LIAISON SUB-COMMITTEE ON CONFIDENCE BUILDING MEASURES
SECURITY ISSUES - PAPER BY HMG

Introduction

1.   The Government wishes to see as early a return as possible to normal policing arrangements in Northern Ireland, with the Army no longer needed to fulfil an operational role in support of the police, protective security measures removed and no further need for temporary emergency legislation. At the same time, it is a priority for Government to maintain security policies for Northern Ireland, supported by a sufficient capability for counter-terrorism and public order tasks and an appropriate legislative framework, which will be effective in countering any terrorist threat which exists and maintaining public safety. Currently (and taking into account the ceasefires declared by the major paramilitary organisations on both sides) the threat level requires the availability of military support to the RUC, to be used as the Chief Constable judges appropriate; a range of physical and other security measures; and special legislative provisions. Recent terrorist attacks demonstrate clearly the continuing need for such measures.

Normalisation

2.   Both the Government and the security forces have already demonstrated their commitment to the goal of a return to normal policing arrangements in their response to the ceasefires. Thus, after the reinstatement of the IRA ceasefire in July 1997, it was possible to reduce and relax a wide range of security measures. In addition, many de-escalatory steps taken during the first IRA ceasefire - eg the reopening of all closed Border roads - have remained in place.

3.   The fact that much of this progress towards normalisation could not be maintained after the upsurge in violence starting at the end of last year demonstrates

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that the level of security deployments and measures has to be related to the threat, with reductions based firmly on professional security advice. The Government, and the Chief Constable who is operationally independent, have a duty to maintain law and order and to take the steps which they judge necessary to protect the community from terrorist attack.

4.   That does not indicate any reluctance to take normalising measures as rapidly as the security situation allows. But the speed at which that will be possible will depend on the level of violence and the extent of the threat of terrorist attack and public disorder at the time. In reducing the security force profile, the Government and the Chief Constable will also need to be confident that reductions in the level of violence and the threat will endure.

Future Prospects

5.   Because the rate of reduction of the level or threat of terrorism, sectarian violence or public disorder cannot be predicted, it will require continuing assessments by the Chief Constable. It is therefore not possible to set out at this stage a firm blueprint or timescale for reductions in the security force profile. However, for illustrative purposes this paper identifies three scenarios (in fact different points along a spectrum of threat levels) to indicate the types of de-escalatory steps which could be taken in response to changes in the level or threat of violence.

(a)   **Scenario 1**. Main terrorist organisations dismantled and disarmed, a minimal residual terrorist threat, criminal activity ongoing and improving community relations leading to a lower potential for public disorder.

Security profile: A police service operating without military support (other than routine specialist support as provided elsewhere in the UK)

and providing high quality service without counter-terrorism constraints.

(b)   **Scenario 2**. A spectrum of threat levels, ranging from a situation where terrorist groupings are beginning to dismantle their organisations and/or disarm, and are quiescent or only sporadically active; through a somewhat higher level of threat, where smaller groups continue to carry out attacks against a range of targets; to a situation where significant terrorist activity continues, albeit at a reduced level from Scenario 3. In addition, a similar spectrum of public disorder. (It should be noted that this scenario is particularly wide-ranging and that the security force profile could therefore vary considerably in response.)

Security profile: Continuing requirement for counter-terrorist policing, with military support as necessary, the level depending on the actual situation.

(c)   **Scenario 3**. A high level of terrorist activity, including bombings, shootings and so-called "punishment" attacks, probably coupled with serious public disorder.

Security profile: Where appropriate, a high level of counter-terrorist policing, supported by the military.

6.   Clearly in a situation where a high level of threat obtains (Scenario 3), security force operations and force levels will have to remain at a high level and the supporting security infrastructure and counter-terrorist legislative framework be retained. But at lower levels of threat, as a normal law and order situation begins to prevail, the Government and security forces will continue to respond in imaginative

and constructive ways across a range of areas. The sorts of measures which it would be possible progressively to implement include:

(a) Security Force Operations: a relaxation in security force posture (operating procedures, use of protective equipment etc) in line with the reducing threat; a reduction in military support to routine RUC patrols; reductions in operations specifically designed to counter terrorist activity (VCPs, searches, helicopter operations, etc); and eventually an end to routine military support to the police.

(b) Army Force Levels: roulement battalions sequentially withdrawn from Northern Ireland, while remaining under the GOC's command; force levels under the GOC's command reduced; and a progressive return to barracks by resident and Royal Irish units.

(c) Security Installations: security barriers and gates opened and remaining control zone orders lifted; a progressive defortification of police and Army bases and public buildings; and the phasing out of counter-terrorist military bases and other installations.

(d) Legislation: a steady reduction in the use of emergency powers as the security situation eases; suspension of individual EPA powers as the requirement for them ends (as happened with the internment power, which is now in addition being repealed); and a return to greater use of jury trials as incidence of scheduled offences falls.

7. Our aim is to see a situation (Scenario 1) where the police are able to serve the entire community unconstrained by the threat of terrorism (on the lines set out in the "Principles for Policing" paper); where the Army has returned to its normal peacetime function and no longer has an operational role in support of the RUC;

where counter-terrorist security installations have been removed; and where Northern Ireland-specific measures do not form part of any future United Kingdom counter-terrorist legislation. (Northern Ireland is participating in the Review announced by the Home Secretary to consider such proposals.) Progress toward this objective must, however, be determined by the level of threat; and an irreducible minimum of security capabilities will need to be retained so long as paramilitary organisations and stocks of illegal weapons remain intact.

Security Policy after Direct Rule

8.   For as long as the terrorist threat is such as to require military support to the RUC in responding to that threat, it is intended that the Secretary of State will retain overall responsibility for security policy and for wider policing issues. (That would not, of course, prevent the implementation of any agreed changes to wider policing arrangements.) The Secretary of State envisages that, during this period, appropriate arrangements would be established to enable the new political institutions in Northern Ireland to be briefed and to express their views on security issues, and she is ready to discuss with participants what those arrangements might be.

Conclusion

9.   The Government and the security forces wish to see the removal of all the measures which have been necessitated by the security situation in Northern Ireland. They want to see a full return to normal policing, with the Army resuming its normal peacetime role; the removal of bases and barriers which are no longer needed; and an end to the need for emergency legislation. The Government is keen to move as quickly as it safely can towards that goal, but the speed of progress will be determined solely by the threat posed by terrorism, whether to the security forces or to the community at large.

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