

Office of the Independent Chairmen

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525196

16 July 1996

MEMORANDUM

TO: All Participants

FROM: The Independent Chairmen

SUBJECT: Alliance Party Submission and Rebuttals

Copies of "An Alliance Party submission on breaches of the Mitchell Principles" (as modified by a letter from the Alliance Party leader, also attached) as well as copies of the rebuttals submitted by parties referred to in that submission are herewith distributed for participants' review and consideration.

The Progressive Unionist Party has chosen to stand by its submission in rebuttal of the DUP Notice of Indictment and the determination of the Governments and will make no further submission.

Participants will be notified as soon as possible of the timing of a plenary session to discuss the Alliance Party submission and rebuttals of that submission.

Enclosures:

- An Alliance Party submission on breaches of the Mitchell Principles
- UUP Response to the Alliance submission on alleged breaches of the Mitchell Principles
- DUP response to the Alliance Party's submission on alleged breaches of the Mitchell principles dated 10 September 1996
- Ulster Democratic Party response to Item 2 of the Alliance Party submission

An Alliance Party submission on breaches of the Mitchell Principles.
September 10th, 1996.

1. Drumcree:

Principle a/ in the principles set out in the Mitchell report, which is the fundamental and essential first principle from which all the other principles flow, requires parties taking part in the talks to affirm *'their total and absolute commitment to democratic and exclusively peaceful means of resolving political issues'*.

The Secretary of State has described the Drumcree crisis as "a week in which the rule of law was violently, deliberately, and, it has to be said, successfully challenged". During that week members of the Orange Order, with the support, encouragement and active involvement of senior members of the Ulster Unionists and the DUP, engaged in a systematic and politically motivated campaign which challenged the rule of law and the authority of the RUC. This campaign, which had been planned over a considerable period and which is now the subject of investigation by the RUC, sought to overstretch police resources and threaten the complete break down of law and order in the province though the organisation of mass demonstrations and widespread disruption of public order. The campaign went well beyond the specific issue of the march route at Drumcree and was consistently portrayed by those taking part as a challenge to overall government policy.

The campaign was organised by senior members of the Orange Order. The Orange Order is constitutionally linked to the Ulster Unionist Party. Its head is Martin Smyth, a Unionist MP and senior Party spokesman, and it's deputy head and chief spokesman during the crisis was Jeffrey Donaldson, a leading member of the Ulster Unionist team in these talks. It is not possible to suppose that this campaign of defiance of the rule of law could have proceeded without the knowledge and approval of the Ulster Unionist leadership.

The campaign was further endorsed, strongly and often in angry and violent language, by leading members of the Ulster Unionists and the DUP.

These actions are not compatible with a total and absolute commitment to democratic and exclusively peaceful means of resolving political issues and must constitute a breach of principle a/ by the Ulster Unionist Party and the Democratic Unionist Party.

2. The CLMC threat.

As has already been raised in the plenary session the Combined Loyalist Military Command has issued a threat to Mr Billy Wright and other dissident members who oppose the involvement of the loyalist parties in political talks. Failure to condemn these threats would place the loyalist parties in breach of Principles a/ and d/ (*to renounce for themselves, and to oppose any efforts by others, to use force, or threaten to use force, to influence the course or the outcome of all-party negotiations.*)

3. The DUP and Billy Wright.

On Wednesday 4th September Mr William McCrea MP of the DUP took part in a public rally in Portadown in support of Mr Billy Wright. Mr Wright, to whom the nickname "King Rat" has been attributed, has been widely identified in the press as a militant loyalist and a supporter of the Mid-Ulster UVF, whose banner was displayed on the platform at the Portadown rally. Mr Wright and his associates took an active part in the Drumcree protest, where Mr Trimble of the Ulster Unionists met him in what Mr Trimble described as an attempt to avoid violence. He is described in the press as a strong opponent of the leadership and policies of the Progressive Unionist Party and of the Combined Loyalist Military Command and an opponent of the loyalist ceasefire, and has been linked to the emergence of a hardline break away faction of the UVF in the Portadown area. Mr McCrea's support for Mr Wright at the Portadown rally, his failure to condemn the policies and actions with which Mr Wright is publicly associated, and the failure of the DUP to condemn or in any way disassociate themselves from Mr McCrea's stand, can only constitute a breach of Principles a/ and d/ by the DUP.

John Alderdice
Party Leader.

Alliance

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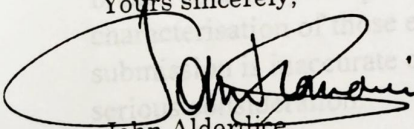
16th September, 1996

Chairman,
Inter-Party Talks,
Castle Buildings,
Stormont.

Dear Chairman,

Our submission to you in regard to breaches of the Mitchell Principles included a statement to the effect that a UVF banner was displayed on the platform of the rally in Portadown attended by Rev William McCrea. Representations have been made to us that this particular statement was factually incorrect. We are happy to accept these representations about this matter, since we would regard it as entirely peripheral to the substantive issue raised. We would accordingly ask you to strike out the statement in our submission which refers to the 'display of the banner'.

Yours sincerely,



John Alderdice,
Party Leader.



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UUP response to the Alliance submission on alleged breaches of the principles of democracy and non violence.

16th September 1996.

1) The UUP fully accepts the principles of democracy and non-violence set out in the Report of the International Body.

2) We do not consider that the Alliance party submission discloses any breach of these principles or any action by the UUP contrary to them. The characterisation of those events in the second paragraph of that submission is inaccurate overheated political hyperbole, unworthy of serious consideration.

3) The UUP, before during and after this Summer, has consistently condemned violence from whatever quarter.

DUP response to the Alliance Party's submission on alleged breaches of the Mitchell principles dated 10 September 1996.

The Alliance Party's submission is as nauseating as it is contemptible. It is a cocktail of lies, half-truths and innuendoes. It purports to produce proof of breaches by the DUP of the Mitchell principles but does not provide even a grain of evidence to substantiate their spurious claims. The Democratic Unionist Party is proud of the action of its leadership and members who were engaged in upholding the principles of democracy and non-violence arising from the Garvaghy Road residents threats against a peaceful parade. The defence of inalienable rights and freedoms are consistent with the Mitchell principles and the extent to which they are opposed by the Alliance Party and their Republican allies is indicative of their political bias. Moreover, the references to the Member of Parliament for Mid Ulster, Dr William McCrea, are defamatory and have been submitted by him to his solicitors. As these issues are to be brought before the courts, they are *sub-judice* and we intend to make no comment upon them.

Conclusions of the Government on Representations made by the DUP against the PUP and the UDP, as clear indication that charges made against the loyalist parties in Item 2 of An Alliance Party submission on breaches of the Mitchell Principles, are without foundation and, moreover, have already been dealt with.

2. The Ulster Democratic Party, however, feel obliged to make some comments in relation to the reaction of the DUP spokespersons to the findings contained within the document, *Conclusions of the Government on Representations made by the DUP against the PUP and UDP.*

a) The only basis upon which Sinn Féin can enter negotiations is clearly spelt out and contained within the Northern Ireland (Entry to Negotiations, etc.) Act 1996. That Act refers to paragraphs 8 and 9 of Command Paper 3232 which unambiguously states that Sinn Féin can only gain entry to the negotiations via "the unequivocal restoration of the cease-fire of August 1994." It is clear therefore that any findings contained within the document mentioned in Item 2 of this paper have no impact whatsoever on the ability of Sinn Féin to enter negotiations.

b) Public statements by DUP spokespersons claiming that the exoneration of the UDP and PUP of any breach of the Mitchell Principles has "provided a ticket for Sinn Féin to enter negotiations without any change in the position of the IRA" are, therefore, without any foundation.

Monday 16th September 1996

Ulster Democratic Party

16 September 1996

With regard to the document, *An Alliance Party submission on breaches of the Mitchell Principles*, submitted on 10 September 1996, and, more specifically, to Item 2 of that document.

1. The Ulster Democratic Party refer participants to the document, *Conclusions of the Governments on Representations made by the DUP against the PUP and the UDP*, as clear indication that charges made against the loyalist parties in Item 2 of *An Alliance Party submission on breaches of the Mitchell Principles*, are without foundation and, moreover, have already been dealt with.

2. The Ulster Democratic Party, however, feel obliged to make some comments in relation to the reaction of the DUP spokespersons to the findings contained within the document, *Conclusions of the Governments on Representations made by the DUP against the PUP and UDP*.

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b) Public statements by DUP spokespersons claiming that the exoneration of the UDP and PUP of any breach of the Mitchell Principles has "provided a ticket for Sinn Fein to enter negotiations without any change in the position of the IRA" are, therefore, without any foundation.

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