

# IRELAND

## INTERNATIONAL NEWS BRIEFING

Published by Sinn Féin Foreign Affairs Bureau,  
51/55 Falls Road, Belfast BT12

Issue No.7

August 1989

### Editorial

## Twenty years of British rule , twenty years of Irish resistance

In August 1969, the British government deployed its regular army onto the streets of the Six Counties — its colony in north-eastern Ireland — as its chief instrument of government.

The autonomous unionist government and its indigenous paramilitary forces, the Royal Ulster Constabulary and the 'B'-Specials, had failed to fulfil their remit of maintaining the political stability which British government interests required.

A campaign for basic civil rights had brought out the whole panoply of state forces and powers against civil rights supporters and large sections of the nationalist population in a violent confrontation. The state lost. The British army was injected into the situation as a life-support system.

This month marks the 20th anniversary of that event. In the intervening years, armed force has remained the chief instrument of government, backed up by what is euphemistically called 'emergency' legislation, provided by a compliant imperialist legislature at Westminster and applied by an equally compliant unionist judiciary. In fact, the Six-County state has been governed by such legislation since its inception — legislation which is now to become permanent.

The British government's contribution to the marking of that anniversary has been the deployment of one of its most brutal army units — the Parachute Regiment — and the appointment of Peter Brooke, a relative of Sir Basil Brooke, as its chief colonial administrator.

The Parachute Regiment gained international notoriety in the Bloody Sunday massacre in Derry in 1972 when it murdered 13 peaceful civil rights demonstrators and wounded

scores of others (another died later of his injuries). Sir Basil Brooke — a renowned sectarian bigot — misruled the Six-County state as its Prime Minister for 20 years. Between them, the Parachute Regiment and Brooke symbolise 20 years of British government political and military failure, and utter insensitivity to the Irish people — the arrogant hallmark of an imperialist power.

In 1969, at the height of a loyalist pogrom against the nationalist population of Belfast and elsewhere, the then Dublin government premier, Jack Lynch, vowed that his government would not 'stand idly by'. He then rapidly proceeded to do exactly that. One of nine premiers since the foundation of the 26-County state to the present day, Lynch's inaction was but part of an unbroken pattern; all active contributors to the problem lacking the vision, ability or will to attempt to contribute to the solution.

The fundamental cause of the problem in Ireland is the denial of democracy by the British government — the denial to the Irish people as a whole of their right to national self-determination, the denial to the Irish nation of its right to political independence and sovereignty. From that basic problem, a great many other problems inevitably flow. From that basic problem arises a barrier to tackling the other major social, economic and cultural problems.

British rule — the partition of Ireland against the will of the overwhelming majority of the Irish people — is the major problem in Ireland.

A national democracy, and the freedom, justice and peace which it will provide, is the only solution.



## Sinn Féin

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# POLITICAL

## Britain on the defensive

In a major British government propaganda offensive aimed at deflecting international attention away from the 20th anniversary of the deployment of British troops, the Northern Ireland Office has launched a glossy 72-page booklet which totally distorts the root cause of all political violence in the North. The IRA and Sinn Féin are blamed as the cause of all the ills of the statelet while the core issue of the problem — British occupation and all that flows from it — is conveniently ignored.

The booklet, 10,000 copies of which will be distributed to politicians, the media and British embassies abroad for circulation, makes the absurd claim that all the demands of the Civil Rights movement have been fulfilled by British government reforms! The claim would be remarkable in itself if it were not for the fact that several reports — ironically, also issued this year by the British government — paint a contrasting picture!

The main demands of the Civil Rights movement were:

- One person/one vote;
- An end to discrimination in employment;
- An end to discrimination in the allocation of housing;
- The repeal of the Special Powers Act;
- The disbandment of the 'B'-Specials.

Twenty years on, when the British government's responses to the demands of the Civil Rights movement are objectively analysed, the results show that the quality of life for nationalists in the Six Counties has significantly worsened not improved.

### ONE PERSON/ONE VOTE

The right of one person/one vote was granted reluctantly even though the state had been gerrymandered to ensure that there would be a permanent Unionist majority. Furthermore, recent legislation aimed at minimising support for Sinn Féin has been introduced which limits the electorate's choice of candidates. In addition, voters are required to produce identification to claim their vote. The identification documents are so limited that many thousands of work-

ing-class people were unable to meet the requirements and were disenfranchised.

## DISCRIMINATION IN EMPLOYMENT AND HOUSING

These two key areas of nationalist discontent have worsened. In 1969, Catholics were two times more likely to be unemployed than Protestants. Now, in spite of 'anti-discrimination' legislation, they are two-and-a-half times more likely to be unemployed.

Regarding housing, Catholics still suffer indirect discrimination because they do not have equality of access to public housing. Catholic households are more than three times more likely than Protestant households to live in sub-standard accommodation and are less likely to have access to facilities such as schools, public parks or children's play areas.

## THE SPECIAL POWERS ACT

This Act was repealed but was replaced by even more draconian legislation contained in the Prevention of Terrorism Act and the Emergency Provisions Act. In recent months, these acts have been supplemented by extensive new powers which make the Special Powers Act look almost moderate in comparison: censorship restrictions have been placed on television corporations making it illegal to interview Republican spokespersons; the long-enshrined Right to Silence of individuals during interrogation has been abolished; freedom of assembly is no longer a right; freedom of privacy is no longer a right with the RUC having the power to investigate bank accounts.

## THE 'B'-SPECIALS

This paramilitary auxiliary of the RUC, which specialised in terrorising the nationalist community, was disbanded. Almost immediately its numbers were integrated into the newly-formed Ulster Defence Regiment (a regiment connected to the British army). The UDR quickly gained notoriety as being even more sectarian than the 'B'-Specials. Many of its members have been responsible for the sectarian killings of innocent Catholics and recently the British government 'awarded' it for its services by arming it with plastic bullets. The potential consequences of this are frightening, given the regiment's track record.

Commenting on the NIO booklet, Sinn Féin spokesperson Danny Morrison pointed out that, as one of the worst examples of British government

propaganda over the past 20 years: "It will ensure by its bias and inaccuracy even greater media and political interest in the North internationally."

## Dublin government rebuked on Irish sovereignty

Writing in the latest edition of the British Labour Party magazine *Labour and Ireland*, Kader Asmal, President of the Irish Council for Civil Liberties, urges the Dublin government in the 26 Counties to pursue the right of national self-determination before the United Nation's Decolonisation Committee. He also calls on non-governmental organisations and private individuals throughout the world, especially in Britain, to use various international forums, such as the Human Rights Commission of the UN, to put pressure on the British government to recognise the elemental right of the Irish people to nationhood. Only then, he ascertains, "can there be peace in Ireland and the basis of harmonious relations between Ireland and Britain."

The fact that successive Dublin governments have not internationalised the issue of partition is, "an abiding scandal... The initiative must be now grasped, if not by the Government then by individuals and organisations."

Asmal, who teaches law at Trinity College, Dublin, has acted as consultant with the UN on decolonisation issues. In his lengthy analysis, which also looks at the negative role played by lawyers regarding partition and the British presence, Asmal maintains that, as long as British governments present the need for Unionist consent as a condition for ending the union with Britain, this veto would remain "the primary stumbling block to any resolution of the running sore of the conflict in Northern Ireland and it must be addressed both by politicians and lawyers."

Asmal notes that:

"Britain has tried internment, power-sharing, derogation from the European Convention on Human Rights by not observing a judgement of the European Court and is now considering a new initiative described as 'rolling power-sharing'."

"But these have not been scenarios for peace because they have ignored the right of the people of Ireland to self-determination."

Asmal also criticises the consultative role given to the Irish government in the 1985 Hillsborough Agreement which

does not alter the British insistence on its sovereignty over the North. This 'right of ownership' therefore, *"clashes with the right of self-determination of the entire people of Ireland, a right now universally acknowledged as a fundamental rule of international law and which has had a profound effect in not only subverting the old order of domination but in criminalising the forcible maintenance of colonialism."*

*"This right is part of the democratic principle which asserts the 'right of peoples to determine their international status, their right to independence and their right to decide their own destiny in the international community'."*

That principle, he continued, *"has been repeatedly asserted by successive Irish governments and invoked by the people of Ireland in successive generations. Its clearest articulation occurred in 1969 when, for the first time, the Irish government tried to raise the issue before the United Nations Security Council, arguing the British government could not ensure the safety of the minority in the North."*

*"The Irish representative provided the historical and political basis of the claim to self-determination when he said: 'The Six Counties, after all, do not constitute a geographically isolated area, but are an integral part of the island of Ireland and an important part of a country which throughout history has been universally regarded as one unit. This historic unity of Ireland is so self-evident as not to require argument. The claim of the Irish nation to control the totality of Ireland has been asserted over centuries by successive generations of Irish men and women, and it is one which no spokesman for the Irish nation could ever renounce. (Britain) is certainly aware that that claim has been asserted and sustained without interruption up to the present day, and it has never been conceded that a unilateral action on the part of the British government could surrender an entity which nature and history have made one.'"*

### LAWYERS CRITICISED

Asmal also pours scorn on the role of lawyers who, by and large, have accepted the constitutional arrangements of partition in 1921 and enthusiastically given their support for whatever political 'initiatives' have been promoted by the British government. He also criticised them for demanding that the 26-County government repeal its constitutional claim that the North of Ireland forms part of the whole island of Ireland.

Many lawyers have argued that the legal right to Irish self-determination cannot be retrospective to 1921 so as to undo the arrangement then made. They have maintained that the border has not only been in existence for nearly 70 years but has been recognised by the international community. However, Asmal says:

*"... the lesson of the past four decades is that the legal right to Irish self-determination must be seen as a peremptory or fundamental right which affects all aspects of inter-State relations, as a truly subversive doctrine. In 1921, there was a partial or incomplete act of self-determination with the establishment of the Irish Free State, following the Articles for Agreement for a Treaty between the Irish Republic and Britain... Lawyers must therefore take into account the fact that while Britain may have had a good title in law to Northern Ireland in 1921 because of the legal system existing then, the development of the law since then can even affect title to territory."*

Asmal records that since this was clearly expressed by the highest international tribunal, the International Court of Justice, in the Namibian Opinion in 1971 when it said:

*"The Court must take into consideration the changes which have occurred in the supervening period, and its interpretation cannot remain unaffected by the subsequent development of international law through the Charter of the United Nations and by way of customary international law. Moreover, an international instrument has to be interpreted and applied within the framework of the entire legal system prevailing at the time of interpretation."*

In view of this, says Asmal:

*"The 'entire legal system prevailing' today requires that Britain recognise the right of self-determination of the people of Ireland. This right is not based simply on a claim to territory but on the collective national rights of the population of Ireland."*

### British colonial rule extended

One of the final official acts by outgoing British colonial ruler Tom King was to introduce in the British House of Commons the Draft Northern Ireland Act 1974 Interim Period Extension Order 1989. The Act provides for the continuation of direct rule of the Six Counties by the British government. It was the 15th time since the proroguing of the Stormont government that direct

rule was enforced. It was passed by 156 votes to 8.

### British Secretary for North replaced

A British cabinet reshuffle at the end of July resulted in King being promoted to Secretary of Defence, a position which will allow him ongoing involvement in implementing British policy in the Six Counties — now the most militarised state in Western Europe, following King's reign. He was the longest serving British Secretary of State in the North and his administration oversaw the implementation of a refined but intensely repressive campaign of political and military policies to oppress the nationalist people. He implemented the erosion of civil rights and the securing of unprecedented levels of collaboration with the 26-County Dublin government through the Hillsborough Agreement.

His replacement, Peter Brooke, is a cousin of former Stormont government bigot Sir Basil Brooke, later Lord Brookeborough, who boasted he would *"never have a Catholic around the place"*. Brooke, like King, is certain to proceed full steam ahead with the implementation of further repression of the nationalist community.

### Haughey concedes coalition!

Following the June 15th general election in the 26 Counties, Charles Haughey's minority Fianna Fáil government lost seats, throwing the country into a major constitutional crisis.

For several weeks, Haughey publicly rejected any calls for coalition government, arguing that Fianna Fáil had never entered coalition in the past and was the only truly national party representing all classes and thus the only party capable of forming a single-party government.

Talks with the small Progressive Democrats party (PD), which won six seats in the Dublin Parliament, foundered early as Haughey refused to agree to a coalition government with Cabinet places for PD members. In Leinster House, he spoke about the formation of, *"a minority Fianna Fáil government"*. At the same time, however, despite clear unrest within Fianna Fáil, Haughey persisted in discussions with the PDs.

On July 12th, almost four weeks after the general election, Haughey met PD leader Des O'Malley and agreed to a

deal. In return for their support, the PDs received two Cabinet positions and parts of their election manifesto were included in an agreed 'programme for government'. In Leinster House, where he was re-elected Taoiseach by 84 votes to 79, Haughey said that he and his colleagues were making a, "*wholehearted sincere commitment to this new administration*".

Haughey's major U-turn on what many members of his party believe to be a fundamental tenet of Fianna Fáil policy has shaken his party to the core. One Fianna Fáil parliamentary party member has since resigned from the party. It is equally clear that many of the economic and social policies, particularly the cutbacks, which proved so unpopular with the electorate, will continue to be relentlessly pursued in the coming years.

## SECTARIANISM

### Orange Order demonstrations — carnival of bigotry

For nationalists in the Six Counties, the Orange marching season throughout the month of July is anything but the 'good-humoured carnival' depicted by the media. These annual displays of sectarian bigotry result in the widespread intimidation of entire sections of the nationalist community. Nationalists in many areas, such as Armagh, Portadown, Antrim, Tyrone and Belfast, live in fear for weeks. Virtual curfews are imposed as families are penned in their homes by the crown forces while Orange demonstrations pass through their village, town or city.

Despite promises that the Hillsborough Agreement would ensure that these provocative loyalist marches would end, one of the most blatant displays of loyalist triumphalism occurred this year in the 98% nationalist town of Keady in County Armagh where, despite objections from local clergy and civic representatives, 20,000 Orangemen converged for the latest and most provocative demonstration outside Belfast.

Newly-appointed RUC Chief Constable Hugh Annesley, who ignored calls to have the demonstration banned for being highly offensive to nationalists, personally oversaw the proceedings and later added insult to injury by congratulating himself that he had taken the "*right decision*" to allow the parade

to proceed.

The Short Strand and Old Park areas of Belfast and many other nationalist areas in the North came under attack from loyalist mobs supported by the sectarian RUC firing plastic bullets. As a result of these Twelfth 'celebrations', one nationalist youth is on a hospital life-support machine after being struck on the head by a plastic bullet. Another man, who had been standing outside his own home, was also seriously injured by a plastic bullet.

### Loyalist terrorists kill again

Loyalist paramilitary terrorists claimed their 12th Catholic victim this year when they burst into the home of father-of-three John Devine on July 23rd. Three gunmen fired repeatedly at Devine, who was reading the Sunday newspapers in the livingroom of his West Belfast home. He was shot at close range in the head and chest as his 13-year-old son, Sean, watched on.

The loyalists carried out this brutal sectarian killing of an innocent Catholic in the shadow of a British army observation post mounted on top of nearby Broadway Towers. They were also able to make their escape from the area, which is normally saturated by British military forces, with ease.

On June 24th, another innocent Catholic met his death in similar circumstances when loyalist gunmen burst into his home in Lisburn, County Antrim. Liam McKee (36) was shot in the chest and fatally wounded and his elderly mother injured when loyalists broke down the front door of their home. The Ulster Freedom Fighters, a cover-name for the Ulster Defence Association (UDA), claimed responsibility for the murder.

As with all loyalist killings, the violent way in which the latest victim, John Devine, met his death was meant to deliver a clear message to the nationalist community. Since the late 1960s, loyalist paramilitaries have killed almost 700 Catholics, during periods when loyalists believed that the link with Britain was threatened, even remotely. Their unfounded fears are based on the conception that if partition ended then civil and religious rights and economic prosperity would be denied in the context of a united Ireland. It is this fear, primarily, which has led them to commit violent action against the Catholic/nationalist minority.

Random sectarian killings are intended to strike terror within the nationalist community in a bid to remind Catholics

of their second-class citizenship within the artificial Northern statelet. They are also aimed at suppressing that community's democratically-expressed desire for Irish unity.

The UDA remains a 'legal' organisation despite the fact that its subsidiary, the UFF, has carried out hundreds of sectarian killings over the past two decades. The British government has consistently ignored calls from 'constitutional' nationalist parties and the Catholic hierarchy to proscribe the UDA. The reason why it continues to enjoy immunity is clear — the UDA is a useful weapon in Britain's war machine in Ireland in that its function is to oppress and terrorise the nationalist population.

### RUC complaints body a sham

Sinn Féin spokesperson on legal affairs, Paddy MacManus, has dismissed as a "*cosmetic exercise*" the new 'Independent Commission for Police Complaints'.

The Commission, established in February 1988 to replace the discredited Police Complaints Board, is empowered to oversee RUC investigations into complaints. To date, however, out of 2,033 complaints only three RUC members have faced disciplinary procedures as a result of the Commission's work and all three have been cleared of all charges.

The Commission dealt with 170 (12%) cases resulting from complaints under the Emergency Provisions Act and the Prevention of Terrorism Act. There were 55 complaints against the RUC involving death and serious injury, 68 involving assault and 16 threats including the misuse of firearms.

Commission chairperson James Grew, on the publication of the first annual report, claimed that the complaints system brings a "*substantial advance in civilian oversight to the investigation of complaints against the police*". Grew asks the public not to judge the success of the Commission according to the number of charges brought. However, the fact that not one member of the RUC has been prosecuted, despite serious breaches of conduct, is testament to its inability to act impartially.

The report calls for greater "*informal resolution procedure*" for dealing with complaints. This 'informal procedure', which was used 51 times in the first ten months of the operation of the Commission, means that once again the RUC takes on responsibility for investigating complaints against itself — which was exactly why an 'independent'

body was necessary in the first place! It appears that the 'independent' Commission would much rather abdicate its responsibility and revert to the situation where the RUC policed itself!

Councillor MacManus said:

"This report does not contain any evidence of any change in the determination of the British state to defend members of the crown forces against charges of brutality or harassment of the nationalist community. On the contrary, the report confirms the British government's commitment to protecting those who defend its political interests and is evidence of the Commission's inability to effectively tackle the problem of RUC sectarianism."

## JUSTICE

### Lifers campaign bearing fruit

In July, the Northern Ireland Office announced that release dates were to be given to 19 life-sentence prisoners in the Six Counties. The release dates resulted from the 'Special Reviews' held in November 1988. Of the 19 prisoners to be released, ten are Republican and nine loyalists. Most are serving sentences under the Secretary of State's Plesure (SOSP) and all have served between 13 and 15 years in jail. Other prisoners who received 'Special Reviews' are still awaiting the outcome.

This move was quickly followed by the announcement on July 26th that 120 prisoners serving life sentences were to be given a weekend parole in August. The NIO, as always quick to claim these moves as a major breakthrough, have ignored several key factors. In the main the releases are a response to the enormous public pressure exerted on the British to deal with the plight of prisoners serving indeterminate sentences. They are an attempt to deflect public criticism about the secrecy and political manipulation which surrounds the Review Board which makes decisions about the future of such prisoners. Furthermore, as John Cope, the minister in charge of prisons admitted, they are also being used as part of the British government's propaganda war in the battle for hearts and minds.

A spokesperson for the Campaign for Lifers said:

"While we welcome all paroles and releases, we feel that the arbitrary man

### Joe Doherty to be extradited

On June 30th, United States Attorney General Richard Thornburgh, decided that Irish Republican Joe Doherty should be extradited to Britain. The move overturned the decision made by the Board of Immigration Appeals that Doherty could re-open the deportation proceedings on his claim for political asylum.

Now the only thing that prevents his extradition is the stay attained by his lawyers, which will prevent the enactment of the deportation order as long as the litigation in the Second US Court of Appeals continues. That being the case, Doherty could be extradited into British hands within six months.

The decision has been widely condemned by many groups and individuals in the US who view it as a serious setback to individual rights there. Doherty has been in prison without charge under US law and denied bail since June 1983, despite a string of legal victories supporting his request for political asylum.

A letter in the *Philadelphia Inquirer* summed up the situation saying:

"There is something drastically wrong with the American system when the decision of our courts can be overturned to please the head of a foreign government."

### Delay in Guildford Four appeal

The appeal into the convictions of the Guildford Four, which had been ordered by British Home Secretary Douglas Hurd, has been postponed until next year. The appeals were due to be heard on October 9th this year after enormous public pressure was exerted on the British government.

The Guildford Four, Patrick Armstrong, Carole Richardson, Paul Hill and Gerard Conlon, were jailed for life at the Old Bailey in 1975 for the Guildford and Woolwich pub bombings and have consistently maintained their innocence.

The hearing will now take place in January 1990 with the British Lord Chief Justice, Lord Lane, presiding.

### DPP investigation and the Birmingham Six

Around 40 British police officers from a special squad which investigated the Birmingham pub bombings are themselves being investigated by the Director of Public Prosecutions.

The investigations are the result of widespread allegations about malpractices used by the West Midlands Serious Crime Squad in obtaining confessions.

The Birmingham Six have always maintained that 'confessions' presented at their trial were beaten out of them by members of the squad. Yet these allegations were rejected both at their trial and on appeal last year.

In an apparent attempt to thwart efforts to establish the innocence of the Birmingham Six, the British Home Office has refused to disclose the names of the officers being investigated even though several of them were directly involved in the Birmingham Six case.

In the past two years, five officers from the squad have been disciplined, one has been demoted and the Crown Prosecution Service is considering action against an unspecified number of others.

Three weeks ago the Squad was dispersed after a flood of complaints and the collapse of several trials. In the light of these new developments, relatives of the Birmingham Six have said that the British Home Office should now allow a new appeal of the convictions.

As a result of the DPP investigation, TDs in the Dublin government have suggested that an international independent tribunal be established to examine the case of the Birmingham Six, a move which was also welcomed by relatives of the prisoners who added that it was, 'about time the Irish government did something.'

### British army murderer reinstated

British 'justice' in the North of Ireland was again highlighted towards the end of June when it emerged that a British soldier, who was acquitted of the murder of nationalist Aidan McAnespie last year in County Tyrone, had been reinstated with his regiment. In a further insult to the dead man's family and the nationalist minority, it emerged that the soldier had received a slap on the wrist by being fined for 'negligent discharge' of the murder weapon.

McAnespie was shot in the back as he passed through the Aughnacloy British army checkpoint in February 1988. He had previously received numerous death threats from British soldiers at the checkpoint.

At the time, the killing sparked off diplomatic tensions between the Dublin and London governments but, in the fi-

nal analysis, both governments collaborated in covering up the truth. The Director of Public Prosecutions dropped the charges against the British soldier responsible, who claimed that his heavy sub-machine gun had "accidentally slipped" and discharged several shots which just happened to 'ricochet' and kill McAnespie.

The decision to reinstate the soldier smacks of the same imperialist arrogance which has marked 20 years of British rule in the North of Ireland. It exposes once again the lie that nationalists can ever hope to receive justice or equality under British occupation. In the interim, the family of Aidan McAnespie has once again called for an independent public inquiry to be conducted by Amnesty International.

## Victims of video show trial

Thirty-one nationalists have been arrested to date in connection with the execution of two undercover British soldiers, who were intercepted during an assault on mourners at the funeral of IRA Volunteer Caoimhghin Mac Brádaigh last year.

This is the largest and most extravagant show trial since the Christopher Black 'supergrass' trial, costing to date well over £2 million and relying almost entirely on the evidence of RUC-edited video tape, filmed from a helicopter hundreds of feet away from the actual incident. The arrested nationalists, nine of whom have already gone to trial, face charges arising out of defending mourners less than 48 hours after three people had died and 60 were injured during a loyalist attack on the funerals of the Gibraltar Three.

Harry McGuire and Alex Murphy were the first to be sentenced, after a trial lasting 32 days and involving a score of 'media' witnesses giving piecemeal evidence from behind a screen. Both received non-mandatory life sentences with a recommendation to serve 25 years before being considered for parole.

Severe sentences were also handed down to Sean Lennon (15 years) and David McConnell (9 years) for "falsely imprisoning" the two undercover soldiers.

Sean Lennon's disabled father and Joseph Leatham were acquitted of all charges, having spent an anxious year awaiting the outcome. Anthony Gallagher received a suspended sentence. Two men are currently awaiting the result of their trial and 23 others the

commencement of theirs.

Paddy McManus, Sinn Féin's spokesperson on legal affairs, condemned the severity of the sentences passed saying it was clear that:

*"The court did not take into consideration the initial circumstances which prompted this defensive action. It would appear that in this well-publicised instance the bench, in conjunction with the political executive, is more concerned with extracting revenge than administering justice.*

*"These men, who acted courageously in defence of their community, are being made the victims of a British show trial to assuage British public opinion."*

## INTERNATIONAL

### Gibraltar Three — international petition launched

An international petition is currently being circulated by the relatives of the Gibraltar Three who were killed by the SAS in March 1988. Ten thousand copies of the petition will be circulated in Ireland and abroad to civil liberties organisations, politicians, clergy, media and concerned organisations and individuals.

The families stated they were shocked by the failure of the Dublin government to clearly indicate its intentions over the killings, especially, they said, "in view of mounting evidence which points overwhelmingly to the fact that the killings were sanctioned by the British government".

The petition calls on the Dublin government, in its capacity as a signatory to the European Convention on Human Rights, to initiate an inter-state action against the British government in the European Court of Human Rights. The relatives maintain that as a signatory to this international body:

*"The Irish government has a responsibility to protect Irish citizens from human rights violations perpetrated by the security agencies of other co-signatory governments... As more and more inconsistencies in the British account are exposed, particularly revelations by the Spanish authorities that the British were aware the three were unarmed and had no bomb, it is all the more urgent that a thorough and impartial investigation is required. We feel that the proper judicial forum to examine all the evidence, with-*

*out restrictions, is the European Court of Human Rights."*

### SUBSTANTIAL DAMAGES AWARDED TO WITNESS

Meanwhile a High Court judgement has awarded substantial libel damages to key Gibraltar eyewitness Carmen Proetta.

Ms Proetta was vilified by several British tabloids after she appeared in a Thames television documentary *Death on the Rock* which explored the circumstances surrounding the killing of three unarmed IRA Volunteers by the SAS. She described how she saw Mairead Farrell and Daniel McCann being shot down while they tried to surrender. British premier Margaret Thatcher was infuriated and tried to stop the controversial programme. Immediately, the tabloid press supported the government and launched a vicious and scurrilous campaign against Ms Proetta accusing her of being involved in drugs, prostitution and of not being a wholly independent witness to the killings.

Following the High Court decision, Ms Proetta was completely indicated by the solicitor representing the Mirror Group Newspapers who retracted each allegation and conceded that she was a wholly independent person who had given an honest account of what she remembered seeing.

### Loyalist/South African arms link

Arrested US arms dealer, Douglas Bernhardt, told the British *Sunday Telegraph* (9.7.89) that the Starstreak components, stolen from Short Bros aircraft factory in Belfast last April and seized by the French police in Paris, were not models but three important components of the missile's guidance system. This is in direct contradiction to British government claims at the time.

Bernhardt further revealed that Shorts had been targeted by South Africa in a long-running espionage operation. Recently attacked by the IRA as part of the British war machine in Ireland, Shorts has been developing the Starstreak as part of Britain's commitment to NATO — with the help of £225-million from the British Ministry of Defence.

Bernhardt was arrested with three leading Ulster Resistance members in Paris on April 21st whilst trying to conclude the Starstreak deal with Armscor, the South African state arms company. Bernhardt, who has been released provisionally, claims that he was paid on a

freelance basis by the South African government to acquire arms.

It is understood that the loyalists had been offered £10 million for the missile secrets.

Ulster Resistance was established in 1986 by Democratic Unionist Party leader Ian Paisley and his deputy, Peter Robinson, both members of the British Parliament. According to the *Sunday Telegraph*, South African contact was made over four years ago at the behest of loyalists paramilitaries.

South Africa maintains that it has not sold arms to terrorists. However, according to the article, both loyalists and British intelligence claim that substantial arms deliveries were paid for by £250,000 stolen for the Northern Bank in Portadown, County Armagh, in 1987. The arms were channelled to the loyalists via Israel and the Christian Militia on behalf of the Pretoria regime.

## Discrimination legislation fails to impress!

British government efforts to defuse the growing campaign in the United States around the MacBride Principles for fair employment in the Six Counties have centred on new anti-discrimination legislation. The Fair Employment Bill was introduced into the British House of Commons last December and was eventually passed into law by the British Parliament on Wednesday, July 26th, becoming the Fair Employment Act.

In December, the Bill was widely described as a disappointment by those who wanted to see effective anti-discrimination laws. In the following months, both in the Commons and the House of Lords, a variety of amendments were introduced by the opposition parties and the government. However, promised amendments to strengthen the legislation, which the Minister for Industry in the North, Peter Viggers, told the Commons would be introduced in the Lords, were never tabled. In fact, several surprise amendments have had the effect of significantly weakening the effectiveness of the Fair Employment Act.

As a result, the British Labour Party, having reluctantly voted in favour of the legislation at its third reading, withdrew its support for the measure at the last moment.

The success of any anti-discrimination legislation can only be measured by its ability, within a specified period of time, to reduce the inequality in em-

ployment opportunities between Catholic and Protestant workers. No timetable to reduce inequality is provided in the new Act.

With recent British government reports confirming a worsening in the differential in employment between Catholics and Protestants, the need for strong and effective anti-discrimination legislation is obvious.

While some of the new measures, such as the concept of goals and timetables, will have a marginally positive effect, a number of major weaknesses in the legislation undermines its effectiveness and its credibility as a meaningful attempt by the British to meet the challenge of discrimination against Catholics.

The influence and power of the Six-County Department of Economic Development (DED), which has a record of bias and which has been widely criticised by supporters of fair employment legislation, has been strengthened in the new Act.

Having bowed to pressure and removed the DED's power to appoint the Chairperson of the newly constituted Fair Employment Tribunal, the government has allowed the department to retain responsibility for drawing up seven sets of subordinate regulations which will complement critical areas of the primary legislation contained in the Act.

Moreover, the DED can demand any information from the new Fair Employment Commission will appoint the members of the FEC and control its budget. Also, the DED is responsible for deciding **where** industry should be located and how long-term investment should be made — crucial powers in tackling structured discrimination.

### WEAKENED EFFECTIVENESS

Among other aspects of the new Act which weaken its effectiveness, is the way in which affirmative action has been loosely redefined. In the original White Paper it was described as "*a more representative distribution*" but this has changed now to read "*fair participation*".

The problem of indirect discrimination, which the British government claims to have dealt with in the new Act, remains as great as before. According to one anti-discrimination specialist, Christopher McCrudden of Oxford University:

*"As currently interpreted, it permits employers for example, to prefer employees who are friends and relations of existing employees, despite the discriminatory impact of such practices".*

The bar against judicial scrutiny of the use of national security exceptions remains unchanged from the previous legislation. This is a major anomaly given that full judicial scrutiny is available in cases of alleged sex discrimination but not religious discrimination.

In the area of monitoring, the powers of the FEC have been weakened, while the Equal Opportunities Commission has expressed concern at several aspects of the Act which it feels damages women's equality.

It is also important to recognise that effective Fair Employment legislation is only one element in what must be a government-directed, comprehensive strategy to end discrimination. Such a strategy must include decisions on the location of industry, civil service offices, investment decisions and a host of other issues all of which have the potential of helping or hindering the fight against discrimination.

Given the power of the DED in many of these important areas and its own history of discriminatory practices, it appears unlikely that we are about to witness any major change in the pattern of structured political discrimination against Catholics in the North.

## Sinn Féin at World Festival

In July, three members of Sinn Féin were among 15,000 delegates from 140 countries who attended the World Festival of Youth and Students in Pyongyang, Korea.

The thousands participating in the festival represented either governments or major opposition and liberation movements. Also from Ireland were delegates from the Union of Students in Ireland, the Irish Congress of Trade Unions Youth Committee, the Labour Party and the Connolly Youth Movement.

The three Sinn Féin representatives, Gerry Mac Lochlainn, Sheena Campbell and John Doyle, all spoke at the main sessions of the conference and at numerous private meetings with delegates from many other countries.

On the third day of the festival, Sinn Féin was asked to join the praesidium of the conference — a position reserved for major liberation movements and parties.

Throughout the festival, the Sinn Féin delegates argued strongly for

British withdrawal and self-determination and independence for Ireland as the one sure road to peace.

## CULTURE

### LANGUAGE DISCRIMINATION CASE REJECTED

A Civil Bill alleging cultural discrimination issued against the NIO by two H-Block prisoners, Eoghan Mac Cormaic (33) from Derry and John Pickering (33) from Belfast was heard in the County Court in Belfast on June 26th by Judge John Petrie and rejected by him in his judgement two days later.

The prisoners' argument centred on six points:

The right to receive and to send letters in Irish;

The right to speak Irish during visits;

The right to play Gaelic games;

An improvement in the lengthy delays in censoring Irish-language papers and books or for the system to be organised on the same basis as for English-language publications;

The right to wear the fainne (Irish speakers' badge) inside the prison; and

The right to use the Irish-language form of their proper names.

Ruling against the prisoners, Judge Petrie said: that, since the ban on Irish applies to all prisoners, it cannot be considered discriminatory; that, since English is widely spoken in this country, it is natural that it should become, for security reasons, the only language permitted for contact between those inside and those outside the prison; and that since those who wish to play Gaelic games are also willing to play soccer then it is for practical reasons that soccer, as the most widely accepted game should be catered for and 'minority' sports such as Gaelic games should not. While it would not be reasonable for the authorities to provide facilities for Gaelic games, he said, it cannot be considered discriminatory if they do not.

Both prisoners will be appealing to the High Court.

### GAELTACHT COURSE FIRST FOR BELFAST

From July 9th to 16th, Conway Mill in Belfast hosted the first gaeltacht summer course to be held in a major city, attracting pupils from as far away as London, Leeds and New York, as well as local language learners.

Every summer, Irish-language enthusiasts flock to the traditional gaeltacht or Irish-speaking areas, most of which are situated along the west coast of Ireland. The majority of residential language courses have until now chosen rural gaeltacht areas as their venue as pupils can stay with local Irish-speaking families. However, given the recognition of West Belfast as a bilingual area in recent years, it was felt that language learners could also benefit from the experience of staying with Irish-speaking families in an urban setting.

The course consisted of formal classes each morning, music and dance sessions in the afternoon and social evenings with local storytellers and musicians, a quiz competition and sightseeing trips.

### IRA military operations

The British army corporal killed in an IRA bomb-attack in Hanover, West Germany, on July 2nd "*could be the last soldier to die as a result of the British occupation of Ireland if the British were to accept that, after 20 years, its military and political policies in our country have failed*", said the IRA. He was the sixth British army fatality in recent years in Germany, Holland and Belgium. The IRA stated: "*We are forced to take our struggle beyond Ireland because the British public are restricted by their government from learning of its failure in Ireland and the resistance to its rule.*"

The IRA breached tight security at Quebec Barracks in Osnabruck on June 19th. Part of the 330lb bomb exploded, resulting in the destruction of the accommodation block.

In the Six Counties, Britain has effectively conceded that its war in Ireland is the major case of a sharp decline in British army recruits. The high level of IRA operations (25 in the past two months, resulting in one British army fatality and seven injured; three RUC fatalities and 5 injured) has led to a shortfall in troop numbers. Women military personnel have now been deployed into military intelligence and supplies to supplement the numerical decrease. An expected drop of 20% in young male recruits between the ages of 16 and 19 is now predicted over the next five years.

IRA bombs severely damaged two planes and a control tower in Shorts Aircraft factory in Belfast. It was targeted, the IRA said, "*because it is a major supplier of high-technology military hardware to British forces.*" The statement promised further attacks.

The IRA again blew the lid of the British government's attempts to 'normalise' the war when the multi-million pound Castle Court commercial complex was rocked by a massive bomb. The IRA said the complex was attacked not simply because it was an economic target which on completion would allow major British firms to make massive profits with minimum investment but because the most economically deprived areas of North and West Belfast were ignored by the British.

Boasts by RUC commanders that they had thwarted a renewed IRA bombing campaign inside Belfast city centre's security zone were blasted to smithereens on July 31st when a 1,000lb van-bomb devastated the Belfast High Court. The bomb started a fierce fire and caused severe damage, estimated as being in excess of £1 million, to the High Court and the Magistrates Court opposite.

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# IRELAND

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