

IRELAND

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EDITORIAL

Brooke talks collapse

THE MUCH ACCLAIMED "*historic peace talks*" initiated by the British government to transfer more substantive political power to politicians in the Six Counties collapsed in disarray on July 2nd. Each of the political parties to the discussion have given their reasons for the demise of the Brooke Talks' process and each have apportioned blame on the other. But, in the final analysis, the process raised false hopes while being doomed from the beginning.

It was a scenario predicted from the outset by Republicans because the entire Talks process was fundamentally flawed. The reality, for those who wish to see it, is that the talks were not about bringing about a permanent peace to Ireland. The question of partition and British military occupation of the Six Counties was ruled out as was the participation of Sinn Féin in the talks on the pretext that it supported violence. Aside from the hypocrisy of this position in that each of the parties support the use of force for their own political ends, the overriding priority of the British government, who virtually set the agenda throughout the process, was about stabilising British interests in Ireland.

The Brooke Talks were essentially about strengthening partition which has sown nothing but division, bitterness, mistrust and hopelessness among Irish people since its inception. It was about the undemocratic

denial of the Irish people to their inalienable right to govern themselves without outside interference in their affairs. The bottom line is, that the Brooke Talks process was about the denial of freedom, democracy and self-determination.

Already, there is talk about the Brooke process being resurrected in the Autumn. By then, media hype will undoubtedly once more have blown the entire process out of all proportion. Hopes will be raised yet again.

The failure of Britain, the Dublin government, and northern politicians to grasp the nettle and place partition top of the political agenda is not only a recipe for future failure but a green light for the continuation of conflict and the suffering it entails on all sides.

Sinn Féin was not critical of the Talks process simply because it was excluded from them. If it had produced a permanent and peaceful political solution we would have welcomed it. But, almost 70 years after partition, 70 years of discrimination, repression, and countless failed British government "*peace initiatives*", including the latest disaster, is it not time for the British and Irish governments and northern politicians to face up to their responsibilities and to begin genuine dialogue among all the political parties?

This is the real challenge facing us all today. The sooner the nettle of Irish unity is grasped the sooner Irish people can begin to break down centuries of mistrust fostered by British interference.



Sinn Féin

CONTENTS

POLITICAL	
Royal visit — an insult to nationalists	2
LOYALISTS	
The Twelfth — a festival of bigotry	2
Loyalists 'suspension' broken	2
Nationalists stage protests and court action	2
Nationalist taxi driver killed	2
IRA take defensive action in Belfast	2
COLLUSION:	
Collusion continues despite denials	3
HUMAN RIGHTS	
Amnesty International — report slams repression	3
US rights' group backs Amnesty	3
Right To March rally attacked by RUC	3
SHOOT-TO-KILL	
International inquiry into shoot-to-kill	4
DISCRIMINATION	
Anti-discrimination pressure group formed	4
Discrimination revealed against Catholic schools	4
Ford takeover confirmed	4
New York City adopts MacBride Principles	4
REPRESSION	
Torture of detainees highlighted	5
Detention conditions challenged	5
JUSTICE	
Irishman freed by Dutch court	5
US court rejects extradition bid	5
British conspiracy laws extended	5
Republican prisoners awarded compensation	6
Daring British prison escape	6
Limited vindications for Maguire Seven	6
Charges dropped in Guildford Four cover-up	6
What they said about	7
IRA military operations	7

POLITICAL

Royal visit — an insult to nationalists

ON THE WEEKEND prior to the collapse of the Brooke Talks process on July 2nd, the British monarch, Queen Elizabeth II visited the Six Counties to deliver, in person, the Royal seal of approval to the sectarian Ulster Defence Regiment. But apart from this being a major insult to the nationalist people, who experience widescale harassment on a daily basis from this regiment, the Queen's visit was the British state's way of reminding Nationalists of their second-class citizenship in the Six Counties. More significantly, coming at a time when one of her main statesmen, Peter Brooke, was only days away from calling off the much-heralded "peace talks", the visit was a morale boost for Unionists.

If nothing else, the Queen's visit delivered a strong message to the Dublin government, northern constitutional politicians and those in the Catholic hierarchy who have been calling for the disbandment of the UDR for years yet who fail to challenge the root cause of political conflict in the Six Counties — the British presence.

The Royal "hands off the UDR" publicity exercise was a reminder that Britain's monarchy is not above politics as is claimed but is indeed an integral part of the continuing repressive British war apparatus in Ireland.

LOYALISTS

The Twelfth — a festival of bigotry

THOUSANDS OF NATIONALISTS throughout the Six Counties were virtually imprisoned in their homes for days over the annual Twelfth of July demonstrations. The Twelfth, commemorating the defeat of James II by William of Orange in 1690 at the Battle of the Boyne, is misleadingly described by the media and other observers as a 'holiday' in the Six Counties. But, for those Nationalists placed under siege for days on end, surrounded by hundreds of British military personnel and subjected to sectarian abuse from triumphalist Orangemen, the tension-filled atmosphere associated with the Twelfth is by no means holiday-like.

In pre-Twelfth sectarian attacks by Loyalist mobs in June, several Nationalists were badly beaten and property destroyed when their homes in the Springfield Road area in Belfast were invaded. In Glengormley, north Belfast, several Nationalists sustained head and face injuries when they were attacked by Loyalist gangs roaming

the area armed with iron bars and hammers. Three Loyalists were subsequently charged with 'malicious wounding.'

Sporadic stone-throwing and petrol bomb attacks took place on vulnerable Nationalist housing estates in north, west and east Belfast. Close to the Short Strand area a 19-year-old Catholic man was badly beaten by a dozen Loyalists who physically threw him off a 50-foot bridge into the river Lagan. Luckily, the young man was rescued by other Nationalists, one of whom was then vindictively charged with obstruction by the RUC!

Loyalist 'suspension' broken

ON JUNE 16th, Loyalist paramilitaries broke their "suspension" on sectarian assassinations — announced in May to supposedly facilitate the Brooke Talks process — when they shot and injured 38-year-old Joseph Haughey.

Mr Haughey had to run for his life when Loyalists opened fire on him from a passing car at Unity Flats, north Belfast. One of the gunmen pursued him up an alleyway and fired several more shots. Mr Haughey was hit in the arm and body. The UVF, Ulster Volunteer Force, claimed responsibility for the attempted assassination bid.

Nationalists stage protests and court action

NATIONALISTS living in traditional flashpoint areas in Belfast, Portadown and elsewhere were physically intimidated by the RUC when they tried to hold peaceful pickets against Orange demonstrations marching through their areas. But the main focus of attention centred on a revealing court case taken by a Nationalist man from Pomeroy, County Tyrone, who legally challenged the RUC's decision to allow a provocative Orange parade to march through the 95% Nationalist town on July 12th.

Several days before the planned march by over 10,000 Orangemen, leave for a judicial review seeking an injunction on the RUC's decision was granted. On July 11th, a favourable ruling under the 1987 Public Order Order compelled the RUC to re-route the march. The judge said: "Heaven only knows why the organisers wish to divert from a direct route to parade through a village, where at best everyone is completely indifferent to them and at worst deeply resentful at what they see as sectarian triumphalism." The RUC, in a fashion which clearly exposed its inherent sectarianism and its political allegiance to the union with Britain, immediately appealed the decision of Judge McConnell. Subsequently, three High Court judges overturned the re-routing order and Pomeroy was invaded by several hundred RUC/British army personnel to facilitate the sealing off of the village and to accommodate the Orangemen's parade.

Nationalist taxi-driver killed

UVF, (Ulster Volunteer Force) assassins claimed responsibility for the indiscriminate sectarian killing of Thomas Hughes from Nationalist West Belfast on the night of July 19th. Mr Hughes, a father of two children, was hit several times in the chest as he was driving a black community taxi along the Falls Road. He had stopped at traffic lights at the time and died instantly.

The shooting took place in direct view of high-powered British Army surveillance cameras mounted on the 19th floor of Divis Tower yet the assassins were able to make a clear retreat from the Nationalist area which is usually heavily patrolled by the British military forces.

Sinn Féin called for the release of British army surveillance video footage as it would almost certainly contain vital information relating to the assassination. This was refused. The party also condemned the ghoulis and vindictive actions of the RUC who, in the aftermath of the killing, systematically harassed mourners and relatives of Mr Hughes. In one incident, the victim's father-in-law and a Sinn Féin councillor were verbally abused and arrested for a number of hours when they went to the morgue to remove Mr Hughes' remains.

IRA take defensive action in Belfast

THE WORST sectarian violence against Nationalists over the 'twelfth holiday' boiled over on the night of July 11th when Loyalist mobs, in full view of RUC/British army personnel, attempted to invade the Nationalist New Lodge Road area in North Belfast. The mobs, from the predominantly Protestant Tiger's Bay, began their annual ritual of throwing stones, bottles, petrol bombs and other missiles over the so-called peace line. Shortly after midnight, a mob of several hundred Loyalists ran into the New Lodge but were met with resistance from Nationalists trying to defend their homes and families. IRA active service units, placed on stand-by at strategic points in the district, opened fire with automatic weapons and short arms. The RUC, were also repelled by IRA gunfire.

Loyalists launched increased attacks and were supported by British soldiers from the notorious Parachute Regiment. But again, IRA gunfire pinned them down at the entrance to the district before local people took the lead and engaged in fierce hand to hand fighting with the soldiers. By 4am, the attackers had retreated.

The Short Strand area of East Belfast witnessed similar sectarian attacks which continued until July 14th. The following day,

July 15th, a Catholic family, including three young children, had a narrow escape when Loyalists threw a petrol bomb into their house in the Hillhead area of Lisburn, County Antrim. The quick action of the children's babysitter saved them. The house was completely gutted in the inferno.

On July 9th a Nationalist woman had an equally lucky escape from certain death. Three armed members of the UFF, a cover name for the Ulster Defence Association, burst into her West Belfast home but made a hasty retreat when they discovered she was not there.

Geraldine O'Connor, a mother of two young children, had been in court the week before charged with allegedly making her home available to the IRA — a charge she denied. This type of charge is frequently used by the RUC to detain people. It is meant as a form of community punishment in the aftermath of IRA operations. This is borne out by the fact that there was insufficient evidence to detain Ms O'Connor in custody and she was released on bail.

However, details of the case and her address appeared in newspaper reports. Ms O'Connor believes that Loyalists used the pretext of the unfounded charge to trace her through the reports. The UFF later issued a sinister statement warning that in future, they would not, as they put it: "discriminate between male and female targets".

COLLUSION

Collusion continues despite denials

COLLUSION between the British military forces and Loyalist paramilitaries continues to flourish despite official denials and cover-ups. Throughout the Six Counties Nationalists live in fear as almost daily news reports announced details of the latest discovery of sensitive security files turning up on "rubbish dumps" or going mysteriously "missing".

In mid-June, hundreds of RUC documents were discovered on a rubbish dump in a predominantly Loyalist area of Castlederg, near Derry city. This latest batch also included information on several politicians, including Fine Gael leader John Bruton who visited the Six Counties recently. The documents also included names and addresses of 21 people described as 'terrorist suspects' yet who have never been charged with any offence.

The RUC appointed a senior detective to carry out an inquiry into the rubbish dump discovery but, in a typical cover-up, his conclusions were that the files had been "accidentally" mixed up with kitchen waste! Sinn Féin described the inquiry results as unbelievable given that in the wake of the Steven's inquiry into collusion, strict security procedures were laid down to prevent such eventualities. The party said that the incident proved once more, that there was a free flow of security documents being leaked to Loyalist paramilitaries and that the Castlederg files were left for a pre-arranged pick-up.

And in yet another sinister incident, a total of 88 photograph montages went "missing" in the South Armagh area on July 11th. The photographs were in the possession of British soldiers and contained personal details of local people who were outraged and who expressed doubt that the photographs were accidentally lost.

HUMAN RIGHTS

Amnesty International — report slams repression

IN THE PAST, Amnesty International has been criticised for its superficial investigation of human rights abuses by Britain in the occupied Six Counties. However, this year alone, it has produced two highly significant reports; one for Women's Day, which examined the ill-treatment of Irish women political prisoners and the English justice system, and a second, issued in June, which examines a wide range of issues concerning human rights abuses in the Six Counties.

One quarter of the 65-page report is highly critical of Britain's shoot-to-kill policy in Ireland and in Gibraltar where three unarmed Republican operatives were killed in March 1988.

It notes that while a total of 339 people have been killed by the British forces since 1969, most of them unarmed Nationalists killed in disputed circumstances, there have been only 21 prosecutions, (not including sectarian killings). Nineteen of these were found not guilty. Of the other two, one was convicted of manslaughter and given a suspended sentence while the other was convicted of murder and given a life sentence but released after serving two years and three months of his sentence. (Private Ian Thain, who was reinstated in the British army).

Since 1985, Amnesty International has called for "an independent judicial inquiry to investigate disputed killings by security forces in order to evaluate the effectiveness of existing investigative procedures and current legislation on the use of lethal force" as: "the organisation believes that such an inquiry is vital to help prevent future unlawful killings and to ensure that all disputed killings by security forces are promptly investigated and publicly clarified."

Amnesty also criticised the discrepancy between the law as applied in the Six Counties and relevant international legal standards. International standards, such as Article 2(2) of the European Convention on Human Rights, speak of: "absolute necessity" and: "strict necessity" to justify deprivation of life whereas the British forces can use: "such force as is reasonable in the circumstances". This, in Amnesty's view: "is too flexible both to impose standards of behaviour on security forces which prevent excessive use of lethal force and to deter excessive force".

Amnesty noted that recent incidents of killings by the British forces: "have reinforced Amnesty International's concerns about this issue".

Among other issues covered in the report is Amnesty's concern about Britain's derogation from international conventions collusion between the British forces and Loyalist paramilitaries in the targeting of people for assassination; restrictions on coroner's inquest hearings which make it impossible to: "effectively investigate and make public all the surrounding circumstances" into disputed killings; superficial RUC investigations "to protect security force personnel"; the denial of prompt access to solicitors by detainees; ill-treatment of detainees and the use of uncorroborated confession evidence to convict in no jury Diplock courts; the denial of the right to silence; the use of emergency legislation; and recent cases of miscarriages of justice such as the Guildford Four, Birmingham Six and Maguire Seven.

One of the most important aspects of the report however is the section on Derogation from international conventions which gives a detailed analysis of Britain's continued violation of all internationally-accepted standards and conventions in the Six Counties.

For a complete copy of the report entitled *Amnesty International, United Kingdom Human rights concerns*, write to the International Secretariat, 1 Easton Street, London WC1X 8DJ.

US rights' group backs Amnesty

THE annual convention in June of human rights group, Americans for Democratic Action, (ADA), have backed Amnesty International's call for an independent judicial inquiry into disputed killings in the Six Counties. ADA, however, went one step further. Vice-President Margie Bernard said Britain should not only agree to this but should extend the inquiry to include "all reported human rights violations by Great Britain in Northern Ireland".

Ms Bernard said the laws governing the use of lethal force by the British forces "have prevented public scrutiny of such shootings... Furthermore the British government has consistently failed to fairly and impartially investigate serious allegations about the excessive use of force by its security forces which is an unconscionable position for a democratic nation to take".

Right to March rally attacked by RUC

ON JUNE 15th, over 200 Nationalists attended a Right To March rally outside Belfast's City Hall — a venue Nationalists have consistently been banned from marching to by the sectarian RUC who view the city centre as exclusive 'Protestant territory'.

For decades, the RUC have used almost every excuse to ban Nationalist marches; the main one being that such marches would provoke a breach of the peace. How-

ever, on June 15th, shoppers in the city centre showed no animosity to those attending the rally and indeed many stopped to listen to what speakers had to say.

However, after several minutes the RUC's inherent sectarianism came to the surface when they physically tried to confiscate two banners from a number of people, one of them a 65-year-old man who sustained a fractured wrist. Another man was arrested and subsequently charged with obstruction. The RUC's actions were condemned by the organisers who said that once again the RUC used excessive force to disrupt a peaceful rally.

Meanwhile, on July 9th, the Right To march group filed for permission to parade from the Nationalist Markets area in Belfast to the City Hall on July 28th. The group believe this will be a significant test for the equal application of the law following a High Court decision to uphold an RUC appeal giving permission for 10,000 Orange marchers to parade through the 95% Nationalist town of Pomeroy, County Tyrone, on July 12th.

SHOOT-TO-KILL

International inquiry into shoot-to-kill death

THE FAMILY of 20-year-old Fergal Caraher who was shot dead by British soldiers in his South Armagh village of Cullyhanna in December 1990, continued their quest for truth and justice with the opening of an international public inquiry into the killing.

The inquiry took place in June and was sponsored by the Irish National Congress, INC, after the British government refused to hold an official public inquiry.

Soldiers involved in the shooting were not suspended and were back on duty in the area within 24 hours of the killing. The RUC stated that an inquiry was being conducted but, as yet, no decision has been taken as to whether those involved will be prosecuted.

The jurists participating in the inquiry were Judge Andrew L Summers from the city of Fitchburg USA, District Attorney Kevin Burke from Massachusetts USA, German lawyer Maitre Veronica, Advocat Au Bureau de Berlin, and mandated by the International Federation of Human Rights accredited by the United Nations and the Council of Europe, and French lawyer Maitre Anne Carrine Advocat, Au Bureau de Paris. The proceedings were chaired by Michael Mansfield QC, barrister for the Birmingham Six. More than 200 national and international observers attended with the disgraceful exception of the Dublin government who refused to send an official observer.

During the inquiry, which included a reconstruction of the shooting, 16 witnesses gave evidence as well as five expert witnesses who gave evidence on the law governing the use of lethal force, Britain's shoot-to-kill policy in the Six Counties and its record on human rights violations.

All the witnesses gave evidence which directly contradicted the British government's version of events which led to the killing of Fergal Caraher and the serious wounding of his brother Micheál.

The British government version was that the Caraher's car failed to stop at a British army checkpoint and had driven into, and wounded, at least one soldier who was allegedly carried along on the bonnet of the car. Without exception, the eyewitnesses stated that the car had not driven through the checkpoint nor had the vehicle struck a British soldier. No warnings were issued before the soldiers opened fire.

In a statement to the inquiry Peter Caraher, the victim's father, concluded:-

"I feel very angry, first and foremost at the British government for allowing these soldiers to do what they want in our community. I'm also very angry and saddened at the attitude of the southern government... too many similar killings have happened for us to expect even a semblance of justice from the state... in all of my 63 years the only bandits I have ever met are the type of thugs who shot my two sons."

The panel of jurists are expected to present their findings in September.

DISCRIMINATION

Anti-discrimination pressure group formed

A NEW BROAD BASED GROUP has been set up to campaign for economic equality for Catholics in the Six Counties. The group, Equality, was established after the publication of the *Directory of Discrimination* in June this year.

Equality aims to campaign for a more positive approach for employers in attempting to redress the religious imbalances in the workforce as well as calling for sanctions against those institutions which discriminate against Catholics in employment. Spokesperson Oliver Kearney stated: *"Justice and equality in Northern Ireland begins and ends, not in the highest court in the state, but in the offices of faceless members of the Masonic order at Stormont and Knock Road RUC Headquarters, whose overriding professional commitment is to preserve the state of inequality which their mentors and predecessors have constructed. The entire national Catholic community have only one choice. They must unite in determined non-violent, moral indignation to destroy such evil institutions."*

Discrimination revealed against Catholic schools

A REPORT issued by the British government's own Standing Advisory Commission on Human Rights (SACHR), recently revealed that children educated in Catholic schools in the Six Counties have been systematically discriminated against by the British government.

The 141-page report revealed that

Catholic maintained schools have been consistently underfunded to the extent of almost £30 million, £100 per pupil, in comparison to the funding of Protestant schools. A British government ruling which does not exist in Britain, states that Catholic schools would only be given 85% government funding and have to find 15% of their capital expenditure elsewhere. Such a lack of funding and financial pressure has led to inadequate resources and buildings in Catholic schools and less than the full range of facilities available to those schools in the state sector.

Such discrimination is even more serious considering that a Department of Education, report earlier this year showed that more than half of all the children in the Six Counties are taught in Catholic schools. The SACHR report shows that while 51% of all secondary school children are taught in Catholic schools these schools receive only 31% of British government spending. A similar disparity exists in primary schools.

There have been numerous demands from teachers unions as well as the Council for the Catholic Maintained Schools that compensation should be paid.

Ford takeover confirmed

A SPOKESPERSON for the Ford Motor Company has tried to deny that the takeover of its West Belfast plant by the parent company in the USA has anything to do with a concerted campaign by MacBride Principle campaigners.

The Ford UK spokesperson stated:- *"We have carried out a number of studies into the way our equal employment opportunities operate and are effected in Northern Ireland and in every case it has become very apparent that we meet all the requirements of equal and fair opportunities."*

Despite these assertions however, the company has long been a target for MacBride campaigners because of its record of consistent discrimination against Catholics in the Finaghy Road plant. The company has also been publicly criticised over the past year for its failure to implement even their own 'Ford Principles' of fair employment.

New York adopts MacBride Principles

NEW YORK CITY officially adopted the MacBride Principles into legislation in June. The law now requires any company doing business with New York city to comply with the Principles at their plants in the Six Counties.

Signing the Bill into legislation Mayor Dinkins said:- *"As an African-American I know the evils of employment discrimination at first hand. It is a demeaning experience that can stay with you for the rest of your life. It is a practice that cannot be tolerated by this city and one that has no place in any society purporting to be democratic."*

The new legislation will have ramifications for companies such as Bombardier

which have multi-million pound contracts at stake in the Six Counties.

REPRESSION

Torture of detainees highlighted

ILL-TREATMENT of detainees has been criticised by Amnesty International's latest June report and by human rights watchdog, the Campaign for the Administration of Justice, CAJ, which is based in the Six Counties.

Amnesty has said: "The safeguards against confessions obtained under duress being used as the basis for convictions are inadequate in Northern Ireland. Although allegations of ill-treatment during interrogation are frequently made, the monitoring of the closed circuit screens is not effective and access to lawyers is frequently denied for the first 48 hours and often again for the next 48 hours. In 1989, out of 1,152 requests for legal visits only 380 were immediately allowed. Moreover, Amnesty International receives frequent allegations from defendants who claim that their confessions were obtained through ill-treatment or duress, and in the absence of a lawyer. However, the legal standard of the admissibility of confession evidence is weaker for 'scheduled' (political) offences than for others. Convictions based solely on contested confessions obtained under duress raise doubts about the adherence by the 'Diplock Courts' to international standards, including Article 14(2) of the International Covenant on Civil and Political Rights (ICCPR) and Article 6(2) of the European Convention on Human Rights, on the presumption of innocence in all cases. The institutionalised use of strong psychological pressure on suspects in order to induce them to confess appears to contravene the principle set forth in Article 14(3)(g) of the ICCPR which states that no one shall be compelled to testify against her/himself or to confess guilt."

Echoing this, CAJ spokesperson Michael Richie has criticised the British government for leaving itself open to accusation by not installing the systematic video-taping and recording of interrogation sessions with those detained under emergency legislation.

Like Amnesty, he said that while monitoring cameras were installed at the Castlereagh interrogation centre: "People carrying out the interrogation don't care about the monitors — they just laugh at them. The government must introduce audio and video taping of interviews and ensure independent monitoring of conditions".

Detention conditions challenged

THE RUC may be forced into modifying the conditions under which it detains individuals for interrogation following a significant court challenge in July by a former detainee.

Belfastman Seamus Finucane, brother of civil rights lawyer Pat Finucane, (shot dead by a pro-British death squad), was awarded a four-figure sum in damages against the RUC Chief Constable and the Northern Ireland Office.

Finucane's lawyers argued that the denial of such basic rights as the right to exercise, the right to receive newspapers, reading and writing material and a radio, infringed a detainee's human rights and created conditions which were well below the standard of treatment extended to either remand or convicted prisoners. Finucane had been detained under these conditions in Castlereagh interrogation centre for several days in July 1989.

JUSTICE

Irishman freed by Dutch court

IRISHMAN Gerard Harte walked from a Dutch court to freedom on July 12th, and into a melee of reporters and cameramen.

Harte, was initially found guilty in April 1991, of the IRA killing of two Australian tourists mistaken for British soldiers in the town of Roermond. He was sentenced to 18 years in prison, but that conviction was overturned in early July by a Dutch appeal court which also cleared him of IRA membership. This decision re-affirmed basic legal principles such as the need for concrete evidence before an accused person can be convicted. The decision resulted in anti-Dutch hysteria in the British press.

His first taste of freedom in 13 months was a crush of bodies demanding comment. Harte's lawyer, Marie-Jeanne Hegeman said "He is very sorry for the victims of the shooting, they are innocent people, but he asked me to tell the press that also in Ireland, which has been struggling for 800 years, there are innocent victims. And only when the British have withdrawn will there be no more killings."

She said Harte expressed "100 per cent certainty" that he would have been convicted in England. "He is extremely happy because if he had been tried in England there would have been prejudice. He is very glad that the Dutch judges are not prejudiced. But he has been in isolation for 13 months."

Harte went to Dublin immediately after his release but on his arrival, the Garda Special Branch arrested him. He was held in Dublin's Bridewell Garda Station, during this time crazed gardai assaulted, abused and threatened him, insulted his wife and the Dutch judges.

The gardai stated during his detention that he was being held for questioning about firearms offences but no charges for any offence were laid against him. He was eventually released from custody, a custody imposed by the Dublin authorities, as his father had earlier stated to waiting journalists, purely to; "placate the British."

Although Harte was released, three others, Sean Hick, Paul Hughes and Donna Maguire, who were also acquitted of all charges, still face further legal hurdles. Hick

and Hughes were extradited to Germany four days after the Roermond court verdict in connection with equally unprovable charges. Donna Maguire is also sought by the German authorities, but she is appealing in the Dutch Supreme Court against the decision to extradite her.

US court rejects extradition bid

THE EXTRADITION of an Irishman wanted in Britain for alleged connection with a number of bombings in 1974, has been ruled unconstitutional by a US court.

New York Federal Judge, Robert Ward, ruled that the warrant for Peter McMullen's extradition was unconstitutional because it attempted to "punish" him under the terms of extradition between Britain and the US.

McMullen from Belfast, has been fighting extradition for over a decade. He was arrested in San Francisco in 1978, and an extradition warrant was issued soon afterwards, the first against a fugitive from Ireland in 75 years. In a subsequent hearing, the court refused his extradition, saying McMullen's alleged offences fell within the political exception clause of the 1972 Extradition Treaty between the US and Britain. This clause has since been eliminated from a new US-UK extradition treaty.

The latest decision does not grant McMullen political asylum and will almost certainly be appealed by the US government. It is possible that the McMullen case — like Joe Doherty's — will go to the US Supreme Court.

British conspiracy laws extended

THE NOW INFAMOUS case against Irishman Dessie Ellis, has once again taken another turn, this time resulting in a widening of the notorious 'conspiracy charge'. This English law now applies to any citizen of any country, who has never even visited the UK.

Judge Swinton Thomas, on June 20th, rejected defence arguments that Dessie Ellis should be released as Section Three of the 1883 Explosives Substances Act (under which Ellis was extradited to Britain last November), could only reasonably be interpreted to mean that Ellis had to have been in Britain during the dates specified on his extradition warrants. Defence said that this territorial bar was in keeping with international law and remained unchanged as recently as 1975 when the Act was amended. This was why English Judge Daphne Wickham in February tried to change the original charges to implicate Ellis, because she knew he could not be convicted as it stood because he was not in Britain on the dates specified in the warrants. After a political storm between the British and Irish DPP's, the 'original charges' were reintroduced.

Prosecution and defence argued for three days about the meaning of the act

before Swinton Thomas ruled in favour of the prosecution argument.

The worldwide extension of the writ of English law is nonsensical when the wording of the law under which Dessie Ellis is charged is examined. The 1883 Act reads: "a person who in the United Kingdom or (being a British citizen) elsewhere... conspires to cause explosions of a nature likely to endanger life in the United Kingdom, shall, be guilty of an offence." This means that this law applies to anyone acting in the UK and to British citizens acting in the UK or outside it, but it does not apply to non-UK citizens acting abroad. Since both sides acknowledged that Ellis was never in the UK and is not a British citizen, the defence applied for the charges to be dropped.

Ellis's solicitor, Gareth Pierce, said after the ruling "it is very disappointing for Mr Ellis because his lawyers tell him the act means what it says and then a judge rules that it means something different. But we believe the judge is simply wrong and if Mr Ellis is convicted we will be arguing this point again in court."

His trial has been set for October 8th 1991. The Justice for Dessie Ellis Campaign are calling for his immediate release. Contact: Justice for Dessie Ellis Campaign, c/o Haringey IBRG, Hornsey Library, Haringey Park, Crouch End, London N8.

Republican prisoners awarded compensation

THE BRUTALITY of British jailors in their treatment of Republican prisoners was once again highlighted, as another 12 Irish POWs were awarded £47,000 in damages for a series of sustained attacks by prison warders in the aftermath of the mass escape from the notorious H-Blocks of Long Kesh in 1983.

Agreed awards, from £1,000 to £7,500 compensation were announced at Belfast High Court on June 25th 1991. In the course of the sustained and severe assaults, prisoners were humiliated, subjected to sectarian abuse, assaulted, stripped, repeatedly kicked and punched, beaten with batons and forced to run a gauntlet of dogs. Some prisoners were beaten unconscious and required treatment in the prison hospital. Following the assaults, prisoners were thrown into solitary confinement, deprived of immediate medical attention, adequate food, clothing, blankets and bedding.

In the words of one prisoner, Peter Hamilton, who was awarded damages after severe beatings which included being dragged by the ankles while naked over gravelled ground: "I landed into a punishment cell, with no furniture, no blankets, no mattress. I was injured, bleeding, bruised, swollen and exhausted. I saw a doctor who said I needed medical attention, which I did not receive for 24 hours."

Five prisoners were awarded £7,500 each, six £1,500 and one £1,000. In each case the NIO, Northern Ireland Office, was ordered to pay legal costs.

These latest awards bring the total paid

out to prisoners assaulted after the escape to £96,000. Despite this, no prison warder or member of the RUC has been charged with assault and the NIO has denied responsibility.

Daring British prison escape

IN THE FALLOUT which followed a daring escape by two Irish political prisoners from Brixton high security prison on July 7th, there were calls for British Home Secretary Kenneth Baker to resign.

The deep political embarrassment arose from the escape of Pearse McAuley from Strabane and Nessian Quinlivan from Limerick. They had been held in detention since last October on notorious conspiracy charges which are wide sweeping and almost impossible to disprove.

It appears that one of the men produced a small handgun in a corridor of the prison and fired a number of warning shots at prison warders guarding them. They obtained keys to gain entrance to the courtyard where they scaled a high wall and immediately commandeered a prison warders' car. The two escapees eventually had to commandeer a civilian's car, wounding the driver who tried to drive off. They then made their way to a London train station where they melted into the crowd. To date, the two men have eluded a sweeping police hunt and remain at liberty.

Limited vindication for Maguire Seven

ON JUNE 26th, Britain's Court of Appeal begrudgingly overturned the convictions of the six remaining members of the Maguire Seven, wrongly sentenced in 1976 for possession of the explosive, nitroglycerine even though no explosives were found in their home.

The seventh member convicted, Guiseppe Conlon, died in prison in 1980 protesting his innocence. He had tuberculosis, complicated by lack of proper medical attention and ill-treatment at the hands of prison warders.

The decision of appeal judges Stuart-Smith, Mann and McCowan that the Maguire Seven were "innocently contaminated" with explosives was yet a further cover-up of the truth. It represents no victory for the Maguires as it effectively vindicated government forensic scientists who, during the lengthy appeal hearing, were exposed as having withheld vital information in the original trial which would undoubtedly have cast doubt about the Maguire's guilt and led to a contrary decision by the jury.

Defence lawyers established that forensic evidence, which alone convicted the Maguires, was highly dubious as tests carried out for nitroglycerine could not be distinguished from tests carried out for PETN, another explosive substance. Forensic scientists did not reveal this at the original trial, during the appeal hearing nor in the long years which followed when the Maguires were serving out their sentences.

The judges' decision was undoubtedly influenced by the one 'concession' of British DPP's office earlier this year which claimed that the Maguires were 'innocently contaminated' with nitroglycerine. The judges therefore did their duty in protecting, against all contrary evidence, the British legal system at the expense of committing yet another miscarriage of justice against Irish people. All other groups of appeal were rejected. 'Innocent contamination' infers that someone who had been in contact with the Seven had handled explosives.

The Court of Appeal ruling will continue to cast a terrible shadow of suspicion over the Maguires who have vowed to continue in their fight for justice. Outside the Court, Annie Maguire summed up their feelings by saying: "I still hoped that British justice was going to be completed today. I suppose I was hoping for too much". Former Guildford Four member Gerry Conlon, son of Guiseppe Conlon, stated that the verdict was "...a political decision and an exercise in damage limitation. If they had dealt with any of the other grounds of appeal properly, it would be proven that the British judicial system framed the Maguire Seven and murdered my father. It's like being a black man in South Africa, we, the Irish, are black South Africans, when it comes to deal with British courts, British police, forensic scientists, that is the most evil judgement that has ever been handed down."

The verdict was widely condemned by a wide range of British and Irish politicians, church leaders and human rights observers.

Charges dropped in Guildford Four cover up

IN JUNE, an English Magistrate dropped charges against three English detectives for conspiring to pervert the course of justice in the case of the Guildford Four. The three policemen were charged following an inquiry by the Avon and Somerset police into the conduct of Surrey police during its investigation into the Guildford and Woolwich bombings in 1974.

The reasons given for the decision by Chief Metropolitan magistrate Ronald Bartle were that "... the delay has been sufficiently extreme so as to result in the general effect of prejudice" and that the officers would be "disadvantaged" in preparing their cases. The third reason was that there had been adverse public comments made on the case referring to media coverage. These reasons would not, however, apply to Irish people facing politically-related charges in Britain.

The three policemen were accused of manufacturing notes of interviews with Guildford Four member Patrick Armstrong which they claimed were contemporaneous but were not. The judge said that the 21 police officers and several secretaries who should have been able to give evidence would have no proper recollection of events.

The Magistrate's decision was upheld by the High Court leading to the Director of Public Prosecutions dropping similar charges rising from the same incident against 18 other officers.

Reacting to the court decision former Guildford Four member Paul Hill said: - "I spent 15 years of my life in prison for something I didn't do, am I supposed to remain quiet while the British judicial system proves itself incapable of revealing the truth behind the miscarriage of justice which led to my false frame up and false imprisonment over those long years? I believe that the public interpretation of events across the world is that British justice is involved in a major frame up."

The Crown Prosecution Service has lodged an application for a judicial review of the decision but this is unlikely to be heard before October and in any event, is not likely to be successful.

IRA military operations

THE MONTHS OF June and July witnessed a wave of IRA attacks against the British forces in urban and rural areas throughout the war zone of the Six Counties. The morale of British forces patrolling Nationalist areas, whether on foot patrols or in their heavily armoured personnel carriers has been seriously undermined by the IRA's increasing success in using

recently modified impact grenades and IRA developed disposable rocket launchers. In July the IRA's innovative use of RPG 7's and 12.7mm anti-aircraft machine-guns left Britain's military strategists reeling when three British army helicopters came under attack in Fermanagh. One of the helicopters was hit several times.

In attacks throughout Belfast and in Derry more than a score of RUC and British army personnel sustained injuries when their vehicles came under impact grenade and rocket attacks. A number of heavily armoured vehicles had to be scrapped altogether. Indeed, since the newly-modified impact grenades were first used on May 20th, one soldier has been killed, two critically injured and a total of 19 RUC and British army personnel have sustained blast injuries, five of these very serious.

Many of the attacks were carried out despite the immediate operational area being saturated by British forces on the ground and in the air. British military bases in Derry and throughout Belfast, Mountpottinger, Oldpark, Queen Street, New Barnsley, Andersonstown, came under IRA gun and grenade attack on a number of occasions. The RUC has admitted that the grenades had greatly enhanced the

IRA's capacity for mounting successful attacks in urban areas.

Britain's 'normalisation' policy was again successfully dented when the commercial life of Belfast was brought to a standstill twice in June and again in July when hoax bombs were placed on strategic roads on the outskirts of Belfast and inside the security zone of the city centre itself. These operations usually draw large numbers of the British military forces away from Nationalist areas where they are engaged in daily harassment of the community.

Also in Belfast, a soldier of the Parachute Regiment was killed by IRA Volunteers on June 19th. The soldier had just completed a tour of duty in the Six Counties and was staying, while on leave, in a non-Republican area. British army security was consequently stepped up.

In rural areas, the IRA left warning bombs in housing estates densely populated by members of the British military forces causing extensive damage while mortar bombs were used on a number of British military bases. In one such attack in County Fermanagh on June 3rd the British army's main helicopter base at St Angelo came under attack. The following day, in two separate operations, soldiers operating the main border checkpoint at Cloghogue, near Newry, South Down, had a lucky escape when their position came under mortar bomb attack. One of the two mortars exploded causing damage to the search bay area and the checkpoint's outer defences while the other fell just short of the main accommodation blocks housing British army personnel. In the second attack of the day the IRA detonated a massive landmine along a road used by British forces engaged in reinforcing the Crossmaglen base which had sustained damage in a previous IRA mortar bomb attack on June 26th. Soldiers involved in a border closure at Altadavin near Clogher, County Tyrone, also came under mortar attack on June 21st.

And, after a lull, IRA Volunteers operating in England succeeded in placing two bombs at military targets on June 27th and 30th. The first bomb, which failed to detonate, was directed at a 27-strong military band of the Household Cavalry. The second, which detonated while bomb disposal experts were trying to disarm it, caused extensive damage at an RAF and Naval Careers Office at Fishergate in Preston.

During June and July the IRA killed two Nationalists who had been involved in supplying information to the British and Garda Special Branch police. In June, the IRA executed one of its members, Ruairi Finnis, who had been passing on information to the RUC relating to other members, materials and operations. He was paid £4,000 in different payments. On July 19th, Tom Oliver, a farmer from County Louth, was shot for supplying information which led to the arrest of several people and the capture of munitions. The IRA also said that Oliver had received substantial financial inducements.

Finally, on June 29th, Derry Brigade IRA admitted responsibility for the killing of UDA/UFF commander Cecil McKnight. A supplied statement claimed McKnight was a member of the inner council of the Loyalist paramilitary organisation and that he had been directly involved with others in the killing of Sinn Féin councillor Eddie Fullerton in May.

What they said about...

On Amnesty's International's report on human rights abuses in the North...

"These days Stormont ministers stress the importance of justice and fair government. They say they want to guarantee all citizens equal rights. These are noble words but they do not square very easily with the conduct of security forces in Northern Ireland. The Amnesty report is a telling indictment of Britain's record in Northern Ireland. It has much to say about the actions of the police and the army." *The Irish News*, June 12th.

"The government must introduce audio and video taping of interviews and ensure independent monitoring of conditions in Castlereagh" (interrogation centre). **Michael Ritchie, Campaign on the Administration of Justice**, June 18th.

On shoot-to-kill...

"If they did know who they were, then why didn't they take them out of the car without having to riddle them with bullets like that and burn their bodies?" **Kathleen Ryan, mother of IRA Volunteer Peter Ryan, one of three Volunteers killed in a shoot-to-kill incident in Coagh, County Tyrone, on June 3rd.**

"The whole of the Unionist community will be cheering the security forces for ridding Northern Ireland of three more IRA murderers". The gloating words of **Sammy Wilson, the Democratic Unionist Party's Press Officer.**

"All we get from them (Unionists) are the old slogans coupled with a distinctly un-Christian sounding lust for blood." *The Irish News* editorial, June 4th.

"...The British government has consistently failed to fairly and impartially investigate serious allegations about the excessive use of force by its security forces in Northern Ire-

land, which is an unconscionable position for a democratic nation to take." **Margie Bernard, vice-president, US civil rights group, Americans for Democratic Action, June.**

On the repatriation of political prisoners...

"They should be brought back as a matter of priority... the labour party said it hoped to achieve repatriation within the lifetime of a parliament. The present government has the power to act now. It must do so." *The Irish News*, June 26th.

On Unionist intransigence...

"For 20 years British ministers have patiently and mistakenly tried to talk the unionists round. They will never succeed because being talked round is the last thing the unionists want. I don't believe for a moment they have the slightest intention of coming to an agreement with the nationalists and the Irish and British governments. What could they possibly agree on that wouldn't make them weaker?" **Political columnist Joe Haines**, June 3rd.

On calls for the introduction of internment-without-trial...

"Sometimes you wonder what planet some of us think we're living on. We have had in the last few weeks a substantial effort in some parts of the southern media to put the issue of internment back on the agenda... You read the stuff and you wonder: do we not live in a place where every stone dropped in the pool will cause strange and unforeseeable ripples, where the only predictable thing is unpredictability?" *The Irish Times*, June 13th.

"Internment will solve nothing... It may well be that intelligence is more sophisticated than last time this was tried. But the result will be the same." *The Irish News*, June 12th.

Sinn Féin's demands

● Sinn Féin's ultimate objective is to create the political conditions necessary to secure a true and lasting peace in Ireland. This can only be achieved by:

- The ending of partition arising from British rule in six of Ireland's 32 counties;
- British disengagement from Ireland and the restoration to the Irish people of the right to exercise self-sovereignty, independence and national self-determination;
- The setting of a definite date within the lifetime of a British government for the completion of this withdrawal;
- The disarming and disbandment of the Royal Ulster Constabulary and the Ulster Defence Regiment as part of the military withdrawal;
- The calling of a Constitutional Conference to which all political parties would be invited. This conference to be responsible for determining the nature and composition of an emergent national police service and the judiciary. If Britain was sincere about disengaging and was committed to an orderly transference of power, this could be achieved with a minimum of disorder; and
- The unconditional release of all political prisoners.

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