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Sinn Féin Submission to the Independent Review of Parades and Marches

An edited version of Sinn Féin's submission to the Independent Review of Parades and Marches was published in this week's *An Phoblacht*. Its main features are summarised below.

Drumcree

1. After briefly setting out the historical background to the parades issue, there is a familiar exposition of events surrounding Drumcree, including allegations of RUC fraternisation with loyalists at roadblocks. It also draws attention to RUC membership of the loyal orders and to the fact that there is no regulation prohibiting this. Drumcree clearly revealed, it says, where the political allegiance of the RUC lies.
2. It questions the commitment of unionist leaders to the Mitchell Principals in the light of last summer's events and particularly given David Trimble's meeting with Billy Wright during the Drumcree stand-off. It also refers to the "acts of violence" committed by the security forces including the death of Dermot McShane in Derry and the multiple injuries caused by plastic bullets. However, it says that the British Government "bears overall political responsibility for the events of the summer and for the years of policy which led up to them". The document remarks on the irony of Sinn Féin exclusion from the multi-party talks given the role of unionist leaders and the British Government during the Drumcree crisis.

The Law and Marches

3. The document states that Sinn Féin does not believe that further legislation or new powers are either necessary or desirable to deal with the issue of marches because they would continue to be implemented by a partisan police force. "The fear is that new and greater powers for the state with regard to marches would again be used in a partial way", it writes. The document reiterates Sinn Féin policy that the RUC should be disbanded and a new community-based and impartial policing force formed.
4. It reports that Nationalists have objected to less than 1% of loyalist marches and that despite the sectarian nature and frequency of loyalist parades "nationalists have shown an immense capacity for tolerance". Sinn Féin maintains that the party has always had a code of practice with regard to the holding of nationalist parades. The loyal orders, the RUC and the British Government bear the primary responsibility where conflict has arisen.
5. The document sets out the following general principles regarding parades:
 - a. The right to march is a democratic right. It is fundamental to the civil and human rights of all citizens.

- b. The right to march involves freedom of assembly and freedom of political expression.
 - c. The right to march is not absolute, it is a right which carries responsibilities; it is a right which must not be misused.
 - d. In any society, especially a divided society, the right to march must be exercised with due regard for the rights of others.
 - e. The right to march does not extend to threatening the safety and security in their homes of those through whose districts the marches proceed.
 - f. Organisers of marches are duty bound to exercise their right to march in such a way that they do not cause offence to those through whose districts the marches proceed.
 - g. Marches should not be organised through districts where it is obvious that the local community will find the marches offensive.
 - h. Where proposed marches are contentious the host community has a right to be consulted by march organisers. In this way the right to march is balanced against the right of the host community to be consulted when marches are controversial.
 - i. Where local communities express their objection to a march and appoint representative bodies and spokespersons to express their views the organisers of marches have a duty to meet with these representatives.
6. As such, most of the principles deal with various aspects of an acknowledged right to march. Sinn Féin accepts the fundamental civil and human right which exists. However, the party balances this right by placing an onus of responsibility on march organisers. Elsewhere, the document refers to right to march into town centres but even here this must be weighed against the probable disruption to the commercial life and freedom of movement of the "host community". Clearly with an eye to places like Dunloy and Bellaghy, the report says that nationalist villages and small towns should not be subjected to parades unless there has been negotiation and agreement.
7. There are apparent inconsistencies between the expressed principles and remarks made elsewhere in the article. While principle (h) merely refers to necessary *consultation* between march organisers and local residents there is a reference in the body of the article to the right of the host community to refuse *permission* for a march. This is not, however, included as a general principle. Furthermore, while residents should not be subjected to offensive parades, this can be overridden by negotiation and agreement. Also mentioned in the report but not adopted as principles is Sinn Féin's belief that, bearing in mind demographic changes, tradition should no longer be used as the sole criterion for the right to march.

Conclusion- A Political Solution

8. Sinn Féin welcomes the instances of what it sees as the accommodation and compromise which took place in Bellaghy and Derry in 1996. However, such resolutions should provide an impetus to unionist political leaders to accept their responsibility to reach agreement on codes of practice to apply to all contentious parades. Such codes of practice would include the cancellation of clearly objectionable parades and voluntary rerouting where there are local objections.
9. "Genuine and voluntary negotiations between parade organisers and residents' groups is the path to accommodation and agreement according to the document," concludes the report. "Any other course of action can only be seen as an attempt to impose sectarian discrimination." As such, Sinn Féin avoids specifically endorsing or condemning the establishment of a statutory body to adjudicate and monitor parades in the future. The resolution of the issue from Sinn Féin's point of view would appear to be confined almost entirely to a political commitment to reach agreement and accommodation.

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