, the regular army Commanding Officer or Training Major in each battalion is to keep a close eye on intelligence matters.

4. The UDR complement of the intelligence cell in each UDR battalion HQ will consist of an officer, NCO and a soldier. There will also be a UDR NCO with intelligence duties in each company, who will maintain records and will be the company point of contact on intelligence matters. All these posts will be filled part-time. Assuming that the scheme is approved, the intention is that the NCO at each Battalion HQ should in due course be a Conrate (a full-time member of the UDR, although of course not a member of the regular forces). This would ensure both continuity and a permanent point of contact on intelligence matters at Battalion HQ, and would improve efficiency. However, Conrates are not easy to recruit and the scheme would not be dependent on a Conrate post.

5. Some basic intelligence training will be desirable for UDR intelligence personnel. It is proposed that the Battalion Intelligence Officers should attend a two-week FAVR Regimental Intelligence Officers Course at the School of Service Intelligence at Ashford. UDR NCOs can be trained by the Intelligence and Security Company in Northern Ireland. This training can be arranged within a few weeks of approval being given.

6. Under present circumstances each Brigade Intelligence and Security staff, which in Northern Ireland includes three officers, maintains a close liaison with UDR permanent staff and part-time Intelligence Officers, and are responsible for tasking them, for collating and recording intelligence received from the UDR, and for disseminating intelligence required by the UDR for their duties and operations. In many cases UDR and regular units have joint operations rooms and responsibilities for liaison and supervision can be delegated to regular army levels below Brigade. Within the present system there are ample resources for regular army control of UDR intelligence activities. UDR have no contact with Special Branch other than through regular units and the Military Intelligence Officers accredited to Special Branches at Police Divisions.

7. In the longer term, when regular units may not be operationally deployed and may be on exercises or training away from the Province, other arrangements will have to be made. It is proposed that each UDR battalion intelligence cell will have

SECRET - UK EYES A



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Reference

the assistance of a Liaison Intelligence NCO (LINCO) - a senior NCO of the Intelligence Corps under command of the local Brigade Headquarters or regular unit. The functions of the LINCO will include advising the CO of the UDR battalion on intelligence matters, helping to maintain such intelligence records and documents as need be held by the UDR battalion, and liaison with the Brigade HQ and affiliated regular unit, and with Special Branch as necessary. The LINCO will also be able to provide the UDR battalion with advice on security.

8. I should stress that, under these proposals, the UDR's collection role will be directed at intelligence on terrorist activities. There is no intention of recruiting or encouraging members of the UDR to become informers on subversive elements within the UDR although, as you know, subversion in the UDR is a cause for concern. Both the GOC and Commander UDR would be strongly averse to any proposal to task members of the UDR in this way.

9. We do not propose to make an announcement of this controlled extension to the UDR's modest role in intelligence gathering. It will be implemented in a low key, and the staff work involved will be carried out discreetly. Nevertheless, the facts could become known, perhaps as soon as the date when training starts, and a Defensive Press Brief is being prepared.

10. I believe that the scheme outlined above is extremely important and that the potential gains make its introduction a matter of urgency. I should be grateful for your agreement to set it up.

11. NIO Officials have no objection to these proposals and are consulting their Ministers concurrently.

17 April 1974

VCGS

SECRET - UK EYES A



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appropriate box.

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DEFENCE

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SECRETARY OF STATE

THE UDR AND INTELLIGENCE

In the attached minute VCGS seeks US of S(Army)'s agreement to increasing the intelligence collecting role of the UDR. Among other things, it is proposed to designate a full time intelligence officer in each UDR battalion, together with an NCO and a soldier. Special training is to be arranged at the Army Intelligence Centre in this country.

2. The trouble is that the minute does not really explain precisely what these increased intelligence collecting activities will in fact entail. Much of the minute is frankly gobbledegook. What, for instance, does a "controlled extension to the UDR's modest role in intelligence gathering" really amount to? If the Army are merely thinking of tidying up the arrangements for collating any intelligence obtained at present then it hardly seems worth putting the matter to Ministers. If, on the other hand, the Army are envisaging members of the UDR going round in plain clothes while off duty deliberately to see what they can pick up, then it does seem to me that we should be rather careful, especially when there is so much talk about Army plain clothes activities, assassination squads, the SAS and what have you.

3. As the minute has been addressed to US of S(Army) I think that it might be an idea for US of S(Army) to raise the matter at your meeting on Monday afternoon to discuss force levels, after the main business has been taken. This would give you the opportunity to quiz CGS and VCGS about what is involved. If you agree with this, I shall have a word with US of S(Army)'s Private Secretary.

(N H NICHOLLS)

18th April 1974

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UDR 180/14

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The UDR and Intelligence: VCGS' 1180/14 of 17th April

7. S of S expressed his disquiet at the GOC's proposals for enhancing the UDR's intelligence gathering potential at this particular moment. The news would be likely to get out, and would inevitably resuscitate speculation about Army plain clothes operations. US of S(Army) pointed out that with 97 per cent of

the UDR Protestants suspicions would arise that members of the UDR were being asked to spy on each other.

8. CGS stressed that what was proposed was in no way revolutionary; the basic objective was to bring the intelligence organisation within the UDR into line with arrangements in the rest of the Army. The UDR's intelligence capability would have to be built up sooner or later, and it seemed only prudent to set the necessary measures in hand at a stage when the Army itself was in sufficient strength in the Province for an effective ground-work to be laid.

9. After a brief discussion, it was agreed that, despite the need to adopt the measures proposed in the long term, this was not the right moment to begin. The question might be covered in the forthcoming security review. CGS undertook to inform the GOC.



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FOR  
NORTHERN IRELAND  
AUS (GS)  
BGS (Int)  
HEAD OF DS 7  
HEAD OF DS 10

NORTHERN IRELAND OFFICE  
GREAT GEORGE STREET  
LONDON SW1P 3AJ

SECRETARY OF STATE FOR DEFENCE

THE UDR AND INTELLIGENCE

*19/3 (A)*  
*Time help*  
*Re last para*

*To see that Mrs. R...*  
*is content with our proposal*  
*because the UDR's intelligence*  
*provision is not acceptable*  
*and is acceptable to the Army*

Thank you for your minute of 17 September about the expansion of the UDR's intelligence gathering activities.

Our two Departments have been in touch for some time on several aspects of the proposals and I can now agree to them on the understanding that the new arrangements are made as discreetly as possible and that the necessary training is given in Northern Ireland and not at Ashford.

I am however concerned in case the use of the term "Intelligence Officer" should give a misleading impression in Northern Ireland about what such people would actually do, and thus put them at avoidable risk. I suggest that our two Departments should consider whether some other designation might be used which will not only make sense in Army circles but also avoid the dangers I foresee.

*Minister*  
*Mr. L. A.*  
*Mr. G. A.*  
*Mr. P. A.*  
*Mr. S. A.*  
*Mr. T. A.*  
*Mr. U. A.*  
*Mr. V. A.*  
*Mr. W. A.*  
*Mr. X. A.*  
*Mr. Y. A.*  
*Mr. Z. A.*

*note*  
*copy sent you in the*  
*letter of 17 September*  
*with New*

2 October 1974

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MINUTE

DS 10/44/15

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APS/Secretary of State

Copies to: PS/US of S(Army)  
MA/DCDS(I)  
MA/VCGS  
PS/DUS(Army)  
AUS(GS)  
BGS(Int)  
DMD  
Head of DS 7

THE UDR AND INTELLIGENCE

Earlier this year at a WIPG meeting held on 22 April CGS discussed with S of S a proposal for enhancing the UDR's potential for gathering information. It was agreed that, despite the need to adopt the measures proposed in the long term, then was not an opportune moment to introduce them. It was suggested that the question might be covered in the security review.

2. The Joint Security Review recommended that the Army should be authorised "to exploit the UDR's intelligence capability" and at a meeting S of S held on 11 July to discuss the review he indicated that he was prepared to agree to this (MO 19/3 of 11 July, para 13). Subsequently, in a minute to S of S for Northern Ireland on the review and force levels S of S mentioned his acceptance of the need for an enhanced intelligence capability in the UDR, and expressed the hope that SSNI would see no objection to it (MO 19/3/1 of 26 July, para 6). SSNI's reply of 29 July dealt exclusively with force levels, and he did not pick up the point about the UDR.

3. A draft minute, which is attached, has now been prepared for S of S to send to SSNI. It explains in some detail what is proposed, which should allay fears or suspicions about importing a particular feature of the "B" Special mentality into the UDR. Northern Ireland Office officials have seen the draft, and are generally content with the proposals. They were very uneasy about the suggested training at Ashford in Kent (para 9), but the alternative of carrying out the necessary training in Northern Ireland is acceptable to the Army Department. The draft leaves the matter open, but we can expect SSNI to oppose the use of Ashford.

4. I would be grateful if S of S would minute SSNI seeking his agreement to these proposals.

*B. Morrison*  
Head of DS 10

12 September 1974

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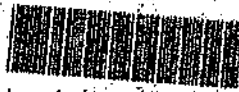
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SECRETARY OF STATE

UDR: ENHANCED INTELLIGENCE CAPABILITY

You will remember that one of the proposals contained in the Northern Ireland Security Review was that the UDR's intelligence capability should be improved. This proposal was discussed at your briefing meeting for your abortive discussion with Mr Rees back in July, and you indicated that you were prepared to put the matter to SSNI.

2. The Department have been discussing the proposal at official level with the NIO, and have now prepared a draft minute for you to send Mr Rees, explaining the reasoning behind it, and giving details of what is involved. As the draft was a trifle lengthy, I have attempted to compress it while retaining the essential sense, and it is the shortened version that I have had typed fair for you to initial.

3. Although when the suggestion was first discussed it rather looked as if there were sinister undertones - shades of the UDR running a network of paid informers and even members of the UDR being set on fellow members - in the event, all that is involved is the appointment of one or two additional staff who will be able to collate, assess and store the data obtained by UDR personnel in the course of their normal duties; at the moment, intelligence collection and processing is rather a hit and miss affair, and the organisational changes envisaged should ensure a more effective treatment and dissemination.

4. The only detailed proposal that might cause Mr Rees second thoughts is the one that UDR Intelligence Officers should be trained at the Army Intelligence School at Ashford, and in the light of NIO officials' misgivings, the minute suggests as a fallback that this training could be provided in Northern Ireland, even though it might not be quite as professional and effective as it would be at Ashford.

17th September, 1974

(N H NICHOLLS)

SECRET



From The Private Secretary

**CONFIDENTIAL**

NORTHERN IRELAND OFFICE  
GREAT GEORGE STREET,  
LONDON SW1P 3AJ

Copy to:-  
PS/MINISTER OF STATE  
PS/US OF S(ARMY)  
DUS(ARMY)  
AUS(GS)  
HEAD OF PS 10  
HEAD OF C2(AD)  
24 June 1974

C Rucker Esq  
Lord President's Office  
Privy Council Office  
Whitehall  
LONDON

... has asked me to  
... about the  
... suggested  
for handling information.

Information collected by the UDR will be used in regular Army channels for collation, assessment and exploitation.

- d. Intelligence will only be disseminated to the UDR when it is necessary for specific operational purposes.
- e. Records maintained by the UDR will be limited to information which they have acquired by their own means, or have been passed for operational reasons. UDR units will maintain photographic libraries of wanted terrorist personalities.
- f. The UDR will not run agents or informers.
- g. There will be no contact between the UDR and RUC Special Branch except through the regular Army.
- h. The UDR's activities will be directed at collecting information about terrorist activities. There is no intention of recruiting or encouraging members of the UDR to inform on any subversive elements within the Regiment.

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2009



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Lieutenant Colonel J L POWELL OBE 16/SL

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John P. Esq  
Advisor to GOC  
Northern Ireland

293/4(AG-8)  
17 July 1972

UDR DEFENCE REGIMENT - MEMBERSHIP OF UDA

As you probably know, during his recent visit to Northern Ireland, the Secretary of State (Army) was told that it was believed that at least some members of the UDR were also supporting the UDA. On his return, he expressed particular concern about this because he believed that sooner or later it would become public knowledge. Indeed, since then, we have noted that the magazine "Private Eye" in its current edition has not only made reference to this particular point but also alleged that UDR equipment is being made available to the UDA. I enclose a copy of the relevant extract.

It is now all the more necessary that we should prepare ourselves as a matter of urgency to answer criticism, either from the national Press who may pick up the article in "Private Eye" or from Members of Parliament. Any day now, we might well have to answer a Parliamentary Question at short notice.

I assume that it is generally agreed that the UDA is to be regarded as an "extremist" organisation membership of which would result in the rejection of an application to join the UDR. By the same token, membership of or active association with the UDA ought to render a UDR member unsuitable to remain in the Regiment and he should either discontinue association with that organisation or be discharged under UDR Regulation 0490, Serial 7b.

The first and immediate question, however, is to discover the extent of the problem. One way would presumably be to ask Company Commanders, on a strictly personal basis, whether any of their men are known to be associating with the UDA, and, if so, to what extent; but this may give rise to problems. It may be that it is virtually impossible to obtain an accurate assessment of the situation but your views would be appreciated because of the likelihood of Parliamentary Questions. We should like to know pretty quickly whether we could say immediately that membership of the UDA is incompatible with membership of the UDR; that we have no evidence that any UDR member is actively associated with the UDA and that we are taking steps to satisfy ourselves that this is not happening?

STATE IN CONFIDENCE

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STAFF IN CONFIDENCE

This leads on to the question whether UDR members generally should be expressly told that association with the UDA is incompatible with membership of the Regiment and, if it is not given up, will render them liable to be discharged. Do you see any difficulties about this and how precisely would it be done?

We do realise that this is not an easy matter to handle and that a situation may be disclosed in which action on the lines envisaged above might well give rise to local difficulties, eg. morale and recruitment, and indeed political embarrassment. What we are trying to do immediately is to make some assessment of the problem because we feel that the matter is one which we must take very seriously in view of the potential Parliamentary interest in Whitehall.

J. L. POWNALL

STAFF IN CONFIDENCE



Line 2  
May 28,  
2009

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EXTRACT FROM "PRIVATE EYE"

## it on the Crudens side

the most interesting of all the "impropriety" from the large man in public life who have at another received sums of money from a most famous architect. Mr. Cruden, was that issued by Mr. T. Dan Smith made his decision between payments made to him personally and payments made to his firm. T. Dan Smith made his decision, where he is now working. The earliest connections between Smith and Glasgow was in the early years when a partner in one of Smith's relations companies went to the city charge of the Glasgow office. Cruden was surprised to discover that Cruden's only main contract in Glasgow was with Crudens Ltd, the Musselburgh building firm. T. Dan Smith, it was remembered, had declared an interest in Crudens while leader of the Labour Party at Newcastle in June 1962, several years after the Newcastle Corporation began negotiations with Crudens for building of blocks at council flats in the city where Crudens had no building experience.

After a small local row about the Crudens contract, the Minister of Housing refused loan sanction for the contracts because, according to one report "all the contractors had not been treated fairly. One of them had been given unfair advantage."

*Evening Chronicle*: 11.7.63.  
By one of those curious coincidences which are going to occur with increasing frequency as the Poulson saga unfolds, he "accidentally" unleashed in the House of Commons has led to a further reference to Cruden.

Mr William Hamilton, MP for West Fife, who raised the Poulson affair in the House of Commons, received an anonymous letter from Scotland which directed his attention to the Ninewells Teaching Hospital in Dundee, whose construction has been dragged on now for eight years. Plans for the hospital, which is being built by Crudens, were approved by the Scottish Home and Health Department in 1963, and the contract was eventually awarded in November of that year.

A spokesman for the Scottish Home and Health Department told *Private Eye* that the contract was awarded "after competition". Asked what this meant, he replied: "It would not be true to call it open tender. A suitable form of competition was followed. A limited number of people could take the job and negotiations were limited to them."

A senior official at the Scottish Home and Health Department at that time was Mr Andrew Hughes, who was Assistant Sec-

retary. Mr Hughes became an Under-Secretary in 1964 and in 1967 he moved to the Scottish Development Department, where he was, effectively, second in command. In 1969 he left the Civil Service to become Managing Director of Crudens.

The Chairman of Crudens at that time was Sir Kenneth Cowan, who had spent a lifetime in government and local authorities in the health service, and had crowned his career with ten years as Chief Medical Officer for Scotland - from 1954 to 1964. Sir Kenneth left the Scottish Office a few months after Crudens had been awarded the Dundee contract, and took up his new post as chairman of the Crudens Foundation. Sir Kenneth Cowan died last year.

Mr Hamilton has passed his letter on to Mr Robert Carr who is expected to launch an urgent and immediate inquiry into allegations first made in *Private Eye* more than two years ago.

Northern Ireland

## Unhappy Families

The sequence of events leading to the end of the Provisional IRA truce has not, for some reason, been fully explained in the British press.

On Monday 3rd July, 16 refugee Catholic families from the Andersonstown area were allocated houses in the mixed Catholic area of Belfast. The allocation was made by the Northern Ireland Central Housing Executive, and the families were told that they could move in to the houses as soon as they received clearance certificates from the officer commanding British troops in the area.

Accordingly, on Thursday 6th July, five of the families received notification signed by Lt. Col. Mike Tomlinson of the Second Field Regiment of the Royal Artillery giving them permission to take over their houses. The five families went down to the area, where they were met by a barricade from the Ulster Defence Association. The hooded gentlemen on the barricade told them that they could not move in, and a British army officer explained that there was "nothing" the army could do about it.

The following day (7th July) 1000 Catholics from Andersonstown accompanied the families to the Belfast area waving the army certificates which granted the families "safe conduct". Once again, the UDA barricade barred the way, and the army abdicated responsibility.

Exactly the same thing happened on Saturday 8th July. On Sunday 9th, when the same confrontation took place, the army responded by running the truck which contained the families' furniture with an armoured car.

This constituted proof of what had been clear for at least ten days - that the promise

of British response to the IRA truce had not been forthcoming, and that pressure from the Ulster Defence Association had pushed Mr Whitelaw and his advisers into an increasingly anti-Catholic position. The expected increase in the rate of release of internees has not materialised. Only 19 men have been released since the truce - all of them detainees on short terms of detention.

The inevitable drift towards civil war raises the interesting question of the role of the Ulster Defence Association, which was formed largely from the disbanded "B" Special police force in 1969. The UDR has always intended to be, and still in theory is, a replacement of the British army, responsive to the same discipline and loyalty as any other regiment. Which is why some people regarded it as somewhat odd that at various times confrontations between the British army and militant Protestants in recent weeks, and militant Protestants for the "extremist" the hooded spokesmen for the "extremist" have been senior officers in the UDR. One set of British officers, in other words, have been negotiating with another set, with the latter openly threatening to shoot down the former. Indeed, the interests of the training methods inside the UDA can be attributed to the experience which UDR officers have picked up at the expense of the British army and taxpayers.

Not just training experience but also made available to the UDA from the UDR.

Even British army spokesmen have not been able to hide their concern at the sudden rise in "missing equipment" from UDR headquarters. Radio equipment seems especially difficult to hold on to. In East Tyrone and Mid-Derry especially, 20 self-loading rifles have been reported missing in the past three weeks. The most absurd aspect of the forthcoming war is that the British army may well find itself fighting troops trained by fellow officers and armed with British army weapons and radios.

Development

## Lincoln convertible

The centre-piece of the plans to destroy the ancient city of Lincoln (see *Nooks and Corners*, p. 3 for other details) in the City Council's proposal for what John Charnock of the *Daily Telegraph* (11th October 1971) called the "appalling futuristic development" planned for the city centre (see *Street View*). A concrete complex of multi-storey car parks, offices and shops is to replace some of the city's finest buildings.

The development is proposed by a consortium consisting of the City Council, Town and City Properties and the Lincoln Corn Exchange and Market Company which has run the existing Lincoln market as long as most inhabitants can remember.

An editorial in the *Lincolnshire Chronicle* on 23rd April last year gave the background

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Distribution:

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Mr Hanson, NIO  
Mr Davenport, NIO  
Mr Iedlie, Planning Staff<sup>4</sup>  
Brigadier Pascoe, Planning Staff<sup>4</sup>  
Brigadier Davis, COS, HDEI<sup>3</sup>  
Mr Cousins, P3, MOD<sup>3</sup>  
Col Wilson, MOD MOD<sup>3</sup>

A POLICY APPRAISAL OF THE UDR

The attached papers by NIO and MOD are circulated as a basis for discussion by recipients at a meeting which Mr Burns will chair in Stormont House Conference Room at 11.00 am on Wednesday 4 June. A further meeting has been planned for 11.00 am in Stormont House Annex Conference Room on Friday 13 June.

MISS D F F ELLIOTT  
Law and Order Division  
Stormont House  
11 May 1940

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are deployed throughout the Province, save West of the Foyle, West Belfast and South Antrim, except in the event of public disorder. In eight areas of the Province the UDR now provides front line support to the RUC. They have been allotted Tactical Areas of Responsibility (TAOR) on a continuous 24-hour basis under the command of Brigade Commanders. In these areas the UDR Battalion Commander is the local military commander, and any regular troops deployed there, other than large numbers brought in to deal with a state of public disorder, come under UDR command. The operational tasks performed by the UDR remain those considered appropriate to it on its inception in 1970, but greater emphasis is now placed on mobility and on active rather than passive tasks. The increase in full-time manpower has also enabled an extension of day time tasks. A Province Reserve Company is available for operations anywhere in the Province at weekends. Three battalions (A, G and B) have no TAOR and work solely in support of regular units. HQRI's analysis of the current strength of the UDR is at Annex B.

#### Future Development in the Short to Medium Term

8. The 1969 Act (Section 2(2) and (3)) distinguishes two elements in the concept of the UDR. Those are home defence, in the event of actual or apprehended attack on the United Kingdom; and emergency service in Northern Ireland in the defence of life or property against armed attack or sabotage. It was raised as a part-time regiment: the balance between part-time and permanent cadre is therefore crucial to its evolution.

9. The deployment of part-timers has enabled civilians, largely Protestants who had long been accustomed to the existence of some sort of part-time security force, to play their part in combatting

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terrorism. This has acted as a political safety valve for the Government by reassuring some Protestant politicians. Conversely it has meant that, apart from during its first two years, the Regiment has been regarded by the SDLP and other Catholic politicians as those whom they represent as a sectarian force drawn entirely from one side of the community and retaining connotations of the 'IP Specials'. This has inevitably had an influence, and will continue to have, on the locations and types of operations on which the Regiment is deployed. In the short term this perception of the RUC is probably ineradicable - and so is the political need for the RUC as a controlled outlet for Loyalists wishing to make a contribution. Irrespective of the military needs, there is a continuing political need for the Regiment to exist and to be seen to be active so long as the threat of terrorism persists. At the same time, the use of part-timers imposes practical constraints, primarily of availability and training.

10. For the purpose of this appraisal we have assumed that, in the short term - the next 2 or 3 years - terrorist attacks on commercial targets and on the security forces will continue, mainly in Belfast and in Border areas. The threat of civil disorder, which in its extreme form in Northern Ireland is almost certain to produce violence, is likely to remain. On the basis of these assumptions the Regiment will clearly continue to be required for military reasons to enable the Army to continue to provide the necessary level of support for the RUC.

11. The continuing need for the Regiment is clear. But it is equally clear that there will continue to be limitations on the use to which it can be put:

- (a) the Regiment will continue to be seen by the minority as, at best, unsympathetic to them;

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AG Secretariat-Attn. Lt Col Bowser

Copy to:  
DS 10 ✓  
MO 42 UDR - MEMBERS ALLEGED CRIMINAL RECORDS E60

We spoke about your loose minute of 2 May, and you confirmed that HQ Northern Ireland were content with the extent of the enquiries they had been able to make into the allegations made by Assemblyman Mallon last November.

In these circumstances, and considering the lapse of time since Mr Mallon's allegations were made, US of S(Army) feels that no useful purpose would be served in re-opening the issue with him. However, if he were to return to the charge we could of course ask him to produce evidence to substantiate his allegations.

US of S(Army) has noted the suggestion at para 4 of your minute that the RUC may have attempted on some occasions deliberately to conceal criminal records. He finds this very disturbing, and I should be grateful if you could let me have any evidence you may have to support this, and for your advice on the possibility of our taking this up with Northern Ireland Office Ministers.

*David Simms*

15 May 74

APS/US of S(Army)

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DSO  
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Prin. Sec. ....  
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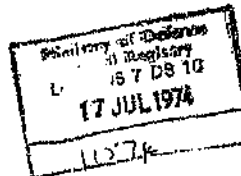
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LOOSE MINUTE

/DS10/44/15

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Head of JONG Sec  
Head of F2(AD)  
Head of G2(AD)  
D Sy la(A)  
Civ Ad HQNI



VETTING OF UDR APPLICANTS

Reference A: Your A/20/Lnf/4945 (ASDla) dated 21 June 1974  
" B: HQNI 2210G dated 11 June 1974  
" C: A/BR/2101/MO4 dated 25 June 1974

1. I have been sent copies of the above references by G2(AD) and have the following comments to make.
2. While I appreciate the desirability of economising on manpower, I agree with Head of DS7 that this must be weighed against the political repercussions that could result from our being seen to relax vigilance, especially at a time when the UDR has been coming under renewed attack both in Parliament and elsewhere for alleged partisanship - for example during the UWC Strike. There has already been some relaxation of security screening for UDR Conrates on entry, although they will not be employed on guard duties or on any other sensitive operational duties until the full procedures are completed. If news of this and of an abandonment of the ASWU interview system were both to leak out, and to be added together, it could be distinctly awkward.
3. In addition we should not disregard the possible effect of such a relaxation on the present proceedings against HMG before the European Commission on Human Rights at Strasbourg, where the hearings of the first Irish witnesses are due to take place in a few day's time on the question of discrimination against the minority community in contravention of Article 14. Several of the allegations concern UDA and other extremist Protestant involvement in the UDR, and the evidence we propose to put forward to counter them will include references to the strict security screening procedures operated by HQNI and applied to every potential recruit. Although it is doubtful that we shall go into more detail than this, any major change of practice at the present moment, were it to leak out, would be badly timed at best.
4. That said, I see no objection to the course proposed as a first step in para 2a of MO4's minute (RefO), ie selective interviewing of doubtful candidates by one ASWU-employed regular officer. But I support Head of DS7's view that there should be no commitment to proceed automatically at a subsequent stage to what HQNI have proposed; I believe this should only be authorised if those of us concerned agree at the time that the situation justifies it.

*AWS*

15 July 1974.

A W STEPHENS  
Head of DS10  
X MB 2398

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Index

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ESF	Provisional Sinn Fein: Catholic; political wing of FIRA	3
FLA	People's Liberation Army: Catholic; un-acknowledged military wing of the IRSP	
*RHC	Red Hand Commandos: Protestant; formerly extreme and militant	4
SARAF	South Armagh Republican Action Force: Catholic; pseudonym for FIRA activities in South Armagh	
UAC	Ulster Army Council: Protestant; umbrella organisation of para-military organisations; constituted as a sub-committee of the UICOO	
UCAG	Ulster Community Action Group: Protestant; community group under UDA auspices	
UDA	Ulster Defence Association: Protestant	5
*UFF	Ulster Freedom Fighters: Protestant; pseudonym for UDA/extremist	5
UIM	Ulster Independence Movement: small group consisting mainly of intellectuals and academics associated with Professor Kennedy LINDSAY dedicated to achieving an independent Ulster. Loose associations with the UICOO on this issue	
UICOO	Ulster Loyalist Central Co-ordinating Committee: Protestant; umbrella organisation of Protestant para-military organisations	5
USC	Ulster Service Corps: Breakaway group of USCA members West of the Bann	6
USCA	Ulster Special Constabulary Association: Protestant; organisation of former members of R-Specials	7
UUAC	United Unionist Action Council: Formed in the spring of 1976 by Ernest BAIER and Ian PAISLEY to take action against direct rule. Participated in USC vigilante campaign and has loose connections with UDA, DOM and UWC.	
*UVF	Ulster Volunteer Force: Protestant	7
UVSC	Ulster Volunteer Service Corps: Protestant	8
UWC	Ulster Workers' Council: Protestant; association of Protestant workers	
VIP	Volunteer Political Party: Protestant; attempt by UVF to establish a political wing; defunct	
YM	Young Militants: Protestant; pseudonym used by UDA	
YCV	Young Citizen Volunteers: Protestant; junior section of UVF	

NOTE: Organisations marked \* are proscribed

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Ms Anderson

Brief B.17

GUIDE TO PARA-MILITARY AND ASSOCIATED ORGANISATIONS

<u>Index</u>	<u>Page</u>
DOW Down Orange Welfare: Protestant; based in Co Down	3
ICA Irish Citizens' Army: Catholic; obsolete pseudonyms for IRSP	
ICRA Irish Civil Rights Association: Catholic; EIRA orientated	
ICSP Irish Committee for a Socialist Programme	
IFF Irish Freedom Fighters: Catholic; PIRA pseudonyms	
INAC Irish Northern Aid Committee: Catholic; American organisation engaged in fund raising for EIRA	
INLA Irish National Liberation Army: Catholic; pseudonyms for IRSP	
IOV Independent Orange Volunteers: Para-military off-shoot of Independent Orange Order (established 1905). Leadership has links with Ian PAISLEY	
IRSP Irish Republican Socialist Party: Catholic; revolutionary socialist	4
LDV Loyalist Defence Volunteers: Protestant, rural para-military organisation, now indistinguishable from USOA in the West of the province	
NICRA Northern Ireland Civil Rights Association: Catholic OIRA orientated	
*OIRA Official Irish Republican Army: Catholic; military wing of Official Sinn Fein; Marxist	1
OSF Official Sinn Fein: Catholic; political wing of OIRA, known in the North as the Republican Clubs	
OV Orange Volunteers: Protestant	4
PD People's Democracy: Catholic; Trotskyist group which supported the Civil Rights campaign of 1969-71 and many of whose supporters have now joined the IRSP	
*PIRA Provisional Irish Republican Army: Catholic	2

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ULSTER DEFENCE ASSOCIATION (UDA)

Leader: Andy TYRRE

Membership: About 70,000 drawn largely from the Protestant areas of Belfast

Activities: The UDA is the largest and best-organised of the Loyalist para-military associations. It tries to maintain a respectable front and, to this end, either denies responsibility for sectarian murders and terrorist bombings or claims them in the name of the ULSTER FREEDOM FIGHTERS (UFF), a proscribed and essentially fictitious organisation which is widely known to be a *nom de guerre* of the UDA. The UDA was born out of an amalgamation of local street defence associations (the WOODVALE DEFENCE ASSOCIATION being the best-known) and still sees itself as carrying out this role in "inter-face" areas. TYRRE is essentially a pragmatist. He would like to convert the UDA into a mass movement under his leadership, outwardly respectable and commanding widespread support from the Loyalist community. His main difficulty in achieving this end is his constant need to keep in step with his rank and file many of whom are far more militant than he is himself. TYRRE is however not averse to killing Catholics, even those who have no Republican connections, if he thinks it necessary at any particular point in time. He is openly contemptuous and deeply suspicious of the Loyalist politicians and although prepared to work loosely with them has taken care to keep the UDA free from any deep involvement either with political parties or other Loyalist para-military groups; he withdrew the UDA from the ULCCO(gv) in May 1976 and has co-operated loosely since then with the UAC (see Index). Like the PSF and the UDA is now going in for co-operative and community ventures; it has two main subsidiaries, the ULSTER COMMUNITY ACTION GROUP (UCAG) and NORTHERN IRELAND CO-OPERATIVE ENTERPRISES (NICE).

Chairman: Glenn BARR (UDA and VANGUARD)

Vice-Chairman: John McKEAGUE (RED HAND COMMANDO)

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(14)

Mr. Buxton  
for info.

Mr Blolloch (M)

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c.c. PS/SOS (S) - M  
 PS/Mr Alison (S&L) -  
 PS/PUS(S&L) - M  
 Mr Marshall  
 Mr Moriarty  
 Mr Wyatt - M  
 Mr Ranson - M  
 Mr Davenport - M  
 Mr Harrington  
 Mr Blatherwick - M  
 Mr Chesterton  
 Mr Buxton - M

# PROSCRIPTION OF THE UDA

You spoke to the Secretary of State on 3 June about the proscription of the UDA in the light of note of 2 June and Mr Buxton's note of 3 June. Mr Buxton and Mr Wyatt were also present. The Secretary of State noted that proscription would deprive the security forces of the access which they presently had to those members of the UDA who were also active in terrorism. He appreciated too that proscription would alienate sections of the Protestant community but was unlikely at least in the long run to do much to impress the Catholic community, bearing in mind that its practical effects would be limited. He agreed in the light of discussion that it would not be right at present to proscribe the UDA.

The Secretary of State expressed his concern about the way in which the discovery of arms at the UDA headquarters and the associated police action would be interpreted, especially if the UDA was not proscribed. He feared that the Government and police would not appear impartial, and that even if there were good reasons for not bringing prosecutions they were not ones which would necessarily be widely understood in the Catholic community or generally in Great Britain or elsewhere.

The Secretary of State agreed that he would meet the Chief Constable later in the day. He would say that, given the Chief Constable's advice, he would not at present seek to proscribe the UDA; he would express his concern about how moderate Catholics and people generally outside Northern Ireland might interpret recent events; and he would urge the Chief Constable to take action to ensure the security forces and so by implication the Government were seen in a better light, minimising the effect of his decision not to seek proscription.



The Chief Constable called on the Secretary of State at 4.30. You were also present. The Secretary of State made the following points:-

1. He noted that the Chief Constable was opposed to proscription at this stage and that he thought it would be unhelpful to the preservation of security. He accepted this advice.
2. He was concerned about the perception of events both as it bore on the discovery of arms and the subsequent arrests, on the continuing police investigations, and on the possibility of proscription. He had to have in mind the questions which would be asked of him in Parliament and by his colleagues and others in Great Britain. He also needed to consider a wider view which would be taken of the Government and the security forces. He noted the Chief Constable's wish that the RUC should be seen as an impartial and professionally competent force.
3. He was ready to answer the suggestion that the UDA should be proscribed because of the misdeeds of a few of its members, and he thought that he could do so effectively. But the discovery of arms at the headquarters created a different situation. The UDA as a whole was seen to be involved and questions about its future were bound to be raised. Many, for example, would assume that the Chairman and officers could be held responsible; this might particularly be the case with those who knew of Section 9 of the Emergency Provisions Act 1978.
4. In these circumstances he believed that there would be less criticism if arrests were made or if there were prosecutions. He appreciated that there could be prosecutions only if there was a reasonable chance of conviction, but he believed that a legitimate prosecution which failed in the courts might well be better than no prosecution at all.

In the light of these points the Secretary of State emphasised to the Chief Constable the sensitivity of the situation as he saw it and the importance of taking action which would minimise the harmful reaction in Northern Ireland, Great Britain and elsewhere to which he referred.

The Chief Constable made the following points:-

1. He confirmed that he did not believe proscription at the present time was right. Most UDA members did not act illegally and the organisation was not active in violence. Only a small core of its members were involved in terrorism or illegal activities and they were not a sufficient reason for proscription. There was a good record of success against Protestant extremists which would be hindered



rather than helped by proscription.

2. In his view the immediate aftermath of the discovery of arms had been badly handled by his officers and he had taken steps to ensure that the same would not happen again. The release of the 3 suspects had been premature, given the context in which arrests had been made, and the decision had not been referred to a suitably senior level in the Force. But intelligence confirmed that the decision was nevertheless correct and that the suspects had not been involved.
3. He assured the Secretary of State that he wished the RUC to be seen as an impartial and professional force. He appreciated the sensitivities to which the Secretary of State referred. The key to ensuring the RUC were seen to be impartial was continuing hard work in investigating those who broke the law. It was possible to show that much was being done to deal with Protestant as with other offenders, and these efforts should not be diverted by pressures of the moment.
4. He did not believe that charges could be brought against the officers of the UDA, notwithstanding Section 9 of the 1978 Act. Nor did he wish to prosecute if he believed there would be an acquittal.
5. He had already directed that efforts should be made to identify those who might be involved and to arrest and detain them for question. He had also directed that full use should be made of all available intelligence to this end. He assured the Secretary of State that the enquiries were being pursued urgently and energetically.

In the light of a full and robust discussion the Chief Constable assured the Secretary of State that he remained alert to the difficulty over presentation and to the need for the RUC to be seen to be impartial. He would ensure that every effort was made to arrest offenders and that the whole affair was capable of presentation in a way which reflected the sensitive issue of public perception of the security forces to which the Secretary of State had referred.

*S.W. Boys Smith*

S W BOYS SMITH  
5 June 1981

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Document 12D

Mr Elloch  
Mr Burton  
Mr Wyatt  
Mr Blatherwick  
Miss MacGlashan

77

~~MR FERGUSSON~~

THE UDA

Following the murder of Eugene Mulholland, claimed by the UFF, and the latter's reported "death list" of Republicans, there have been fresh calls for the proscription of the UDA, on the alleged grounds that the two organisations are one and the same.

Gerry Fitt is reported to have said that proscription should be the new Secretary of State's "most urgent task", and the Alliance Party, who have pressed the point before, may take it up in their meeting with him today.

2. Unless these calls for proscription are to continue - which they may not unless there are more sectarian murders claimed by the UFF - I would not be disposed to offer Ministers unsolicited advice on the subject. It may well be, however, that we shall be asked for advice, particularly if the Alliance Party raise the matter today. I think it would therefore be worth your dusting off our previous submission on the matter and considering whether anything has changed since then in the balance of the argument. At first sight, it does not seem to me that it has. In particular, I see that, following the UFF claim over the Mulholland murder, the UDA have reportedly denied any connection with the other organisation. In terms of the politics of proscription, we have always regarded the existence of such denials as more important than their accuracy.

C.D.

C DAVENPORT

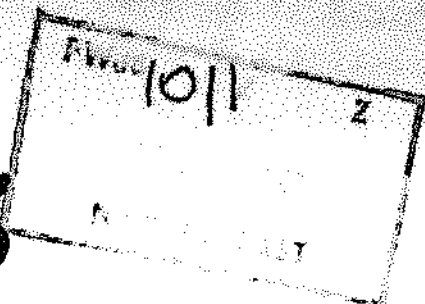
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Stormont House

22 September 1981

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Mr Marshall M  
Mr Bluelloch  
Mr Wyatt  
Mr Doyne Ditmas  
Mr Angel M  
Mr Harrington M  
Mr Blatherwick  
Mr Gilliland

Mr Buxton



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#### MEETING WITH THE CHIEF CONSTABLE: UDA

I am circulating separately, and necessarily more widely, the note of yesterday's discussion with the Chief Constable. I have confined to this note the comments the Chief Constable was making about the UDA.

2. The Chief Constable said he had received intelligence during the course of the day about the future intentions of the UDA and of McMichael in particular. The organisation had become increasingly disillusioned because it was unable to make a political impact. It had therefore decided to adopt a more violent tactic and to seek to assassinate leading members of the PIRA. Targeting was good and there existed a list of 15 people. Although the police had already taken certain preventive measures they might not be wholly successful, especially because of the difficulty of exposing the source of the information. It would be extremely unfortunate if at a time when the PIRA was under pressure from the security forces there was a series of UDA/UFF murders which might well provoke a reaction.

3. As best I was able to understand, the Chief Constable appeared to ascribe the sense of disillusion which had prompted the development of this new tactic largely if not wholly to the Government's failure to recognise the UDA as a legitimate political organisation. He pointed out that Ministers did not meet McMichael although they did, for example, meet Seamus Lynch, a former leader of the Official IRA. He believed it was unfortunate to increase the UDA's sense of isolation. For his part he would like to see them brought into the political fold although he was at pains to emphasise that a decision on this point was none of his business. The 'healthy cultivation' of McMichael could ha-



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security implications although he feared that nothing now done was likely to have an effect on the attempted murders if the UDA/UFF decided to act quickly. He had his own communications, outside Special Branch, with somebody 'influential with the UDA' which he had made use of recently; he would consider making use of them again on this occasion.

4. The Secretary of State noted the Chief Constable's points and undertook to consider them. He has, as you know, already received advice on Ministerial dealings with the UDA. He would be glad of the views of officials on the case the Chief Constable has now put forward. The Chief Constable clearly attached a great deal of urgency to the matter and you will no doubt be able to determine whether he was right to do so in the light of the assessment you and others make of what he has said. But I imagine the Chief Constable may return to this at the meeting of SPM scheduled for 18 January and I think the Secretary of State will need at least an initial comment by then, either as part of the briefing or separately.

S.W. Boys Smith

S W BOYS SMITH  
Private Secretary

12 January 1982

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NOTE OF A MEETING BETWEEN THE MINISTER OF STATE AND A DEPUTATION  
LED BY MR HUGH SMYTH, HELD AT STORMONT CASTLE ON WEDNESDAY 15 MAY 1974

Present:

Minister of State **S. HASSEEN**

Mr Hugh Smyth

Mr Stanley Gray

Mr Tommy West

Mr Ken Gibson

Mr James Allan

Mr Finlayson

25/5

Mr Orme said that he had taken the de-prescription order through the House of Commons the previous night. Lord Donaldson would be dealing with the order in the Lords that day and once it was through the Secretary of State would sign an order de-prescribing Sinn Féin and the UVF. Seven days later this would take effect. He understood the anxiety which Mr Smyth and his colleagues had felt about the delay in proceeding to de-prescription and Mr Carson had spoken to him of this. However, he hoped that the deputation would be reassured by the steps which had now been taken. Mr Gibson said that there were two points concerning them, the first was the men detained and their position, and the second was that they would like to see elections in Northern Ireland to enable the UVF to campaign politically.

Sept. 1974  
Amended  
1974


 PACIFIC  
AIR FORCE  
CENTRE

## Document 13B

Mr Woodfield

 to PW  
Mr Bayne  
Mr Moore

## MEETING WITH MR JOHN GILSON 22/23 MAY

1. Mr Ray Offens and Mr John can come to Lonsdale late last night. Mr Gately was present. Mr Gilson had very little to add to what he had said on the evening of 21 May. He remained deeply concerned about the possibility that there was a "Mr Big" behind the DAF. He declined to be drawn on the full membership of this organisation. He said that we had no information but it appeared that the UWF leaders were playing an important part in printing the paper with ideas. Mr Gilson was clearly deeply concerned about what role the UWF should play and the main idea which he and his colleagues had settled on was that they should remain ever vigilant against the possibility that the workers were being manipulated by loyalist politicians.
2. I gave him a copy of the Executive's statement and said that it was important that he and his colleagues should study it carefully. He said he would do so but most sincerely say that it would have little appeal to any loyalist. The fact was that he and his colleagues were not against power-sharing but they were extremely bitter that they had been excluded from participating in any way in the Sandringham discussions. Mr Gilson assured me that the UWF would continue to seek to lower the temperature; they certainly did not advocate violence. The trouble was that a desperate situation had now emerged and frankly some could see a way out: in his view the workers were prepared to go on to the end (although the meetings were chaotic the workers sitting round the table were aware of the consequences of their action but had no incentive to draw back). Mr Gately floated the idea that the workers should at least leave themselves some margin technically, eg to run the electricity down to 50% was really bordering on the suicidal.
3. Mr Gilson and his colleagues in the UWF are desperately searching for assistance in the form of a policy which they could call in the pro-military and UWC commands. Although one can go on repeating to them the need for the workers themselves to return the country to a state of normality now that they have made their point about the questionable consensus for some aspects of the Executive's policies, they really need something more suitable to

/ May



SECRET

play with. Although I realize the time may not be opportune to consider this I believe we should be giving active thought as to how we might bring certain elements under closer control; my fear is that in a near revolutionary situation the more dedicated and farsighted strategists may be able to capture the allegiance of what basically is a bunch of pretty unintelligent men. Indeed it may not be fanciful, and Mr Gibson is aware of this, that OIRA and others are taking a highly professional interest in the course of the U/W strike.

J. Allen

J H Allen

23 May 1974

CONFIDENTIAL

IC(86)4

## ANGLO-IRISH INTERGOVERNMENTAL CONFERENCE

NOTE OF A MEETING HELD AT STORMONT CASTLE ON TUESDAY, 17 JUNE 1986

British Side

Mr King  
Mr Scott  
Sir Robert Andrew  
Mr Bloomfield  
Mr Brennan  
Mr Stephens  
Mr Elliott  
Mr Templeton  
Mr Daniell  
Mr Hewitt  
Mr Clark  
Miss Steele

Irish Side

Mr Barry  
Mr Dukes  
Mr Donlon  
Mr Ward  
Mr Lillis  
Mr O'Tsuthail  
Mr O'Brien  
Mr Ryan  
Mr O'Donovan  
Mr Collins

(Sir John Hermon, Chief Constable of the RUC, attended for items 1 and 2 : Mr McMahon, Deputy Commissioner of the Garda Siochana, attended for item 1).

Cross-Border Security Co-operation

1. The Conference began by considering the progress made in developing a programme of work under Article 9(a) of the Agreement and took note of the report (copy attached) submitted by the Secretariat. Mr King welcomed the completion of the joint RUC/Garda report on intelligence matters which he described as an impressive and encouraging document. Emphasising the importance of improved security co-operation, he said that the two police forces should now concentrate on producing an agreed programme aimed at implementing the report's recommendations.

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2. Sir John Hermon paid tribute to the senior police officers responsible for producing the joint report : they had done a good job and their recommendations had been agreed in principle by both forces. Having completed the report, they would now be responsible for ensuring that its recommendations were fully implemented. This would involve a significant re-organisation and rationalisation of Garda resources in the border area. He welcomed the production of an agreed threat assessment which he regarded as a particularly important aspect of the report. Mr McMahon said that the Garda Commissioner was fully committed to the report's findings and was determined to enhance the force's operational capabilities. The strength of the Garda Detective Units in each of the four border divisions would be increased and the covert surveillance capacity enhanced. A feasibility study would be undertaken to ensure the proper implementation of the report's recommendations on secure communications. Although it had been decided not to appoint an additional Assistant Commissioner with sole responsibility for intelligence matters, consideration was being given to transferring each of the four border superintendents to the detective branch. Finally, it had been agreed that the additional uniformed men, posted temporarily to the border area in September 1985, should now be withdrawn.
  
3. During further discussion, Sir John Hermon said that a paper on the threat posed by Loyalist paramilitaries had been prepared by the RUC and would be forwarded shortly to the Garda Siochana. The Loyalist paramilitary organisations were well penetrated and intelligence about their intentions and capabilities remained good. They could be expected to continue attacks against Catholic schools and businesses, members of the RUC and the homes of moderate Protestants. Mr King said that the withdrawal of uniformed men from the border divisions could have a damaging presentational impact and needed careful handling. Mr McMahon said that they would be phased out gradually over a period of weeks as surveillance operations were intensified. Their deployment had been a temporary measure and had not proved particularly successful.

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4. The Conference noted that two further RUC/Garda reports were nearing completion. A report dealing with operational matters would be finalised within the next few days. The joint study on support services, training and legal matters would be completed by the end of July. Following agreement between the Chief Constable and the Garda Commissioner, the reports would be considered by the quadripartite group and then brought forward to the Conference.

### Relations between the Security Forces and the Community

5. Mr Barry said that, in the view of the Irish Government, improvements in the relationship between the Security Forces and the community were crucial to the success of the Agreement. He was impressed with the work already being done by the RUC in the field of community relations but additional measures were required. A number of issues had received preliminary consideration in the Secretariat and further meetings were planned. Amongst the issues already identified where the Conference had failed to produce results were the new police complaints procedures, the accompaniment of army patrols and the RUC Code of Conduct. He was also concerned about the practice of strip-searching and the use of plastic baton rounds.
6. Mr Barry said that the Irish Government still did not believe that the proposed new complaints procedures for Northern Ireland would command support in the minority community. In particular, they felt that the independent element in the complaints procedure should be strengthened. This could be done by retaining the power to hold tribunals under Section 13 of the Police Act; and by allowing supervisory members of the new Complaints Authority to play a greater role in the investigation of serious complaints. Mr Scott explained that representations on the subject of police complaints had been received from local political parties and interest groups in Northern Ireland as well as from the Irish Government. As a result, a number of modifications had been made and a Draft Order was now in preparation. On balance, it had been decided that Section 13 tribunals should be scrapped. Only one such tribunal had ever been established and it had proved ineffective. Instead, an entirely new power would be introduced whereby, in public interest cases, the Secretary of State or the Police Authority would be able to instruct the new

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Complaints Authority to undertake an investigation even if no formal complaint had been made. The new procedures would have a strong independent element and would be based on similar arrangements recently introduced in England and Wales. Important cases would be supervised by a member of the Complaints Authority : in addition, the Chief Constable would be empowered to ask a senior officer from a mainland force to investigate serious complaints. The Draft Order would be published shortly giving a further opportunity for representations to be made. Publication could not be delayed but the British Side would listen to any further points the Irish wished to make through the Secretariat.

7. Mr Barry asked what progress had been made with the new RUC Code of Conduct which the Irish Side had expected to be promulgated earlier this year. Sir John Hermon explained that, following consideration of the matter by a sub-committee of the Police Authority, a draft Code had been sent to the Police Federation and the Superintendents Association for comments. The next step would be to seek the approval of the Police Authority as a whole. It was essential to proceed with caution and to ensure that the introduction of the Code was supported by all those involved.
8. Sir John Hermon said that the policy of accompanying Army patrols, which had been in force since the mid 1970s, was being strenuously pursued. The demands placed on the RUC by the increased security threat meant that there were insufficient resources available to ensure that all patrols were accompanied. Nevertheless, priority was being given to the more sensitive areas. Mr Barry said that it would be very helpful to have up-dated figures on the percentage of patrols being accompanied. Mr King replied that such figures were not currently available. The RUC did not have the resources to maintain the necessary statistics and, in any case, the figures were likely to be distorted over the coming months by emergency deployments in response to the security situation. The earliest that statistics could be prepared was after the marching season in September but it was essential that the figures were meaningful and that their basis was thoroughly understood. Mr King explained that new physical security arrangements, due to be completed shortly, would mean that it would no longer be necessary to mount unaccompanied UDR patrols in the Castle Street area. No publicity should be given until after the work was finished.

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9. Mr Barry asked why the new guidelines governing the use of plastic baton rounds in England and Wales could not be applied to Northern Ireland. Mr King explained that the guidance issued to the RUC was similar to that which was issued to mainland forces and was based firmly on the doctrine of minimum force. The differences of emphasis in the RUC guidelines were the result of the very different practical circumstances in Northern Ireland. Plastic baton rounds had never actually been used in Britain whereas in Northern Ireland the threat of serious public disorder was much higher. It was therefore inevitable that different guidance should be required.
10. Mr Barry said that the Irish Government had been disappointed to see a recent increase in the number of strip searches carried out on female prisoners in Northern Ireland. Mr Scott replied that the number of discretionary searches had actually fallen in the last three months from 18 in March 1986, to 16 in April and only 14 in May. Automatic searches which were carried out whenever a prisoner was discharged from or received into custody had however been unexpectedly high in April.

### Electoral Matters : 'I' Voters

11. Mr Scott said that, following consideration of proposals put forward by the Irish Side, it had been decided that the franchise for district council and Assembly elections in Northern Ireland should be brought into line with that for Westminster elections. This would remove the anomaly whereby about 8000 Irish citizens resident in Northern Ireland, the so-called 'I' voters, were prevented from voting in local elections. For Assembly elections, the change could be made by Order in Council and it was intended that such legislation should be brought forward in the Autumn. For district council elections, primary legislation would be required and a suitable vehicle would be sought before the next round of elections in 1989. Mr Barry said the proposed changes were very welcome. He wondered if the British Side had yet reached a conclusion on the possibility of amending the disqualification rules so as to allow simultaneous membership of the Assembly and the Irish Senate. Mr King said that no final decision had been taken on this issue although it would be a more difficult proposition because of the implications for the House of Commons Disqualification Act 1975.

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### The position of the Irish Language

12. Mr Scott said that the British Government recognised and supported the wish of individuals in Northern Ireland to speak and use the Irish Language but not to the extent of promoting a bilingual society. It was therefore Government policy to show respect for the Irish language and to respond to demand through the education system and through support for the arts. Facilities for learning Irish were also provided in the prisons. Although there was no official estimate of the number of people in Northern Ireland who had knowledge of Irish, the number was thought to be small. There were no native Irish speakers and everyone in Northern Ireland spoke English. Against this background, the Government had carefully considered the proposals put forward by the Irish Side at the Conference meeting held on 10 January. As a result, the Government had decided to give further thought to the case for allowing Irish place names to be used. One possibility was to sponsor the preparation of an Irish version of the Northern Ireland Ordnance Survey Map. Work would also begin on a practical scheme to permit the residents of a defined district to display street names in Irish as well as English if they so desired. Dual language road signs would not be introduced and the British Side felt that there was no need to give the Irish language parity of esteem in official business or the courts. In view of the absence of precise information on the number of Irish speakers in Northern Ireland, a question about knowledge of the language would be included in the 1987 Continuous Household Survey and consideration would be given to including a question in the 1991 Census. Finally, the Government would invite the Arts Council for Northern Ireland to consider whether there was greater scope for giving financial assistance to Irish cultural activities. These proposals were welcomed by the Irish Side. Mr Barry said that any measures taken by the British Government to promote the Irish language would deprive Sinn Fein of a valuable propaganda weapon.

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### Legal Matters including the Administration of Justice

13. The Conference noted the further progress reports (copies attached) submitted by the two legal Working Groups. Mr King said he understood the strength of feeling on the issue of three-judge courts. He had recently discussed the matter with John Hume of the SDLP and he was aware of the points made by Dr Fitzgerald in his meeting with Sir Robert Armstrong. There were considerable practical and political problems but the proposal would be carefully considered by the British Side.
14. Mr Barry said that the introduction of three-judge courts for all non-jury trials was an essential prerequisite for the delivery of effective extradition legislation in the South. Unless major changes were made in the administration of justice in Northern Ireland no such legislation could be passed. In answer to a specific question, Mr Dukes explained that a constitutional challenge to any new extradition legislation could not be ruled out although, given recent developments in Irish case law, such a challenge was unlikely to succeed. Mr King emphasised the need for effective extradition arrangements. He said it would be disastrous if Irish legislation passed by the Dail were to fall at the constitutional hurdle.

### Cross-Border Economic Co-operation

15. Mr King said that following the recent meeting between Mr Needham and Mr Boland the British Side understood the desire of the Irish Government to go ahead with the Newry/Dundalk road. In Northern Ireland terms, the project did not have a high priority and, in any case, it appeared to be unpopular with local residents. There was also the possibility that the road would become a target for terrorist attack. Mr Mallon of the SDLP had promised to re-examine local attitudes and report back to Mr Needham. The Government would continue to keep an open mind on the subject and to consider the possibility of using any international funds which became available to finance the project. Mr Dukes said that, if it were built, the road would be an important symbol of increasing economic co-operation between the two parts of Ireland. He thought that local opposition was not significant.

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## Current Issues

15. Mr King said that a number of Northern Ireland affairs were due to be discussed at Westminster. The future of the Assembly and the Interim Period Extension Order would be debated on 18 June. The renewal of the Emergency Provisions Act would take place shortly and would provide an opportunity for the Government to announce its proposals for amending the legislation.

## Joint Statement

16. A joint statement (copy attached) was agreed and issued after the meeting.
17. The meeting which began at 11.30am finished shortly before 2.15pm.

[http://cain.ulst.ac.uk/proni/1986/proni\\_CENT-3-20A\\_1986-06-17b.pdf](http://cain.ulst.ac.uk/proni/1986/proni_CENT-3-20A_1986-06-17b.pdf)

<http://www.bbc.co.uk/news/uk>

**UK agents 'worked with NI paramilitary killers'**

28 May 2015

Security forces have been accused of involvement in dozens of murders during the Troubles in Northern Ireland

**British security forces had thousands of agents and informants working inside Northern Ireland paramilitary groups, the BBC's Panorama has learned.**

The undercover operatives were recruited by the Army, MI5 and Special Branch and many were involved in criminality and murder.

Ex-Met Police commissioner Lord Stevens said the agents caused huge problems in Northern Ireland.

The government says collusion with paramilitaries should never happen.

Lord Stevens led three government investigations into the security forces in Northern Ireland and has revealed the scale of the counter-intelligence operation for the first time.

Lord Stevens also told BBC Panorama that thousands of agents and informants were recruited during the Troubles, and that just one of the agents - Brian Nelson - may be linked to "dozens and dozens" of murders.

Nelson, who was a paid army agent, provided assassination targets for the three main Loyalist paramilitary groups - the Ulster Freedom Fighters, the Ulster Volunteer Force and the Red Hand Commando.

During his investigations in Northern Ireland, Lord Stevens and his team arrested 210 paramilitary suspects. He says that 207 of them were agents or informants for the state.

**Crime 'impunity'**

Baroness Nuala O'Loan, who was Northern Ireland's first police ombudsman, also found evidence that state agents were involved in murder.

She tells Panorama that the security forces failed to control their undercover operatives.

"They were running informants and their argument was that they were saving lives, but hundreds and hundreds of people died because these people were not brought to justice," she said.

"There was impunity really for these people to go on committing their crimes. Many of them were killers, some were serial killers."

One Special Branch agent in north Belfast has been linked to 20 murders.

Mark Haddock, who ran one of the Ulster Volunteer Force's most notorious terror gangs, was paid at least £79,000 for his work as a police agent.

The police ombudsman of Northern Ireland is currently investigating 60 murder cases where the state has been accused of involvement.

These investigations were delayed because the police refused to hand over crucial evidence to the ombudsman.

But following a court challenge last year, the new Chief Constable George Hamilton agreed to hand over the intelligence files.

He told the programme that he was willing to work with the ombudsman, but the information needs to be handled carefully.

"There is a need to understand the sheer magnitude of what we are dealing with. We are talking about rooms full of material.

"Some of it is very sensitive, some of which if it is released in the wrong circumstances would be outside of legislation, some of it if released in the wrong circumstances could put lives at risk."

The government says that the vast majority of those who served in the security forces did so with distinction. It says collusion with paramilitaries should never happen and the government has apologised where it did.

*Panorama: Britain's Secret Terror Deals* is on BBC One at 21:00 BST on Thursday 28 May 2015 and available later via BBC iPlayer.





Ministry  
of Defence

ANNA SOUBRY MP  
MINISTER OF STATE FOR DEFENCE PERSONNEL WELFARE AND VETERANS



## Attachment B

27 NOV 2013

MINISTRY OF DEFENCE  
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Telephone: 020 7218 9000 (Switchboard)

MSU 4/8/11/sb

November 2013

*Dear Mark Durkan,*

When responding to the Westminster Hall debate on the Glenanne Gang murders on 12 November, I undertook to write to you to comment on the points which I was unable to address at the time.

I want first to re-emphasise that my Department is fully committed to supporting the police in its work to bring offenders to justice. You did acknowledge in your remarks that there had indeed been convictions for many of the appalling murders to which you referred. Even at this length of time, I would be delighted to see convictions of anyone who facilitated these murders by stealing military weapons and providing them to paramilitary groups for use by terrorists.

Much of the detail of your speech, however, referred to deliberations within the Ministry of Defence about the problem of infiltration, particularly of the Ulster Defence Regiment, by paramilitary sympathisers. As we noted, evidence for this has been seen by researchers in the National Archives. That evidence may be interpreted in different ways. You see it as proof of the indifference of the authorities to the problem. It might equally be regarded as evidence that the existence and seriousness of the problem was indeed recognised and that the Ministry was giving serious thought to how best to deal with it. The very existence of the documents shows that this was indeed a matter of serious concern, whatever view is taken of the adequacy of the action adopted.

I do not intend to defend the steps which were taken or to argue against alternative strategies which could have been adopted. While I recognise of course, a continuing obligation to co-operate with the police in the investigation of crimes dating from that period I do not feel that it is necessary for me to argue for or indeed against the policies that were adopted at that time. The important point for me is that people may study the declassified records which have been lodged in the National Archives and may draw the conclusions which they think that material supports.

I am placing a copy of this letter in the library of the house.

ANNA SOUBRY MP

Mark Durkan MP  
House of Commons  
London  
SW1A 0AA



Northern  
Ireland  
Office



PAT  
FINUCANE  
CENTRE

## Attachment C

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Anne Cadwallader  
Pat Finucane Centre  
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24 March 2015

Dear Ms Cadwallader,

Thank you for your latest letter to the Secretary of State in which you have reiterated your desire for the Government to respond to the matters outlined in your publication, *Lethal Allies*. I regret that it has taken so long to provide you with a substantive reply. I am sure that you will understand that before Christmas, we were working assiduously to reach agreement in the Stormont House talks on, among other things, a way forward on mechanisms for dealing with Northern Ireland's past. However, I am now in a position to respond to you on the serious matters which you have raised.

In *Lethal Allies* you catalogue the appalling actions of the so-called 'Glenanne gang' which has been linked to the deaths of many people during the Troubles. I know that you are working closely with a number of the families who have lost their loved ones as a result of these deaths.

You will understand that, in view of the very serious claims and allegations that you have made, it has been necessary to look carefully at the matters raised in *Lethal Allies*. In particular, you have alleged that there was collusion between members of the security forces and the 'Glenanne gang'. You have also claimed that this was indicative of

widespread collusion and inferred that it was permissioned and even sanctioned by the UK Government

You will be aware of the Government's very clear position on collusion. It should, as the Prime Minister said definitively in his response to the De Silva report, "never, ever happen". I am pleased to say that the vast majority of those who have served in the security forces have served with distinction. However, where the state and its employees have fallen short of these standards, this is entirely unacceptable.

A number of the claims of collusion in your publication are based on the content of HET reports. As you know, these reports are provided directly to families and neither I, nor my officials, have therefore seen them in their entirety. I note that, in a number of the cases considered in *Lethal Allies*, those responsible were brought to justice for their crimes. However, sadly, in many cases, no conviction was achieved. I can only assume that the HET reviews did not turn up any additional evidence to enable the perpetrators to be identified or prosecuted. You write that the HET reports indicated at least the potential for collusion in some cases, for example because the HET found "no satisfactory explanation" and was "unable to rebut or allay" suspicions of collusion but "uncovered disturbing omissions and the lack of any structured investigative strategy". This is indeed both disturbing and disappointing. However, it is not the same as saying that there is conclusive evidence that collusion took place in these cases.

It is an established historical fact that some employees of the UDR and the RUC acted collusively with loyalist paramilitaries. You rightly identify historical state papers which discuss the extent of such subversion in the UDR. These papers are open for consultation by the public in the National Archives at Kew. The papers clearly demonstrate that there were members of the UDR who shared sympathies with the UDA and UVF and that some were actively engaged in assisting or were themselves members of these organisations. This point is well made in *Lethal Allies*. However, I was disappointed that you did not set these files in context. *Lethal Allies* only quotes those excerpts of the files which serve to support the argument that collusion happened. It does not quote from the other parts of the files which indicate that the Ministry of Defence was taking steps to both monitor and address the inappropriate and illegal conduct of members of the UDR. The fact, recorded in the files, that numerous individuals were discharged and even prosecuted is omitted from your account. Such an omission might erroneously lead readers to draw the

conclusion that the Government was indifferent to the activities of these individuals within the security forces when this was clearly not the case

While I acknowledge that there were those in the employment of the state whose loyalties lay elsewhere, I am afraid I do not see any evidence that such subversive or collusive behaviour was led or permissioned by the Government. Indeed, as explained above, I believe that the evidence suggests the contrary. While *Lethal Allies* refers to meetings and correspondence involving Cabinet ministers, none of these references indicate any collusion. It is therefore disappointing that such references have been incorporated into the narrative of your book in such a way as to suggest, without foundation, that the UK Government promoted collusive behaviour.

I understand that many of the cases considered in *Lethal Allies* have been subject to HET reviews and will be the subject of an impending legacy inquest. Once established, the new Historical Investigations Unit will take forward any outstanding HET investigations. The Government cooperates fully with these investigations and will continue to do so.

I hope you will appreciate that we have looked carefully at the content of *Lethal Allies* and that we take claims of collusion very seriously. I would like to reiterate that the Government believes that collusion was, and is, wrong. It should not have happened. Where it has been found that collusion was involved in Troubles-related deaths, the Government has apologised. I understand that this will be of little comfort to those who are still seeking answers about the deaths of their loved ones. I can only reiterate that investigations into the horrific events detailed in *Lethal Allies* continue with the full cooperation of the Government in the hope that the facts of each case can be established and those responsible can be brought to justice.

Yours sincerely,  
Andrew Morrison

DR ANDREW MURRISON MP  
PARLIAMENTARY UNDER-SECRETARY OF STATE FOR NORTHERN IRELAND