

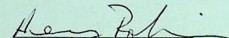
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4.1.96

John Alderdice  
Alliance Party Headquarters  
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Dear John

Please find enclosed a copy of a submission made by myself to the Mitchell Commission regarding alternatives to decommissioning. I hope you will find it interesting reading. Please feel free to make any comments.

Yours sincerely

  
Henry Robinson.

**Decommissioning - A Red Herring?**

**An Alternative Perspective**

**by**

**Henry P. Robinson.  
January 1996**





countless incidents of intimidation

In addition the following issues remain unresolved -

- the families of the disappeared still have no knowledge of the whereabouts of the remains of their loved ones

- 100's of exiles, some excluded since the early seventies are still not able to return to their home land

## PROPOSALS

The outline given below proposes a three tier approach supported by a Standing British/Irish Conference.

### A Standing British/Irish Conference

I would propose that a Standing British/Irish Conference be established with delegated powers from each government. It should have special responsibility for overseeing the implementation of measures aimed solely at the eradication of paramilitary terrorism.

The Standing Conference would consist of seven\* representatives of each parliament (MP's and TD's), using a procedure similar to that used to establish 'select committees' in the UK system. Each group would be headed by the Secretary of State for Northern Ireland and the Tanaiste, respectively.

The Standing British/Irish Conference should meet quarterly and subsequently make quarterly reports to their respective governments.

### A Three Tier Approach

#### *a. Magistrates*

The role of the Magistrates would be two-fold, to investigate organised crime and to investigate terrorism.

These magistrates should be free to operate both North and South and to work across international boundaries. They should have full investigative powers similar to Income Tax Inspectors in the UK and Investigative Magistrates in Italy who have a role to investigate the MAFIA.



Some of these powers already exist but there is a lack of co-ordination and focus on Paramilitary activity.

The Magistrates would report to the Standing British/Irish Conference, but be part of the independent judiciary, built into the respective legal systems.

*b. Cessation of Hostilities*

Paramilitary organisations must renounce terrorism.

They must end neighbourhood violence, that is intimidation, beatings, smashing up houses, the practice of exiling, gun attacks and the like.

They must cease murder.

They must stop Paramilitary fund-raising and gunrunning.

They must end extortion.

They must withdraw from organised crime and drug dealing.

They must declare and demonstrate support for Human Rights.

They must allow those currently living in exile to return home if they so wish.

They must reveal the whereabouts of the remains of the Disappeared.

This done, after 30 days, the paramilitary organisation would cease to be a proscribed organisation. Their delegated spokespersons could then come to the negotiating table, with a clear mandate to speak authoritatively for those whom they represent.

*c. Effective Monitoring*

Given a clear definition of 'a cessation of hostilities' such as above, monitors would need to be appointed by the British and Irish Governments.

A team of approximately 40 persons with a co-ordinated and pro-active role to seek and gather information from a range of sources would be required. The sources would include: Police, Gardai, British & Irish Armies, Voluntary Groups, Clergy, Political Parties and individuals.

The team should be accessible and publicly advertised using 'free-phone', leaflets, returns forms and so on. The expertise to achieve effective monitoring no doubt already exists internationally.

Quarterly reports of the findings of this monitoring must be made through the Standing British/Irish Conference to both Governments, the consequences of breaches in the

'cessation' could include expulsion from the democratic process, plus other legal recourse.

## CONCLUSIONS

In my view it is clear that a best case scenario for Northern Ireland is greatly reduced terrorist activity in the medium term. Splinter groups will continue to operate. The worst case scenario would be a return to the violence of the last twenty-five years. Either way effective action must be taken now.

Northern Ireland needs, deserves, at least a version of the following:

1. A clear definition of a 'Cessation of hostilities' must be established.
2. Effective monitoring of the situation combined with effective enforcement measures must be put in place.
3. Regular reports must be given to the people of both countries through their elected representatives.
4. An end must be sought to organised crime, the primary means of terrorist fundraising.
5. Decommissioning remains a long term objective.

## RECOMMENDATIONS

I recommend the establishment of the following:

- A Standing British/Irish Conference
- Investigative Magistrates
- A clear definition of a 'Cessation of Hostilities'
- An effective monitoring procedure
- Effective enforcement measures



**FURTHER INFORMATION**

For further information please contact:

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SIGNED *H. Robinson*  
DATE 4.1.96

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NOTE:

\* in the event of the establishment of a Northern Ireland Assembly this figure could change to allow for representation by that body.

## SUMMARY

- Paramilitary groups are still intact and still involved in intimidation and violence on a daily basis
- Ceasefires were never clearly defined and have been progressively eroded.
- Ceasefire only exists between paramilitaries and security forces.
- Eight people have been murdered and 261 people viciously attacked by paramilitaries.
- Those forced into exile by paramilitaries have not been allowed home nor the remains of the Disappeared given back.
- Decommissioning remains a long term objective.
- PROPOSAL - a three tier approach to eradicate terrorism supported by a Standing British/Irish Conference.
- The Standing British/Irish Conference to have special responsibility for overseeing measures aimed solely at the eradication of terrorism.
- Appointment of Investigative Magistrates with cross border remit and authority to investigate organised crime and terrorism.
- Paramilitary organisations must clearly and unequivocally renounce terrorism and violence.
- Once a 'Cessation of Hostilities' has been clearly defined the two governments should appoint monitors.
- Having demonstrated their commitment to democratic means paramilitary groups would cease to be proscribed organisations and could participate directly in the peace process.
- The monitors should actively gather information and should be clearly accessible.
- The Standing British/Irish Conference should receive and report all relevant information to both Houses of Parliament on a quarterly basis.
- Terrorism will continue on either a reduced or on an escalated scale; action must be taken now.