

Irish Republican Information Service

Teach Daithi O Conaill, 223 Parnell Street, Dublin 1, Ireland. (no. 138)

Phone: +353 - 1 - 872 9747; FAX: + 353 - 1 - 872 9757; e-mail: saoirse@iol.ie Date: February 12, 1996

LONDON BOMB A PRE-EMPTIVE STRIKE TO PREVENT SPLIT?

THE massive vehicle bomb in the Canary Wharf area of London's Docklands on Friday, February 9 marked the end of the Provisionals' 17-month-old unilateral and unconditional ceasefire. In the aftermath there is much speculation on two matters:

1. Indications that the end of the ceasefire was a pre-emptive strike in order to keep the Provisionals' military organisation intact in the face of growing dissent and fears of a split.

Media reports have also pointed to the recent (January 6) statement marking the emergence of the Continuity Army Council of the 'revolutionary' IRA which promised that "action will be taken in the future at an appropriate time to further this objective [Irish national independence]". This statement was published in newspapers in Belfast and Dublin during December and contained a claim that it emanated from the 'true' Óglaigh na hÉireann;

2. Whether the bomb was a "once-off" intended to put pressure on the British to call 'all-party' talks and/or whether it would be confined to targets in Britain.

The blast killed two men and injured dozens more when it exploded just after 7pm. A warning was relayed to London's Scotland Yard police headquarters at 5.41pm after staff at a Belfast newspaper had received a call warning about the bomb. Yet the British police failed to clear the area in the intervening hour and 20 minutes. The half-ton of home-made explosives caused an estimated £50-£100 million sterling in damage.

Following the blast the Provisionals' political leadership remain committed to following the "constitutional" road to an internal settlement crystallised in the demand for 'all-party talks' confined to the Six Counties while the military organisation in their statement announcing the end of the ceasefire on February 9 called for an "inclusive negotiated settlement". Following the meeting of the organisation's Ard-Chomhairle (National Executive) on February 10 Republican Sinn Féin pointed out that there was no straightforward demand for British withdrawal in the Provisionals' statement (Republican Sinn Féin statement carried in full below).

While the White House is reported to be working on the assumption that the bomb was a "once-off", the 26-County administration decided on the following day that there would be no meetings with the Provisionals' political organisation until the ceasefire was resumed. BBC reported on February 10 that the British government was "delighted" with this move by John Bruton's 'Cabinet Sub-committee on Northern Ireland'. The move exceeds in severity any immediate sanctions on the Provisionals' military organisation by the British. Bruton also announced that nine political prisoners, due to be granted early, conditional release from Portlaoise jail on February 10, were being kept in custody. British Prime Minister John Major, who made a special address on British television at 9pm on February 12, announced the restoration of armed police checkpoints in London, particularly near airports and entrances to the Docklands area, and caused traffic chaos, morning and evening, in the British capital.

PROCESS WRONG FROM START -- REPUBLICAN SINN FÉIN

AFTER a meeting of the Ard-Chomhairle (national executive) of Republican Sinn Féin at the weekend the following agreed statement was issued:

"The breakdown in the Provisionals' ceasefire comes as no surprise to Republican Sinn Féin who declared the whole process from the start to be built on the tottering foundations of accommodating the British Government and its occupation forces within Ireland and an untenable 'internal settlement' based on the gerrymandered Six-County statelet.

"No doubt among the factors behind this decision was the emergence at the New Year of the Continuity IRA and the Provisionals' sought to prevent themselves from being sidelined by those who declared themselves to be the true Óglaigh na h-Éireann.

"If the Provisionals' renewal of conflict were unequivocally directed towards forcing a British withdrawal from our country through the controlled and disciplined use of force and with the objective of creating a totally New Ireland then it would be consistent with the Republican philosophy.

"If on the other hand it is being pursued merely towards gaining a place at 'all-party talks' confined to the Six Counties which the unionists will dominate then such action is clearly not justified. We would draw the attention of the Provisional rank-and-file to the absence of any straightforward demand for British withdrawal in last Friday's statement from their leadership.

"Surely at this late stage the lesson has been learned by freedom-loving people at home and abroad that a permanent peace can only come with a public British government declaration that it intends to leave Ireland forever.

"In such a context the way forward lies in an elected All-Ireland constituent assembly to which Republican Sinn Féin would bring its EIRE NUA proposals for a new four-province federal Ireland. With maximum decentralisation of power and decision-making to local communities such a plan would bring freedom, justice and peace to majorities and minorities alike throughout Ireland," the statement ended.

DUBLIN'S HYPOCRISY OVER TREATMENT OF PRISONERS

SPEAKING at a public meeting in Galway city on February 8 on extradition and ill-treatment of prisoners in British and Irish jails the publicity officer of Republican Sinn Féin said that the Dublin administration was behaving hypocritically in its concern for prisoners' conditions in Britain.

The report by a group of Fine Gael TDs on February 7 described the treatment of Irish political prisoners in Britain as "cruel and inhumane" yet an Irish political prisoner in Cork jail was subjected to cruel and inhuman treatment in October 1995 under the jurisdiction of a justice minister of the same political party.

"The treatment of Republican prisoner Michael Hegarty in 'D-Unit' of Cork jail over an eight-day period prompted no outcry by any Leinster House TD and the cover-up of the operation of D-Unit was only exposed by the long-delayed publication of a critical Council of Europe report on prison conditions on December 13 last. This report found that a provision of the Prison Rules 'was being exploited to hold inmates under conditions akin to solitary confinement for up to two months' in D-Unit of Cork jail.

"The same Leinster House TDs who are calling for political prisoners in England to be moved back to Ireland to be near their families have nothing to say about Michael Hegarty being moved to Cork jail away from his family," Ruairí Óg Ó Brádaigh told the meeting. The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) reported their findings to the Dublin administration in June 1994 but it was not published until 18 months later. In the meantime the torture unit in Cork jail was used on political and non-political prisoners alike.

Ruairí Óg Ó Brádaigh said that one former inmate of D-Unit, Cork jail, is now taking a court action against the Dublin administration for ill-treatment there. When he initiated the proceedings through his lawyer the prisoner, a Corkman, was immediately transferred to Mountjoy jail in Dublin.

"Nine Republican prisoners, including Michael Hegarty, in Cork and Limerick jails are currently campaigning for treatment as political prisoners and to be incarcerated together in the one prison. Two Republican prisoners in Cork jail have still not been granted any visits from their relatives since being moved there three weeks ago. Their conditions in the jail are very poor: one shower per week, two letters per week limited to two pages per letter, no

access to laundry to wash their clothes. The visiting room in Cork jail is 'Dickensian' with visitors having to stand at a chest-high counter to talk to the prisoner, something which is very difficult for old people or young children.

"Political prisoners in the 26 Counties fought hard, enduring privation and hunger-strikes to win political status in the 1970s. If the Dublin administration's plan for Republican prisoners who are not in agreement with the current process is to attempt to deny that political status then they are embarked on a collision course that is totally unnecessary. In these circumstances minister Nora Owen would be seen to be on a par with British Home Office Secretary Michael Howard in the cruel treatment of political prisoners", he said.

Ruairi Óg Ó Brádaigh called on all those concerned individuals, public representatives and civil liberties organisations to demand the closure of D-Unit of Cork jail and for the treatment of Republican prisoners as political prisoners. "Republican Sinn Féin remains totally opposed to the political extradition of any Irish political prisoners to England, whether from the 26 Counties or from the US," he added.

"Two Irishmen currently facing extradition, Nessian Quinlivan (Limerick) and Pearse McCauley (Tyrone) are being sacrificed by their own leadership as part of the current process. This leadership has been meeting with the Dublin administration in Dublin Castle on a weekly basis for the past year yet the issue of political extradition has not surfaced once. Have they asked them to stop political extradition to Britain? And if they have why have they not gone public with the reply they received? These extradition proceedings expose the fraudulent nature of the current process which is aimed above all at reinforcing British rule in Ireland", Rúairi Óg Ó Brádaigh said.

SISTER OF IRISHMAN FACING EXTRADITION SPEAKS OUT

EMER Quinlivan, sister of Nessian Quinlivan, Limerick, who is fighting a 26-County extradition order to Britain along with Pearse McCauley, Tyrone, also addressed the Galway meeting on February 8. She said that on Monday February 6, Shannon Town Commission had unanimously passed a motion saying that "Nessian Quinlivan and Pearse McCauley should not be extradited". She added that the Quinlivan and McCauley families would be seeking the support of other local bodies, including Galway City and County Councils in the near future.

"Nessian and Pearse have no chance of a fair trial in Britain. They have suffered masses of biased coverage in the British tabloids. Furthermore a Tory Home Secretary's career was destroyed by the Brixton breakout and as a result, the British judiciary will be under tremendous pressure to avenge this insult," she said.

"It is also worth while remembering that no Irish person facing political charges has ever received fair play in a British court. They will be brutally treated in British prisons. As recently as this Wednesday a Fine Gael delegation led by Senator Dan Neville concluded that prison conditions for Irish Republican prisoners in Britain were "cruel and degrading" and deteriorating all the time. Birmingham Six solicitor Gareth Pierce is on record as described the prisons as 'concrete coffins' and also stated that whoever conceived the special security units which hold Republicans 'Did not have one ounce of humanity in them'.

"The Brixton prison break out forced the prison governor's resignation. Nessian and Pearse would be in serious physical danger if they were to be handed over to the disgraced governor's friends and colleagues."

EURO COURT RULES BRITAIN VIOLATED HUMAN RIGHTS

THE European Court on Human Rights ruled against Britain on February 8 last in its finding that a west Belfast man's denial of access to his lawyer for the first 48 hours of his interrogation by British police in the Six Counties was a violation of the European Convention on Human Rights. Britain has been found guilty of contravening the human rights of Irish and British citizens more often than any other European signatory to the convention.

John Murray took his case on the basis of the British emergency law in the Six Counties, the Emergency Provisions Act, 1987, and his success may force the British to amend the law or suspend application of some of its provisions. The court decided by 12 to seven to uphold John Murray's case that Article 6 of the European Convention implied a right of access to a lawyer from an initial stage in police interrogation. "As matters stand, the applicant [Murray] was undoubtedly directly affected by the denial of access and the ensuing interference with the rights of the defence," the court ruled.

The Strasbourg court also ruled by 14 to five, that the controversial 1988 order allowing courts to draw "adverse inferences" from the silence of an accused person did not necessarily constitute a violation of the principle of the presumption of innocence. The Irish judge, Brian Walsh, was among those dissenting.

John Murray, who was sentenced to eight years for false imprisonment in 1990 and was released last June, will now consider returning to the Six-County Appeal Court to overturn his original conviction. He was awarded legal costs of £15,000 and his lawyer, Kevin Winters, said the result was "an important victory for suspects held under emergency provisions". He regretted the court decision refusing to rule on the related issue of access to a lawyer during subsequent interrogation. The court argued that it was not crucial to the issue at stake.

The decision could cause a rush of similar appeals, according to the Committee on the Administration of Justice (CAJ) who estimated that around 100 prisoners in the Six Counties could pursue cases against their convictions based on the February 8 ruling. The CAJ's Paul Mageean said that the decision confirms that the EPA violates the right to a fair trial and was a significant blow to the British government's plans to renew the 'emergency' legislation. The British-appointed Standing Advisory Commission on Human Rights (SACHR) also welcomed the decision as a "confirmation of one principle of a fair trial". In Belfast in the run-up to the European court ruling a Save the Children convention heard repeated calls for the scrapping of the EPA.

ABSTENTIONIST ELECTION CHALLENGE

At a meeting of the North-West Executive of Republican Sinn Féin held in Letterkenny on Tuesday February 6, 1996, the up-coming North-East Donegal by-election was discussed at length.

The executive viewed positively the possibility of running a Republican candidate on a traditional abstentionist basis. During a lively debate previous electoral successes fought on this basis were discussed including those of Tom Mitchell, Ruairi Ó Brádaigh, Bobby Sands RIP and Kieran Doherty RIP. It was felt that Republicans might well value an opportunity to show their opposition to the partition of this island North and South, and their support for those who demand the complete withdrawal of Britain from all parts of this island within the lifetime of a single British parliament.

It was decided the Executive would recommend to the Ard Chomhairle (National Executive) that a suitable candidate should be sought and a final decision taken when the date of this by-election is established.

NEW WITNESSES STRENGTHENS COLM DUFFY'S CASE FOR RELEASE

A WITNESS has come forward to say that Colin Duffy was not one of the two men he saw leaving the scene where a former UDR British soldier was shot dead. Speaking on BBC's Spotlight programme on February 8 Gerald O'Hanlon said: "We got a good look at them and it most definitely was not Colin Duffy. Colin Duffy lived in the same street as my wife and I know Colin Duffy these last eight years and I feel angry he was put in jail for something he never done."

Gerald O'Hanlon was not called as an identification witness at Duffy's trial in the summer of 1995. During Duffy's trial anonymous witnesses gave evidence from behind curtains. One of these turned out to be a member of the UVF-linked Progressive Unionist Party, Lindsay Robb. Robb was found guilty in Scotland of attempting to smuggle guns to loyalist death squads in December 1995.

US BOMBING SUSPECTS LINKED TO BRITISH FAR-RIGHT

A US lawyer in Oklahoma City sought subpoenas on February 9 last for three British citizens who "might have information" about the bombing of the Federal Building in that city in April 1995. Stephen Jones, lawyer for Timothy J McVeigh, one of two defendants awaiting trial in connection with the bombing, asked a US judge to subpoena John Tynball, David Irving and Charles Sergeant, all of whom were identified as members of the far-right British National Party and a fourth man, Denis Mahon of Tulsa, Oklahoma, the regional director of the White Aryan Resistance.

According to a report in the *New York Times* (February 11) Stephen Jones told a Tulsa television station KJRH that he wants to know whether the three British citizens had supplied Denis Mahon with a detonator that might have been used in the bombing. The lawyer also said that Denis Mahon had told his staff on February 8 that he was an explosives expert and had bombed buildings in the past. Mahon in turn told KJRH that Interpol considered him an "international terrorist" and had denied him entry to Britain.

The *New York Times* report stated that Stephen Jones sought the subpoenas in response to a 30 million US dollar wrongful death suit filed against Timothy J McVeigh in January by Edye Smith. Her two sons were killed along with 187 other people in the Federal Building bombing in Oklahoma City. More than 500 other people were injured.

This story merited just six column inches on page 39 of the February 9 edition of the *New York Times*. Now if a connection with Irish resistance groups had been discovered in the Oklahoma Federal Building bombing case we can be sure that it would have featured prominently on the front page of the *New York Times* . . .

ENDS

Please circulate the information in IRIS FAX and credit us if reprinting. We welcome your comments and ideas.