

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. cable	re: Charge's Meeting with Sinn Fein (4 pages)	01/27/1995	P1/b(1)
002. cable	re: Martin Mansergh on Northern Ireland (3 pages)	01/31/1995	P1/b(1)
003. cable	re: Northern Ireland Framework Document Leaked (6 pages)	02/01/1995	P1/b(1)
004. cable	re: HMG Struggles (4 pages)	02/01/1995	P1/b(1)
005. cable	re: Reaction to "The Times" articles (4 pages)	02/02/1995	P1/b(1)
006. cable	re: Northern Ireland (4 pages)	02/03/1995	P1/b(1)
007. cable	re: "Irish Times" Interview of Gerry Adams (3 pages)	02/06/1995	P1/b(1)
008. cable	re: DFA on February 2 Liaison Group (3 pages)	02/09/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
 NSC Cables
 Jan 1995-Dec 1996 ([Peace Process, Irish, Ireland, Stormont])
 OA/Box Number: 510000

FOLDER TITLE:

[01/25/1995-02/09/1995]

2006-1990-F

vz1637

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Cable

PREC: ROUTINE

CLASS: UNCLASSIFIED

LINE1: RAAUZYUW RUEHDLA0392 0251537-UUUU--RHEHAAX.

LINE2: ZNR UUUUU ZZH

LINE3: R 251537Z JAN 95

LINE4: FM AMEMBASSY DUBLIN

OSRI: RUEHDL

DTG: 251537Z JAN 95

ORIG: AMEMBASSY DUBLIN

TO: RUEHC/SECSTATE WASHDC 7041

INFO: RUEHLO/AMEMBASSY LONDON 2629

RUEHBL/AMCONSUL BELFAST 3328

RUSNNOA/USCINCEUR VAHINGEN GE

SUBJ: TAOISEACH'S DAIL COMMENTS ON NORTHERN IRELAND

TEXT:

UNCLAS DUBLIN 000392

E.O. 12356: N/A

TAGS: PREL, PHUM, PTER, UK, EI

SUBJECT: TAOISEACH'S DAIL COMMENTS ON NORTHERN IRELAND

REF: DUBLIN 00335

1. DURING DAIL QUESTION TIME ON JANUARY 24, TAOISEACH JOHN BRUTON SAID IN REGARD TO THE NORTHERN IRELAND PEACE PROCESS THAT:

-- HE WAS NOT/NOT SEEKING JOINT AUTHORITY OVER NORTHERN IRELAND IN THE FRAMEWORK DOCUMENT;

-- "GOOD PROGRESS" HAD BEEN MADE IN TALKS ON THE DOCUMENT SINCE HIS CHRISTMAS MEETING WITH JOHN MAJOR, AND HE WAS "HOPEFUL" THAT ALL REMAINING ISSUES WOULD BE RESOLVED "IN THE NEAR FUTURE";

-- THE TIMING OF HIS NEXT MEETING WITH MAJOR WOULD BE DETERMINED IN THAT CONTEXT;

-- THE IRISH GOVERNMENT'S POSITION WAS THAT THE DECOMMISSIONING OF ARMS WAS NOT/NOT A PRE-CONDITION FOR SINN FEIN'S PARTICIPATION IN ALL-PARTY TALKS; "THE POSITION OF SOME OTHER PARTIES, HOWEVER, WOULD SUGGEST THAT PROGRESS ON THAT ISSUE IS REQUIRED IN ADVANCE OF SUCH TALKS;

-- "I WELCOME THE PROGRESS WHICH HAS BEEN MADE TO DATE IN EXPLORATORY TALKS WITH THE BRITISH GOVERNMENT. THE QUESTION OF ARMS IS A REAL PROBLEM (WHICH) MUST BE WORKED AT STEADILY AND WITH PATIENCE";

-- IT IS VERY IMPORTANT THAT THE FRAMEWORK DOCUMENT BE

BALANCED AND THAT IT RECOGNIZE "THE BIRTHRIGHT OF BOTH COMMUNITIES IN THE NORTH";

-- THE DOCUMENT WOULD PROVIDE FOR CROSS-BORDER BODIES WITH EXECUTIVE POWERS ACCOUNTABLE TO A NORTHERN ASSEMBLY AND TO THE DAIL;

-- NO AREA IS EXCLUDED IN ADVANCE FROM THE JURISDICTION OF SUCH BODIES;

-- THE TWO GOVERNMENTS ARE NOT/NOT PLANNING TO IMPOSE A SETTLEMENT; THE FRAMEWORK DOCUMENT WILL CONSTITUTE AN UNDERSTANDING BY THE GOVERNMENTS ON THE OUTLINE OF A FAIR AND EQUITABLE SETTLEMENT AND FORM THE BASIS FOR A PROCESS OF DETAILED NEGOTIATIONS AMONG THEM AND THE POLITICAL PARTIES IN NORTHERN IRELAND;

-- THE OUTCOME WILL BE PUT TO REFERENDA BOTH NORTH AND SOUTH;

-- THE IRISH GOVERNMENT WILL SOON INTRODUCE A BILL TO LIFT THE STATE OF EMERGENCY PREVAILING SINCE 1976;

-- HE DOES NOT/NOT BELIEVE THAT A "VOTING PACT" EXISTS BETWEEN MAJOR AND THE UNIONISTS.

2. TANAISTE/FOREIGN MINISTER DICK SPRING LATER TOLD THE DAIL THAT THE OUTSTANDING ISSUES IN REGARD TO THE FRAMEWORK DOCUMENT WERE NORTH/SOUTH INSTITUTIONS, CONSTITUTIONAL MATTERS AND THE EU DIMENSION. SANDBERG

BT

#0392

NNNN

SECT: SECTION: 01 OF 01

SSN: 0392

TOR: 950125130653 M1477526

DIST:

PRT: SODERBERG

SIT: NSC STEPHENS SUM2 VERSHBOW

□

Withdrawal/Redaction Marker

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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

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Cable

PREC: IMMEDIATE
 CLASS: ~~CONFIDENTIAL~~
 LINE1: OAACZYUW RUEHCAA5680 0320334-CCCC--RHEHAAA.
 LINE2: ZNY CCCCC ZZH
 LINE3: O 010315Z FEB 95
 LINE4: FM SECSTATE WASHDC
 OSRI: RUEHC
 DTG: 010315Z FEB 95
 ORIG: SECSTATE WASHDC
 TO: RUEHLO/AMEMBASSY LONDON IMMEDIATE 8349
 INFO: RUEHVEN/USMISSION USVIENNA IMMEDIATE 7397
 RUEAIIA/CIA WASHDC 6026
 RUEKJCS/DOD WASHDC 5856
 RHEHAAA/WHITE HOUSE 2053
 RUEATRS/TREASURY DEPT WASHDC 4083
 SUBJ: FINAL (V-4) VERSION OF HUMAN RIGHTS REPORT ON
 - THE UNITED KINGDOM AND NORTHERN IRELAND

DECLASSIFIED
 E.O. 13526
 Department of State Guidelines, September 11, 2006
 By VL NARA, Date 10/25/2012
 2006-1490-F

TEXT:
~~CONFIDENTIAL~~

LIMITED OFFICIAL USE SECTION 01 OF 11 STATE 025680

USVIENNA FOR USDEL OSCE

E.O. 12356: N/A

TAGS: UK, HR

SUBJECT: FINAL (V-4) VERSION OF HUMAN RIGHTS REPORT ON
 - THE UNITED KINGDOM AND NORTHERN IRELAND

1. LOU (NOFORN) - ENTIRE TEXT.
2. THE POST MAY, AT ITS DISCRETION, PROVIDE A COPY TO THE HOST GOVERNMENT NO SOONER THAN 24 HOURS BEFORE 12:30 P.M. EST, FEBRUARY 1, ON CONDITION THAT THE HOST GOVERNMENT OBSERVE AN EMBARGO ON ITS RELEASE UNTIL THE TIME OF PUBLIC RELEASE IN WASHINGTON.
3. BELOW IS THE FINAL (V-4) HUMAN RIGHTS REPORT ON THE UNITED KINGDOM AND NORTHERN IRELAND.

- UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND (UK) IS A CONSTITUTIONAL MONARCHY WITH A DEMOCRATIC, PARLIAMENTARY GOVERNMENT ELECTED IN PERIODIC, MULTIPARTY ELECTIONS. HUMAN AND CIVIL RIGHTS ARE RECOGNIZED BY STATUTE AND BY STRONGLY-HELD TRADITIONS, BUT THERE IS NO

WRITTEN CONSTITUTION. THE LEGAL SYSTEM TREATS HUMAN RIGHTS AS ASSUMED UNLESS LIMITED BY STATUTE.

THROUGHOUT THE UNITED KINGDOM, CIVILIAN POLICE FORCES ARE RESPONSIVE TO, AND CONTROLLED BY, ELECTED OFFICIALS. IN NORTHERN IRELAND, BECAUSE OF TERRORIST VIOLENCE, ARMY UNITS REINFORCE THE ROYAL ULSTER CONSTABULARY (RUC).

THE UNITED KINGDOM HAS A HIGHLY DEVELOPED INDUSTRIAL ECONOMY. THE GOVERNMENT PROVIDES COMPREHENSIVE SOCIAL WELFARE SERVICES.

TERRORIST BOMBINGS AND KILLINGS BY THE ILLEGAL PROVISIONAL IRISH REPUBLICAN ARMY (PROVISIONAL IRA) AND OTHER "REPUBLICAN" (CATHOLIC) AND "LOYALIST" (PROTESTANT) TERRORIST GROUPS IN NORTHERN IRELAND AND GREAT BRITAIN CONTINUED TO CONSTITUTE THE GREATEST VIOLATIONS OF PUBLIC ORDER. HOWEVER, ON AUGUST 31 THE PROVISIONAL IRA ANNOUNCED A "COMPLETE CESSATION OF MILITARY OPERATIONS," AND THE MAIN LOYALIST GROUPS ANNOUNCED A SIMILAR CEASE-FIRE ON OCTOBER 13. NOTWITHSTANDING THIS' THE PROVISIONAL IRA CONTINUED TO ENGAGE IN VIGILANTE "PUNISHMENT" ATTACKS ON ALLEGED "ANTISOCIAL ELEMENTS," AND TO EXILE "INFORMERS" BY FORCE; AND ONE OF ITS LOCAL UNITS CARRIED OUT AN ARMED ROBBERY IN WHICH A PARTICIPANT KILLED A POSTAL WORKER. THE GOVERNMENT HAS REACTED CAUTIOUSLY TO THE CEASE-FIRE.

"THE TROUBLES" IN NORTHERN IRELAND DURING THE PAST 25 YEARS ALONE HAVE TAKEN A HEAVY TOLL: OVER 3,167 PEOPLE KILLED, INCLUDING 296 POLICE AND 647 MILITARY PERSONNEL, AND OVER 38,558 INJURED (1,955 IN VIGILANTE "PUNISHMENT SHOOTINGS)." OVER 9,983 EXPLOSIONS HAVE CAUSED EXTENSIVE PROPERTY DAMAGE AS WELL AS DEATHS. IN GREAT BRITAIN, MORE THAN 100 PEOPLE HAVE DIED IN PROVISIONAL IRA ATTACKS DURING THE 25 YEARS. IN 1994, AS IN 1993, NO DEATHS

RELATED TO THE TROUBLES WERE CAUSED BY THE SECURITY FORCES, DESPITE PERSISTENT AND SOMETIMES LETHAL (SEE SECTION 1.A.) ATTACKS ON THEM BY TERRORISTS. NONETHELESS, ALLEGATIONS OF PAST USE OF EXCESSIVE FORCE BY THE SECURITY FORCES CONTINUED TO BE A MATTER OF CONTENTION.

A SEPARATE REPORT ON HONG KONG, A DEPENDENT TERRITORY OF THE UNITED KINGDOM, FOLLOWS THIS REPORT. IN NORTHERN IRELAND, THERE HAS BEEN WIDESPREAD CRITICISM OF LAWS AND PROCEDURES GOVERNING DETENTION THAT DENY THE RIGHT TO IMMEDIATE COUNSEL AND THAT ENCROACH ON THE RIGHT TO SILENCE. ALSO MUCH CRITICIZED HAVE BEEN THE USE OF UNCORROBORATED CONFESSIONS AND THE PLACEMENT OF TEENAGERS IN DETENTION FACILITIES FILLED MAINLY WITH ADULTS. THERE CONTINUED TO BE ALLEGATIONS THAT SECURITY FORCES PHYSICALLY AND PSYCHOLOGICALLY ABUSED DETAINEES IN HOLDING CENTERS.

EMERGENCY ANTITERRORIST MEASURES ENACTED DURING THE PAST 20 YEARS RESTRICT FREEDOM OF MOVEMENT FOR 69 SUSPECTED TERRORISTS AND SUPPORTERS. ALSO, PRIMARILY DUE TO FEAR OF

TERRORIST VIOLENCE, MANY PROTESTANT AND CATHOLIC COMMUNITIES IN NORTHERN IRELAND HAVE BECOME SEGREGATED, AND WORKERS ARE SOMETIMES RELUCTANT TO COMMUTE ACROSS SECTARIAN BORDERS.

~~C O N F I D E N T I A L~~

LIMITED OFFICIAL USE SECTION 02 OF 11 STATE 025680

USVIENNA FOR USDEL OSCE

E.O. 12356: N/A

PARLIAMENT PASSED A CRIMINAL JUSTICE ACT IN NOVEMBER THAT, AMONG OTHER THINGS, EXTENDS TO GREAT BRITAIN THE ENCROACHMENTS ON THE RIGHT TO SILENCE THAT HAVE BEEN IN EFFECT IN NORTHERN IRELAND SINCE A 1988 LAW. THIS LEGISLATION, WHICH HAS DRAWN MUCH PUBLIC CRITICISM, ENABLES COURTS TO DRAW A NEGATIVE INFERENCE FROM A SUSPECT'S REFUSAL TO ANSWER QUESTIONS UNDER SOME CIRCUMSTANCES.

RESPECT FOR HUMAN RIGHTS

SECTION 1 RESPECT FOR THE INTEGRITY OF THE PERSON,
- INCLUDING FREEDOM FROM:

- A. POLITICAL AND OTHER EXTRAJUDICIAL KILLING

THERE WERE NO REPORTS OF POLITICAL KILLINGS BY THE GOVERNMENT, ALTHOUGH A HUMAN RIGHTS GROUP QUESTIONED THE

POLICE SHOOTING OF AN ARMED ROBBER. IN NORTHERN IRELAND 59 PERSONS WERE KILLED BY TERRORISTS (37 BY LOYALISTS, 22 BY REPUBLICANS); 6 WERE BRITISH SECURITY PERSONNEL, KILLED BY THE PROVISIONAL IRA.

THE COMMITTEE ON THE ADMINISTRATION OF JUSTICE (CAJ), AN INDEPENDENT NORTHERN IRELAND ORGANIZATION, HAS CONTINUED TO CLAIM THERE HAVE BEEN SOME 340 KILLINGS BY THE SECURITY FORCES UNDER DISPUTED CIRCUMSTANCES SINCE THE CURRENT PHASE OF "THE TROUBLES" BEGAN IN 1968, WITH CRIMINAL PROSECUTIONS IN ONLY 32 CASES, AND 4 CONVICTIONS BY THE END OF 1994.

DURING 1994 THE BELFAST CORONER ABANDONED THREE INQUESTS INTO 1982 KILLINGS BY SECURITY FORCES--OF THREE PROVISIONAL IRA TERRORISTS, TWO MEMBERS OF THE TERRORIST IRISH NATIONAL LIBERATION ARMY (INLA), AND ONE YOUTH, UNDER WHAT CRITICS CHARGED WAS A SHOOT-TO-KILL POLICY--AFTER THE GOVERNMENT REFUSED ON NATIONAL SECURITY GROUNDS TO RELEASE THE FINDINGS OF POLICE INVESTIGATIONS.

IN THE CASE OF THREE PROVISIONAL IRA TERRORISTS KILLED IN GIBRALTAR BY UK SECURITY FORCES IN 1988, THE EUROPEAN COMMISSION ON HUMAN RIGHTS DECIDED THE GOVERNMENT DID NOT USE UNNECESSARY FORCE, BUT REFERRED THE CASE TO THE HIGHER-LEVEL EUROPEAN COURT OF HUMAN RIGHTS, WHOSE

DECISION IS STILL PENDING.

THE TRIAL OF A POLICE OFFICER FOR KILLING 19-YEAR-OLD KEVIN MCGOVERN CONCLUDED WITH A VERDICT THAT THE OFFICER HAD NOT INTENDED TO KILL THE STUDENT.

THE COURT TRYING A SOLDIER IN THE ROYAL IRISH REGIMENT, ALAN O'LEARY, FOR THE 1992 KILLING OF A TEENAGER ACQUITTED HIM OF A MURDER CHARGE BUT FOUND HIM GUILTY OF MANSLAUGHTER, AND SENTENCED HIM TO 4 YEARS IN PRISON.

THERE WERE NO SIGNIFICANT DEVELOPMENTS IN THE CASE OF THE 1986 KILLING OF PATRICK FINUCANE, COUNSEL TO MANY PROVISIONAL IRA SUSPECTS. THE CASE REMAINS OPEN.

THE RUC INVESTIGATES ALL KILLINGS COMMITTED IN NORTHERN IRELAND BY ITS OFFICERS AS WELL AS BY THE ARMY. THE INDEPENDENT COMMISSION FOR POLICE COMPLAINTS (ICPC),

ESTABLISHED BY THE GOVERNMENT, SUPERVISES POLICE INVESTIGATIONS. AUTHORIZED TO REVIEW ALL COMPLAINTS, IT AUTOMATICALLY SUPERVISES CASES INVOLVING DEATH OR SERIOUS INJURY. IT ACCEPTS INFORMATION PROVIDED BY A COMPLAINANT AND BY ANY OTHER SOURCES, AS WELL AS THAT DISCOVERED BY THE POLICE. THE ICPC CAN ADVISE (BUT CANNOT REQUIRE) THE CHIEF CONSTABLE TO TAKE DISCIPLINARY ACTION AGAINST POLICE OFFICERS. THE EUROPEAN CONVENTION ON HUMAN RIGHTS STIPULATES THAT LETHAL FORCE SHOULD BE USED ONLY WHEN "ABSOLUTELY NECESSARY," WHILE BRITISH LAW CALLS FOR IT TO BE "REASONABLE UNDER THE CIRCUMSTANCES." HUMAN RIGHTS GROUPS HAVE CRITICIZED THE BRITISH STANDARD AS DEFICIENT BUT BRITISH COURTS HAVE RULED THAT LETHAL FORCE MAY BE APPLIED ONLY IF THERE IS IMMINENT AND UNAVOIDABLE DANGER TO LIFE. COURTS GENERALLY ASSUME THAT A POLICE OFFICER WHO AIMS AND FIRES A WEAPON INTENDED TO CAUSE SERIOUS BODILY HARM; THE ISSUE THEN IS WHETHER THERE WAS JUSTIFICATION FOR SUCH INTENT. IF NOT, THE ONLY APPLICABLE CHARGE IS MURDER, REQUIRING A LIFE SENTENCE; THE COURTS HAVE BEEN UNWILLING TO IMPOSE SUCH A HEAVY PENALTY IN BORDERLINE CASES. THE ALTERNATIVE CHARGE OF MANSLAUGHTER IS APPLICABLE IN DEATH CASES ONLY IF THERE IS NO INTENT TO CAUSE BODILY HARM; THERE HAVE BEEN FEW

~~CONFIDENTIAL~~

LIMITED OFFICIAL USE SECTION 03 OF 11 STATE 025680

USVIENNA FOR USDEL OSCE
E.O. 12356: N/A

CONVICTIONS ON THIS BASIS.

HUMAN RIGHTS ORGANIZATIONS HAVE CALLED FOR THE ESTABLISHMENT OF AN INDEPENDENT PUBLIC INQUIRY TO INVESTIGATE ALLEGATIONS OF POLICE THREATS TO DEFENSE LAWYERS IN NORTHERN IRELAND AND OF ALLEGED COLLUSION BETWEEN THE SECURITY FORCES AND THE LOYALISTS. AMNESTY INTERNATIONAL IN FEBRUARY RELEASED A REPORT ON POLITICAL KILLINGS IN NORTHERN IRELAND WHICH INCLUDED NO NEW

INFORMATION BUT CONCLUDED THE GOVERNMENT HAD NOT "TAKEN ADEQUATE STEPS TO HALT COLLUSION." THE GOVERNMENT ADMITTED THAT, WHILE ITS POLICY EXPLICITLY FORBIDS COLLUSION, ON OCCASION SOME SOLDIERS BREAK THE RULES. THE AUTHORITIES CHARGED TWO BRITISH SOLDIERS WITH PASSING INFORMATION ON REPUBLICAN ACTIVISTS TO LOYALIST PARAMILITARIES; THE CASES ARE PENDING.

FOR THE THIRD YEAR IN A ROW, LOYALISTS KILLED MORE PEOPLE THAN DID THE PROVISIONAL IRA, ALTHOUGH THE LATTER LAUNCHED A GREATER NUMBER OF POTENTIALLY LETHAL ATTACKS. LOYALISTS

TENDED TO BE INDISCRIMINATE IN SHOOTING SUSPECTED REPUBLICANS AND OTHER CATHOLICS, WHILE THE PROVISIONAL IRA TENDED TO TARGET SECURITY FORCES, KNOWN LOYALISTS, AND, IN WIDESPREAD BOMBINGS, COMMERCIAL OR SECURITY INSTALLATIONS. THE PROVISIONAL IRA ALSO ABDUCTED, TORTURED, AND MURDERED A CATHOLIC MOTHER OF THREE WHOM IT SUSPECTED OF COOPERATING WITH THE POLICE.- B. DISAPPEARANCE

THERE WERE NO REPORTS OF DISAPPEARANCES ATTRIBUTED TO GOVERNMENT FORCES. TERRORISTS IN NORTHERN IRELAND CONTINUED TO ABDUCT SUSPECTED INFORMERS, AND TO HOLD FAMILIES HOSTAGE DURING THEIR OPERATIONS.

- C. TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING
- TREATMENT OR PUNISHMENT

BRITISH LAWS FORBID TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING TREATMENT. CONFESSIONS THUS OBTAINED ARE NOT ADMISSIBLE IN COURT, AND JUDGES CAN EXCLUDE EVEN VOLUNTARY CONFESSIONS. NONETHELESS, HELSINKI WATCH ASSERTED THAT IN THE UNITED KINGDOM, "EVIDENTIARY RULES IN NONJURY COURTS PERMIT THE ADMISSION INTO EVIDENCE OF UNRELIABLE CONFESSIONS, SOME OF WHICH MAY HAVE BEEN SECURED BY ABUSIVE TREATMENT IN DETENTION."

THERE CONTINUED TO BE ALLEGATIONS THAT POLICE HAVE PHYSICALLY AND PSYCHOLOGICALLY ABUSED DETAINEES, INCLUDING TEENAGERS. A NEW CODE OF PRACTICES TOOK EFFECT ON JANUARY 1, 1994, FURTHER STANDARDIZING POLICE INTERROGATION PROCEDURES AND STRENGTHENING THE OVERSIGHT REQUIREMENTS. DETAINEES WHO CLAIM PHYSICAL MISTREATMENT HAVE THE RIGHT TO AN IMMEDIATE MEDICAL EXAMINATION. SUCH A CLAIM MUST BE EXAMINED BY A TRIAL JUDGE.

THE "BALLYMURPHY SEVEN," A GROUP OF TEENAGERS ARRESTED IN CONNECTION WITH AN ATTACK ON THE RUC, ALLEGED POLICE USED PHYSICAL AND MENTAL COERCION TO ELICIT THEIR CONFESSIONS. CHARGES AGAINST FOUR OF THE SEVEN WERE DROPPED IN JULY AFTER THE COURT DECIDED THERE WERE SIGNIFICANT QUESTIONS REGARDING THEIR STATE OF MIND DURING INTERROGATION; BUT THE COURT FIRMLY CONCLUDED THERE HAD BEEN NO POLICE ABUSE. THE REMAINING THREE WERE RELEASED ON BAIL IN OCTOBER, AND THEIR CASES ARE PENDING.

AN APPELLATE COURT FOUND THE PROSECUTION HAD FAILED TO

PROVE BEYOND A REASONABLE DOUBT THAT THE POLICE HAD NOT INTIMIDATED PAUL HILL INTO CONFESSING TO THE 1974 MURDER OF A FORMER SOLDIER; THE COURT OVERTURNED HILL'S CONVICTION.

THE ICPC (SEE SECTION 1.A.) REPORTED THAT IN 1993 IT RECEIVED 1,209 COMPLAINTS OF OFFICIAL ABUSE, THAT ITS INVESTIGATIONS LED TO THE SUBSTANTIATION OF 25, THE DISCIPLINING OF 88 POLICE OFFICERS, AND THE LODGING OF CRIMINAL CHARGES AGAINST 6 MORE. IN 1993 THE NORTHERN IRELAND SECRETARY NAMED AN INDEPENDENT ASSESSOR OF MILITARY COMPLAINTS TO DEAL WITH PROCEDURES REGARDING COMPLAINTS OF ABUSES BY THE ARMY; HE HAS NO INDEPENDENT INVESTIGATIVE POWERS. HIS FIRST REPORT, IN MAY 1994, NOTED THAT, OF 210 FORMAL COMPLAINTS IN 1993, 16 WERE SUBSTANTIATED, BUT IN ONLY ONE CASE WAS A SOLDIER SEVERELY DISCIPLINED.

THE U.N. COMMITTEE AGAINST TORTURE AS WELL AS MANY HUMAN RIGHTS GROUPS HAVE RAISED CONCERNS ABOUT ILL-TREATMENT OF DETAINEES IN NORTHERN IRELAND, AND RECOMMENDED THAT

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LIMITED OFFICIAL USE SECTION 04 OF 11 STATE 025680

USVIENNA FOR USDEL OSCE

E.O. 12356: N/A

INTERROGATIONS IN POLICE CUSTODY BE VIDEOTAPED. THE GOVERNMENT HAS RESISTED DOING SO, ON THE GROUNDS THAT TAPING COULD COMPROMISE OPERATIONS AND JEOPARDIZE INFORMANTS. INSTEAD, IN DECEMBER 1992 THE GOVERNMENT APPOINTED A SENIOR BARRISTER AS INDEPENDENT COMMISSIONER FOR HOLDING CENTERS IN NORTHERN IRELAND, WITH AUTHORITY TO MAKE IRREGULAR, UNANNOUNCED VISITS TO ANY HOLDING CENTER, OBSERVE INTERROGATIONS ON TELEVISION MONITORS, AND INTERVIEW DETAINEES. HIS FIRST REPORT, IN JANUARY 1994, FOUND SOME SUBSTANDARD CONDITIONS BUT NO SIGNIFICANT HUMAN RIGHTS VIOLATIONS. A HELSINKI WATCH REPORT, ISSUED LATER, NOTED ALLEGATIONS BY DETAINEES UNDER AGE 18 THAT THEY WERE SUBJECTED TO PHYSICAL AND MENTAL ABUSE WHILE IN HOLDING CENTERS, AND WERE PRESSURED TO BECOME INFORMERS.

THERE ARE ACCUSATIONS THAT SECURITY FORCES IN NORTHERN IRELAND FREQUENTLY HARASS CITIZENS, PARTICULARLY YOUNG PEOPLE, IN AREAS WHERE SUPPORT FOR TERRORISTS IS CONSIDERED STRONG. THE GOVERNMENT STRONGLY DENIES THAT SUCH BEHAVIOR IS WIDESPREAD OR OFFICIALLY TOLERATED. SECURITY FORCES HAVE ALSO BEEN ACCUSED OF MORE SERIOUS ABUSES. THE CAJ (SEE SECTION 1.A.) REPORTED THAT THE

CLAIMED HARASSMENT INCLUDED THREATS TO KILL, KIDNAP OR MALICIOUSLY PROSECUTE. MOST COMPLAINTS COME FROM REPUBLICAN NEIGHBORHOODS, BUT AFTER POLICE CRACKDOWNS ON LOYALIST TERRORISM, REPORTS OF HOUSE SEARCHES AND STREET HARASSMENT IN SOME PROTESTANT AREAS INCREASED. OFFICIALS ASSERT THAT SOLDIERS AND POLICE FOUND GUILTY OF HARASSMENT

ARE PUNISHED SEVERELY, BUT THE OFFICIALS HAVE PROVIDED NODATA OR DETAILS.

BOTH LOYALIST AND REPUBLICAN TERRORISTS IN NORTHERN IRELAND HAVE FREQUENTLY CARRIED OUT "PUNISHMENT" ATTACKS, TYPICALLY INVOLVING SHOOTING THE VICTIM THROUGH ONE OR BOTH KNEES AT SHORT RANGE. IN APRIL THE PROVISIONAL IRA CARRIED OUT 16 PUNISHMENT SHOOTINGS DURING A 2-HOUR PERIOD IN BELFAST. SINCE THE AUGUST 31 CESSATION, BOTH SIDES SEEM TO HAVE SHIFTED TO PUNISHMENT BY BEATINGS WITH IRON PIPES AND BASEBALL BATS.

PRISON FACILITIES IN THE UK VARY DEPENDING UPON LOCATION. REMAND FACILITIES TEND TO BE ANTIQUATED, OVERCROWDED, UNSANITARY, AND/OR DEFICIENT IN EXERCISE AREAS. MOST PERMANENT FACILITIES ARE GOOD, BUT AN OFFICIAL INVESTIGATOR FOUND SOME WITH OVERCROWDING, OTHER SUBSTANDARD CONDITIONS, OR LAX DISCIPLINE. FACILITIES IN THE REGULAR PRISONS IN NORTHERN IRELAND HAVE IMPROVED NOTABLY IN RECENT YEARS, AND ARE NOW EXCELLENT, BUT CONDITIONS AT THE THREE HOLDING CENTERS ARE SUBSTANDARD.

- D. ARBITRARY ARREST, DETENTION, OR EXILE

BRITISH AUTHORITIES CAN AND OFTEN DO MAKE ARRESTS OR DETENTIONS WITHOUT JUDICIAL WARRANTS--ESPECIALLY IN NORTHERN IRELAND, UNDER LAWS APPLICABLE ONLY THERE (SEE BELOW)--WHEN THEY BELIEVE THEY HAVE REASONABLE CAUSE TO SUSPECT WRONGDOING.

OUTSIDE NORTHERN IRELAND, SUSPECTS ARRESTED WITHOUT WARRANTS MUST BE RELEASED WITHIN 36 HOURS UNLESS BROUGHT BEFORE A MAGISTRATE'S COURT. THE MAGISTRATE MAY AUTHORIZE EXTENSION OF DETENTION BY AN ADDITIONAL 60 HOURS, OR, IN CASES OF CRIMES OF VIOLENCE, FOR PERIODS OF UP TO 3 YEARS PENDING TRIAL. PERSONS CHARGED WITH "NONSERIOUS" OFFENSES CAN REQUEST RELEASE ON BAIL; BAIL IS ALMOST AUTOMATICALLY GRANTED IN CASES NOT INVOLVING VIOLENCE (UNLESS THE

SUSPECT PREVIOUSLY COMMITTED A CRIME WHILE ON BAIL) BUT OTHERWISE IS OFTEN DENIED.

UNDER THE LATEST NORTHERN IRELAND (EMERGENCY PROVISIONS) ACT (EPA), PASSED IN 1991, MEMBERS OF THE ARMED FORCES ON DUTY IN THAT PROVINCE CAN ARREST WITHOUT A WARRANT ANY PERSON THEY HAVE REASON TO SUSPECT OF ANY OFFENSE OR INTENT TO COMMIT ANY OFFENSE. SUCH SUSPECTS MAY BE HELD FOR UP TO 4 HOURS, AND THEN MUST BE TRANSFERRED TO POLICE CUSTODY OR RELEASED.

ANYWHERE IN THE UK, THE MOST RECENT PREVENTION OF TERRORISM (TEMPORARY PROVISIONS) ACT (PTA), PASSED IN 1989, ALLOWS THE POLICE TO ARREST WITHOUT A WARRANT PERSONS THEY HAVE REASON TO SUSPECT OF BEING INVOLVED IN TERRORISM. THE AUTHORITIES MAY DETAIN SUCH PERSONS (EVEN THOSE UNDER 18) FOR UP TO 48 HOURS WITHOUT LEGAL REPRESENTATION OR JUDICIAL REVIEW. SUSPECTS MAY BE INTERROGATED DURING THIS TIME, AND CONFESSIONS OBTAINED

MAY BE USED IN SUBSEQUENT COURT PROCEEDINGS. DETAINEES

~~C O N F I D E N T I A L~~

LIMITED OFFICIAL USE SECTION 05 OF 11 STATE 025680

USVIENNA FOR USDEL OSCE

E.O. 12356: N/A

UNDER THE 1989 PTA IN ENGLAND OR WALES ARE GRANTED THE RIGHT TO HAVE LAWYERS PRESENT DURING INTERROGATION, BUT THIS IS NOT THE CASE IN NORTHERN IRELAND. JUDICIAL REVIEW MAY BE DELAYED UP TO A FURTHER 5 DAYS ON THE AUTHORITY OF THE HOME SECRETARY OR, IN NORTHERN IRELAND, THE SECRETARY OF STATE FOR NORTHERN IRELAND. LESS THAN 25 PERCENT OF THE DETAINEES UNDER THE PTA ARE SUBSEQUENTLY CHARGED WITH ANY CRIMINAL OFFENSE.

THE GOVERNMENT DOES NOT PRACTICE EXILE (SEE SECTION 2.D. REGARDING EXCLUSION ORDERS), BUT THE TERRORIST ORGANIZATIONS DO. PROVISIONAL IRA AND LOYALIST PARAMILITARIES IN PAST YEARS HAVE FORCED NUMEROUS PEOPLE TO LEAVE NORTHERN IRELAND, BY THREATENING DEATH OR INJURY IF THEY REMAIN. AN ORGANIZATION THAT ASSISTS THREATENED PERSONS, FAMILIES AGAINST INTIMIDATION AND TERROR, DEALT WITH 35 CASES IN 1993 (LATEST DATA) INCLUDING SEVEN ENTIRE FAMILIES.

- E. DENIAL OF FAIR PUBLIC TRIAL

THE LAW PROVIDES FOR FAIR TRIAL, BUT IN PRACTICE THERE HAVE BEEN SOME SERIOUS EXCEPTIONS. IN THE LATE 1980'S, AFTER 10 YEARS OF PUBLIC PRESSURE, THE HOME SECRETARY DIRECTED THE COURTS TO RECONSIDER SEVERAL CASES. APPELLATE COURTS DID SO AND CONCLUDED THAT: LOWER COURTS OFTEN RELIED TOO HEAVILY ON UNCORROBORATED CONFESSIONS AND ON PRESUMED INTEGRITY OF THE POLICE; APPELLATE JUDGES

TENDED TO ACCEPT LOWER-COURT RULINGS WITHOUT CHECKING FOR PROCEDURAL FLAWS AND NEW EVIDENCE, AND OCCASIONALLY DISPLAYED OPEN HOSTILITY TO THE DEFENSE; COURTS SOMETIMES ACCEPTED TAINTED FORENSIC EVIDENCE; AND PROSECUTORS SOMETIMES WITHHELD EXCULPATORY EVIDENCE FROM THE DEFENSE.

IN RESPONSE, THE GOVERNMENT IN 1991 ESTABLISHED A ROYAL COMMISSION TO REVIEW ALL ASPECTS OF THE CRIMINAL JUSTICE SYSTEM IN ENGLAND AND WALES. THE COMMISSION'S REPORT, ISSUED IN 1993, INCLUDED 352 RECOMMENDATIONS. IN 1994 THE GOVERNMENT ANNOUNCED ITS INTENT TO ESTABLISH IN THE FOLLOWING YEAR AN INDEPENDENT REVIEW BODY FOR APPEALS OF SUSPECTED MISCARRIAGES OF JUSTICE.

IN NOVEMBER THE PARLIAMENT ENACTED A CRIMINAL JUSTICE AND PUBLIC ORDER BILL. UNDER IT, JUDGES MAY INSTRUCT JURIES THAT THEY CAN DRAW AN INFERENCE OF GUILT FROM A DEFENDANT'S REFUSAL TO ANSWER QUESTIONS DURING INTERROGATION OR TRIAL, THOUGH NO CONVICTION MAY BE BASED SOLELY ON SUCH AN INFERENCE. HUMAN RIGHTS GROUPS HAVE

SHARPLY CRITICIZED THIS PROVISION. A SIMILAR ONE HAS BEEN IN EFFECT IN NORTHERN IRELAND SINCE 1988.

AN INDIGENT DEFENDANT HAS THE RIGHT TO FREE COUNSEL OF HIS OR HER CHOICE. ALL CRIMINAL PROCEEDINGS MUST BE HELD IN PUBLIC EXCEPT THOSE IN JUVENILE COURT OR INVOLVING PUBLIC DECENCY OR SECURITY. IN A TRIAL UNDER THE OFFICIAL SECRETS ACT, THE JUDGE MAY ORDER THE COURT CLOSED, BUT THE SENTENCING MUST BE PUBLIC. CONVICTIONS CAN BE APPEALED TO SUCCESSIVELY HIGHER COURTS.

IN NORTHERN IRELAND, SPECIAL "EMERGENCY" RESTRICTIONS AFFECT DUE PROCESS. UNDER THE 1973 EPA, THE GOVERNMENT SUSPENDED THE RIGHT TO TRIAL BY JURY THERE FOR CERTAIN TERRORIST-RELATED OFFENSES, BECAUSE TERRORISTS OFTEN INTIMIDATED THE JUDICIARY, JURORS, AND LAWYERS. SUCH OFFENSES ARE TRIED INSTEAD BY A "DIPLOCK COURT," A JUDGE PRESIDING WITHOUT A JURY. IF THE DECISION IS TO CONVICT, THE JUDGE MUST JUSTIFY IT IN A DOCUMENT THAT BECOMES PART OF THE COURT RECORD, AND AN APPELLATE COURT MAY OVERTURN IT ON SUBSTANTIVE AS WELL AS LEGAL GROUNDS. THE DIPLOCK COURTS HAVE BEEN WIDELY CRITICIZED. THE EPA ALSO PERMITS THE USE OF UNCORROBORATED CONFESSIONS, BUT THEY CANNOT BE THE SOLE BASIS FOR CONVICTION ANYWHERE IN THE UK. THE

1988 CRIMINAL EVIDENCE ORDER ALLOWS JUDGES TO DRAW ADVERSE INFERENCE WHEN A SUSPECT REFUSES TO ANSWER QUESTIONS.

- F. ARBITRARY INTERFERENCE WITH PRIVACY, FAMILY, HOME,
- OR CORRESPONDENCE

WARRANTS ARE NORMALLY REQUIRED FOR A POLICE SEARCH OF PRIVATE PREMISES. HOWEVER, UNDER THE EPA, ON-DUTY MEMBERS OF THE ARMED FORCES OR POLICEMEN IN NORTHERN IRELAND MAY ENTER ANY PREMISES IF THEY BELIEVE THEY HAVE "REASONABLE GROUNDS OF SUSPICION" THAT THE ENTRY IS NECESSARY TO PRESERVE PEACE AND ORDER.

IN CATHOLIC COMMUNITIES IN NORTHERN IRELAND, WHERE

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LIMITED OFFICIAL USE SECTION 06 OF 11 STATE 025680

USVIENNA FOR USDEL OSCE

E.O. 12356: N/A

DISTRUST OF THE GOVERNMENT HAS DEEP HISTORICAL ROOTS, MANY BELIEVE THAT THE CONDUCT OF SOME MEMBERS OF THE SECURITY FORCES IN CARRYING OUT SECURITY CHECKS CONSTITUTES UNWARRANTED HARASSMENT AND INTIMIDATION. SUCH ALLEGATIONS ALSO OCCUR IN PROTESTANT NEIGHBORHOODS, ALBEIT LESS FREQUENTLY. THE GOVERNMENT INTENSIVELY TRAINS SECURITY PERSONNEL IN PRER PROCEDURES, BUT ACKNOWLEDGES THAT VIOLATIONS OF THE RULES OCCASIONALLY OCCUR.

SECTION 2 RESPECT FOR CIVIL LIBERTIES, INCLUDING:

- A. FREEDOM OF SPEECH AND PRESS

STRONGLY HELD COMMON-LAW TRADITION, AN INDEPENDENT PRESS, AND A DEMOCRATIC POLITICAL SYSTEM COMBINE TO SECURE FREEDOM OF SPEECH AND PRESS. VIEWPOINTS CRITICAL OF THE GOVERNMENT ARE WELL REPRESENTED. THE PRINT MEDIA ARE DOMINATED BY A HANDFUL OF NATIONAL DAILY NEWSPAPERS, ALL PRIVATELY OWNED AND INDEPENDENT (THOUGH OFTEN GENERALLY ALIGNED WITH A POLITICAL PARTY). ABOUT HALF THE ELECTRONIC MEDIA ARE RUN BY THE BRITISH BROADCASTING CORPORATION (BBC), WHICH IS FUNDED BY THE GOVERNMENT BUT ENJOYS COMPLETE EDITORIAL INDEPENDENCE. THE REMAINDER ARE RUN BY CORPORATIONS UNDER RENEWABLE GOVERNMENT LICENSE.

IN SEPTEMBER THE GOVERNMENT REMOVED SINN FEIN FROM ITS LIST OF PROSCRIBED TERRORIST ORGANIZATIONS AND THEIR SUPPORTERS, WHOSE VOICES MAY NOT BE BROADCAST IN THE ELECTRONIC MEDIA. THE BROADCASTING BAN REMAINS IN PLACE.

HUMAN RIGHTS ORGANIZATIONS CONTINUED TO CRITICIZE THE OFFICIAL SECRETS ACT OF 1990, WHICH PROHIBITS DISCLOSURE OF A BROAD RANGE OF FOREIGN POLICY AND NATIONAL SECURITY INFORMATION. THEY ASSERT THAT, IN THE ABSENCE OF FREEDOM-OF-INFORMATION LEGISLATION, THE ACT SHIELDS GOVERNMENT ACTIVITIES FROM PUBLIC SCRUTINY, INCLUDING IMPROPER OR ILLEGAL ACTIVITIES IF ANY. ALLEGED OFFENSES UNDER THE ACT MAY BE TRIED IN SECRET, AND THE GOVERNMENT NEED NOT DISCLOSE ITS JUSTIFICATION FOR HOLDING A SECRET TRIAL. HOWEVER, THE ACT IS SELDOM INVOKED AND HAS NOT PREVENTED THE DISCLOSURE OF NUMEROUS INTERNAL GOVERNMENT DOCUMENTS AND ALLEGED WRONGDOINGS. ATTEMPTS BY THE GOVERNMENT IN THE 1980'S TO PROSECUTE OFFICIALS WHO LEAKED DOCUMENTS GENERALLY FAILED.

- B. FREEDOM OF PEACEFUL ASSEMBLY AND ASSOCIATION

THE PUBLIC ORDER ACT OF 1986 GIVES POLICE BROAD POWERS TO RESTRICT OR BAN PUBLIC DEMONSTRATIONS, MARCHES, AND GATHERINGS WHEN THEY DEEM THAT VIOLENCE OR VANDALISM IS LIKELY TO RESULT. THE POLICE RARELY BAN DEMONSTRATIONS; IN RECENT YEARS THEY HAVE INVOKED THE ACT PRIMARILY TO PREVENT "NEW AGE TRAVELERS" FROM GATHERING ON PRIVATE PROPERTY OR AT ANCIENT MONUMENTS SUCH AS STONEHENGE.

THE PTA AND EPA INCLUDE SECTIONS PROHIBITING MEMBERSHIP IN, OR SUPPORT OF, SPECIFIED ORGANIZATIONS INVOLVED IN TERRORISM.

- C. FREEDOM OF RELIGION

GOVERNMENT POLICY AND PRACTICE ENSURE FREEDOM OF RELIGION. IN NORTHERN IRELAND, THE CONSTITUTION ACT OF 1973 PROHIBITS PUBLIC AUTHORITIES FROM DISCRIMINATING ON THE BASIS OF RELIGIOUS OR POLITICAL BELIEF (SEE SECTION 5 REGARDING THE FAIR EMPLOYMENT ACT). MINISTERS OF THE TWO OFFICIAL CHURCHES--THE (ANGLICAN) CHURCH OF ENGLAND AND THE (PRESBYTERIAN) CHURCH OF SCOTLAND--ARE INELIGIBLE TO SIT IN THE HOUSE OF COMMONS, BUT THE MOST SENIOR ONES HOLD

SEATS IN THE HOUSE OF LORDS.

- D. FREEDOM OF MOVEMENT WITHIN THE COUNTRY, FOREIGN
- TRAVEL, EMIGRATION, AND REPATRIATION

CITIZENS ENJOY FREEDOM OF MOVEMENT WITHIN THE COUNTRY AND IN FOREIGN TRAVEL, EMIGRATION, AND REPATRIATION. HOWEVER, THE HOME SECRETARY MAY EXCLUDE FROM GREAT BRITAIN ANYONE BELIEVED LINKED WITH TERRORISM IN NORTHERN IRELAND, EXCEPT ANYONE BORN IN GREAT BRITAIN OR RESIDENT HERE FOR 3 YEARS; AND THE SECRETARY OF STATE FOR NORTHERN IRELAND CAN LIKEWISE EXCLUDE PERSONS NOT NATIVE TO OR RESIDENT IN THAT PROVINCE. CURRENTLY 69 PERSONS ARE SUBJECT TO EXCLUSION ORDERS. SEVERAL MEMBERS OF PARLIAMENT, HUMAN RIGHTS GROUPS, AND THE MEDIA HAVE OBJECTED TO EXCLUSION ORDERS. THE SECRETARY OF STATE NEED NOT REVEAL THE GROUNDS FOR EXCLUSION, AND THE EVIDENCE IS NOT TESTED IN ANY COURT. THERE IS NO RIGHT OF APPEAL TO THE COURTS, BUT APPEAL MAY BE MADE INFORMALLY TO AN INDEPENDENT ADVISOR.

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LIMITED OFFICIAL USE SECTION 07 OF 11 STATE 025680

USVIENNA FOR USDEL OSCE

E.O. 12356: N/A

THE GOVERNMENT MAKES GENEROUS PROVISION FOR POLITICAL REFUGEES, BUT FACED WITH AN EXPONENTIAL RISE IN ASYLUM APPLICATIONS IN RECENT YEARS, IT PASSED LEGISLATION IN 1993 TO SPEED PROCESSING OF UNSUBSTANTIATED REQUESTS. HUMAN RIGHTS GROUPS HAVE CLAIMED THE LEGISLATION UNDERMINES BRITAIN'S COMMITMENT TO PROVIDE HAVEN FOR LEGITIMATE REFUGEES.

SECTION 3 RESPECT FOR POLITICAL RIGHTS: THE RIGHT OF
- CITIZENS TO CHANGE THEIR GOVERNMENT

CITIZENS HAVE THIS RIGHT, AND FREELY EXERCISE IT. THE GOVERNMENT IS FORMED ON THE BASIS OF A MAJORITY OF SEATS IN THE HOUSE OF COMMONS, WHICH ARE CONTESTED IN ELECTIONS HELD AT INTERVALS NOT LONGER THAN 5 YEARS. PARTICIPATION IN THE POLITICAL PROCESS IS OPEN TO ALL PERSONS AND PARTIES. ALL CITIZENS 18 YEARS OF AGE AND OLDER MAY VOTE. NORTHERN IRELAND HAS CITY AND DISTRICT COUNCILS, AS IN THE REST OF THE UK, BUT WITH SOMEWHAT FEWER POWERS. ENGLAND AND WALES ALSO HAVE COUNTY COUNCILS, WHILE NORTHERN IRELAND DOES NOT. (SCOTLAND'S STRUCTURE IS DIFFERENT STILL.) FROM 1922 TO 1972, NORTHERN IRELAND HAD A DEVOLVED PROVINCIAL PARLIAMENT AT STORMONT, WHICH WAS SUSPENDED BECAUSE ITS DOMINATION BY THE UNIONIST MAJORITY WAS SEEN AS CONTRIBUTING TO THE TROUBLES. ATTEMPTS HAVE BEEN MADE SINCE THEN TO RESTORE DEVOLVED GOVERNMENT.

WOMEN AND MINORITIES FACE NO LEGAL CONSTRAINTS ON VOTING OR HOLDING OFFICE. THE HEAD OF STATE IS A WOMAN. THE

HEAD OF GOVERNMENT FROM 1979 TO 1990 WAS A WOMAN. TWO WOMEN ARE MEMBERS OF THE PRESENT CABINET. BOTH THE LABOUR PARTY AND THE LIBERAL DEMOCRAT PARTY HAVE INSTITUTED A POLICY OF RESERVING A SUBSTANTIAL NUMBER OF CANDIDACIES FOR WOMEN, WITH THE GOAL OF EQUALIZING THE NUMBER OF THEIR MALE AND FEMALE MEMBERS OF PARLIAMENT (M.P.'S). SEVERAL MEMBERS OF MINORITY ETHNIC GROUPS SERVE IN PARLIAMENT. BRITISH DEPENDENT TERRITORIES--OTHER THAN HONG KONG--HAVE SMALL POPULATIONS, UNDER 60,000, AND ALL ARE RULED BY APPOINTED GOVERNORS OR ADMINISTRATORS ASSISTED BY EXECUTIVE COUNCILS (USUALLY APPOINTED) AND LEGISLATIVE ASSEMBLIES OR COUNCILS (PARTLY ELECTED).

SECTION 4 GOVERNMENTAL ATTITUDE REGARDING INTERNATIONAL
- AND NONGOVERNMENTAL INVESTIGATION OF ALLEGED
, VIOLATIONS OF HUMAN RIGHTS

THE MANY NONGOVERNMENTAL HUMAN RIGHTS ORGANIZATIONS OPERATE WITH NO GOVERNMENT INTERFERENCE. IN 1973 THE GOVERNMENT ESTABLISHED A STANDING ADVISORY COMMISSION ON HUMAN RIGHTS TO MONITOR HUMAN RIGHTS IN NORTHERN IRELAND BUT THE GOVERNMENT HAS DECLINED TO ADOPT MANY OF ITS RECOMMENDATIONS.

A NUMBER OF INTERNATIONAL NONGOVERNMENTAL HUMAN RIGHTS ORGANIZATIONS, INCLUDING AMNESTY INTERNATIONAL, ARE BASED IN THE UNITED KINGDOM. THE GOVERNMENT COOPERATES FULLY WITH INTERNATIONAL INQUIRIES INTO ALLEGED VIOLATIONS OF HUMAN RIGHTS.

SECTION 5 DISCRIMINATION BASED ON RACE, SEX, RELIGION,
- DISABILITY, LANGUAGE, OR SOCIAL STATUS

BRITISH LAWS PROHIBIT DISCRIMINATION ON THE BASIS OF RACE, COLOR, NATIONALITY, OR NATIONAL OR ETHNIC ORIGIN, AND OUTLAWS INCITEMENT TO RACIAL HATRED; EXCEPT THAT RACIAL DISCRIMINATION IS NOT SPECIFICALLY OUTLAWED IN NORTHERN IRELAND. THE GOVERNMENT RESPECTS ALL THE ANTI-DISCRIMINATION LAWS. IN 1991 THE PRIME MINISTER ANNOUNCED THAT SEXUAL ORIENTATION WOULD NOT LONGER BE A BAR TO RECEIVING A SECURITY CLEARANCE, BUT THE MINISTRY OF DEFENSE HAS CONTINUED TO DISMISS MALE AND FEMALE HOMOSEXUAL MEMBERS OF THE ARMED SERVICES ON GROUNDS OF

"INCOMPATIBILITY WITH THE MILITARY SERVICES"; SOME 75 HAVE BEEN ADMINISTRATIVELY DISCHARGED EVERY YEAR ON THE BASIS OF INFORMATION OBTAINED IN ROUTINE INVESTIGATIONS BY THE SPECIAL INVESTIGATIONS BUREAU.

- WOMEN

THE LAW PROVIDES FOR EQUAL OPPORTUNITY AS BETWEEN THE SEXES. AN EQUAL OPPORTUNITIES COMMISSION (EOC) SUPPORTS PERSONS WHO BRING DISCRIMINATION CASES BEFORE INDUSTRIAL TRIBUNALS AND COURTS, AND IT PRODUCES GUIDELINES ON GOOD PRACTICE FOR EMPLOYERS. EMPLOYED WOMEN THROUGHOUT THE UK EARNED APPROXIMATELY 25 PERCENT LESS THAN THEIR MALE COUNTERPARTS IN COMPARABLE POSITIONS.

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LIMITED OFFICIAL USE SECTION 08 OF 11 STATE 025680

USVIENNA FOR USDEL OSCE

E.O. 12356: N/A

ALTHOUGH THE UK HAS NO WRITTEN LAW SPECIFICALLY PROHIBITING SEXUAL HARASSMENT, THE COMMON LAW RECOGNIZES IT AS A VALID CLAIM FOR UNFAIR DISMISSAL. IN AUGUST A COURT CONVICTED AN EMPLOYER OF SEXUAL HARASSMENT AND TWO COUNTS OF SEXUAL ASSAULT, SENTENCED HIM TO 18 MONTHS IN PRISON, AND AWARDED THE VICIM A RECORD DOLLARS 53,720 (34,000 POUNDS).

THE 1975 SEX DISCRIMINATION ACT AS AMENDED IN 1986 PROHIBITS INDIRECT AS WELL AS DIRECT DISCRIMINATION IN EMPLOYMENT, TRAINING, EDUCATION, HOUSING, AND PROVISION OF GOODS AND SERVICES. INDUSTRIAL TRIBUNALS IN 1994 RULED THAT THE MINISTRY OF DEFENSE HAD ACTED IMPROPERLY IN HAVING REQUIRED PREGNANT SOLDIERS, PRIOR TO A 1990 CHANGE IN REGULATIONS, TO QUIT OR BE DISCHARGED. THE TRIBUNALS AWARDED THE PLAINTIFFS SUBSTANTIAL DAMAGES, THE HIGHEST EXCEEDING DOLLARS 460,000 (300,000 POUNDS); A COURT LATER RULED THAT SOME OF THE AWARDS HAD BEEN EXCESSIVE.

WOMEN HAVE EQUAL RIGHTS REGARDING PROPERTY AND DIVORCE. STATISTICAL AND OTHER EVIDENCE INDICATES THAT MOST VICTIMS OF VIOLENCE ARE WOMEN. THE LAW PROVIDES FOR INJUNCTIVE RELIEF, PERSONAL PROTECTION ORDERS, AND EXCLUSION ORDERS. THE GOVERNMENT PROVIDES SHELTERS, COUNSELING, AND OTHER ASSISTANCE FOR VICTIMS OF BATTERY OR RAPE, AND IT OFFERS FREE LEGAL AID TO BATTERED WOMEN WHO ARE ECONOMICALLY RELIANT UPON THEIR ABUSER. IT ACTIVELY PROSECUTES PERPETRATORS OF DOMESTIC VIOLENCE, AND THE LAW PROVIDES FOR THEIR IMPRISONMENT. THE COURTS HAVE HELD THAT NONCONSENSUAL MARITAL SEX CAN CONSTITUTE A CRIMINAL

OFFENSE. IN 1994 LONDON MUNICIPAL AUTHORITIES LAUNCHED A "ZERO TOLERANCE CAMPAIGN" TO RAISE PUBLIC AWARENESS OF THE EXTENT OF DOMESTIC VIOLENCE, PROMOTE LEGISLATIVE CHANGE, AND PROVIDE ADEQUATE SUPPORT TO BATTERED WOMEN AND THEIR CHILDREN.

- CHILDREN

WHILE THERE ARE NO RELIABLE DATA ON CHILD ABUSE, INDICATIONS ARE THAT IT IS A PROBLEM IN THE UNITED KINGDOM.

VARIOUS LAWS COVERING ENGLAND AND WALES STIPULATE THAT CHILDREN HAVE THE RIGHT TO APPLY FOR COURT ORDERS, TO GIVE OR WITHHOLD CONSENT FOR MEDICAL TREATMENT (FOR THOSE CAPABLE OF MAKING AN INFORMED DECISION) TO MAKE COMPLAINTS TO THE RELEVANT LOCAL AUTHORITY, TO HAVE THEIR ETHNIC, LINGUISTIC, AND RELIGIOUS BACKGROUND CONSIDERED IN DECISIONS AFFECTING THEM, TO HAVE REASONABLE CONTACT WITH

THEIR FAMILY (USUALLY APPLIED IN A CIRCUMSTANCE WHERE THERE HAS BEEN ABUSE), AND IN GENERAL TO BE CONSULTED REGARDING THEIR DESIRES.

- NATIONAL/RACIAL/ETHNIC MINORITIES

THE SECRETARY OF STATE FOR NORTHERN IRELAND HAS UNDERTAKEN TO INVESTIGATE POSSIBILITIES FOR LEGISLATION THAT SPECIFICALLY OUTLAWS RACIAL DISCRIMINATION IN THAT PROVINCE; SUCH A LAW WOULD FILL THE SOLE GAP IN THE UNITED KINGDOM'S LEGISLATED PROHIBITIONS OF DISCRIMINATION BASED ON RACE, COLOR, NATIONALITY, OR NATIONAL OR ETHNIC ORIGIN. THE SECRETARY ALSO HAS UNDERTAKEN TO DETERMINE WHAT MORE THE PROVINCIAL GOVERNMENT SHOULD DO TO PROMOTE EQUAL TREATMENT OF ETHNIC GROUPS.

A GOVERNMENT-APPOINTED BUT INDEPENDENT COMMISSION FOR RACIAL EQUALITY (CRE) PROVIDES GUIDELINES ON GOOD PRACTICE, SUPPORTS PERSONS TAKING COURT ACTION UNDER THE RACE RELATIONS ACT OF 1976, AND MAY INITIATE ITS OWN COURT ACTION. AFTER INVESTIGATING A COMPLAINT, THE CRE MAY ISSUE A NOTICE REQUIRING THAT THE DISCRIMINATION BE STOPPED. THE CRE MONITORS THE RESPONSE TO SUCH A NOTICE FOR 5 YEARS. IN JUNE THE CRE LAUNCHED A CAMPAIGN, "UNITING BRITAIN FOR A JUST SOCIETY," TO CHANGE ATTITUDES

THROUGHOUT THE KINGDOM SO AS TO MAKE RACIAL DISCRIMINATION SOCIALLY UNACCEPTABLE.

ALTHOUGH THE LAW PROHIBITS DISCRIMINATION BASED ON RACE, PERSONS OF AFRICAN OR SOUTH ASIAN ORIGIN FACE SUBSTANTIAL UNOFFICIAL DISCRIMINATION. AN INQUIRY CONDUCTED BY THE COUNCIL FOR LEGAL EDUCATION, A NONGOVERNMENTAL ORGANIZATION, FOUND THAT RACIAL DISCRIMINATION BY BARRISTERS WAS A KEY FACTOR IN THE HIGH FAILURE RATE AMONG BLACK STUDENTS ATTEMPTING TO QUALIFY FOR THE BAR; THE REPORT RECOMMENDED A SERIES OF REFORMS. SEVERAL STUDIES

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LIMITED OFFICIAL USE SECTION 09 OF 11 STATE 025680

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E.O. 12356: N/A

SHOWED THAT ETHNIC MINORITIES WERE LESS LIKELY TO OBTAIN JOBS AND MORTGAGES AND MORE LIKELY TO LIVE IN OVERCROWDED HOUSING THAN WERE WHITES. MEMBERS OF ASIAN OR AFRICAN MINORITIES WERE ALSO THE TARGETS OF RACIAL INSULTS AND OCCASIONAL "SKINHEAD" VIOLENCE.

POLICE RECORDED OVER 9,000 RACIAL INCIDENTS IN ENGLAND AND WALES ALONE IN 1993 (LATEST DATA), AND A GOVERNMENT REPORT IN MARCH ESTIMATED THAT, NATIONWIDE, THE TOTAL INCLUDING UNREPORTED INCIDENTS WAS SOME 130,000 IN 1993, WHICH WAS DOUBLE THE 1989 FIGURE. THE GREAT MAJORITY INVOLVED VERBAL ABUSE, BUT THERE WERE ALSO INCIDENTS OF VIOLENCE BY SKINHEADS.

IN LONDON'S EAST END IN EARLY 1994, A SERIES OF NINE APPARENTLY RACIALLY MOTIVATED BEATINGS OF ASIANS BY WHITE MALES WAS FOLLOWED BY TWO KILLINGS, BY ASIANS, OF WHITE YOUTHS--A 13-YEAR-OLD IN FEBRUARY AND A 12-YEAR-OLD IN AUGUST. IN THE FIRST BEATING INCIDENT, POLICE SUCCEEDED IN PROMPTLY IDENTIFYING AND ARRESTING 5 OF THE 20 TO 30 PERPETRATORS.

- RELIGIOUS MINORITIES

ALTHOUGH DISCRIMINATION IN EMPLOYMENT ON THE GROUNDS OF RELIGIOUS BELIEF HAS BEEN UNLAWFUL SINCE 1976, IT HAS CONTINUED TO OCCUR IN NORTHERN IRELAND, INCLUDING AT TIMES BY LOCAL GOVERNMENTS. WHILE ACTIVE RECRUITMENT OF CATHOLICS TO THE CIVIL SERVICE HAS PRODUCED ROUGH PROPORTIONALITY IN OVERALL NUMBERS, IN 1992 THE NORTHERN IRELAND CIVIL SERVICE ACKNOWLEDGED THAT CATHOLICS REMAINED SIGNIFICANTLY UNDERREPRESENTED IN THE SENIOR GRADES, AND

IN NOVEMBER 1993 IT DECLARED ITS INTENTION TO OVERCOME THIS IMBALANCE.

FOR A VARIETY OF HISTORICAL AND SOCIAL REASONS, THE PROTESTANT COMMUNITY CONTROLS MUCH OF THE LOCAL ECONOMY IN NORTHERN IRELAND, AND ANTI-CATHOLIC DISCRIMINATION PERSISTS IN THE PRIVATE SECTOR THERE. DESPITE GOVERNMENT EFFORTS, THE UNEMPLOYMENT RATE THERE FOR CATHOLIC MEN IN 1994 REMAINED 2 1/2 TIMES THAT FOR PROTESTANT MEN. GOVERNMENT EFFORTS TO INCREASE RECRUITMENT OF CATHOLICS INTO THE POLICE FORCE AND RELATED SECURITY FIELDS IN THE PROVINCE HAVE BEEN HAMPERED BY PROVISIONAL IRA ASSASSINATIONS AND DEATH THREATS, AS WELL AS WIDESPREAD ANTIPATHY THERE TO THE SECURITY FORCES.

THE 1989 FAIR EMPLOYMENT (NORTHERN IRELAND) ACT AS AMENDED AIMS TO END EVEN UNINTENTIONAL OR INDIRECT DISCRIMINATION IN THE WORKPLACE. A FAIR EMPLOYMENT TRIBUNAL ADJUDICATES COMPLAINTS. ALL PUBLIC-SECTOR EMPLOYERS, AND ALL PRIVATE FIRMS WITH OVER 10 WORKERS, MUST REPORT ANNUALLY TO THE FAIR EMPLOYMENT COMMISSION ON THE RELIGIOUS COMPOSITION OF THEIR WORK FORCE, AND MUST REVIEW THEIR EMPLOYMENT PRACTICES AT LEAST ONCE EVERY 3 YEARS. NONCOMPLIERS FACE CRIMINAL PENALTIES AND LOSS OF GOVERNMENT CONTRACTS. VICTIMS OF EMPLOYMENT DISCRIMINATION MAY SUE FOR DAMAGES. WHILE CRITICS OF THE ACT HAVE ASSERTED THAT ITS TARGETS AND TIMETABLES ARE TOO IMPRECISE, MOST LEADERS OF THE CATHOLIC COMMUNITY HAVE PRAISED IT AS A POSITIVE STEP. STILL, CATHOLICS HOPE TO STRENGTHEN IT IN 1995, WHEN IT IS TO BE REVIEWED BY THE STANDING ADVISORY COMMITTEE ON HUMAN RIGHTS.

- PEOPLE WITH DISABILITIES

THE UK DOES NOT HAVE ONE OVERARCHING LAW WHICH ADDRESSES THE RIGHTS OF DISABLED PEOPLE; INSTEAD, VARIOUS PIECES OF LEGISLATION PROVIDE FOR GOVERNMENT ASSISTANCE IN EDUCATION, MOBILITY, HOME CARE, AND ACCESS TO BUILDINGS.

ACCESS TO BUILDINGS IS IMPROVING BUT INADEQUATE. MANY BUILDINGS ARE SO OLD THAT THEY DO NOT HAVE ELEVATORS. SINCE 1985, GOVERNMENT REGULATIONS HAVE REQUIRED THAT ALL NEW BUILDINGS MEET THE ACCESS REQUIREMENTS OF ALL PERSONS WITH IMPAIRED MOBILITY. IN JUNE 1992 THE GOVERNMENT

EFFECTED SIMILAR REGULATIONS FOR SENSORY-IMPAIRED PERSONS.

GOVERNMENT REGULATIONS MANDATE THAT BY 2000 ALL TAXIS BE ACCESSIBLE TO WHEELCHAIRS.

A CIVIL RIGHTS (DISABLED PERSONS) BILL, WITH PROVISIONS SIMILAR TO THOSE IN THE LAWS AGAINST DISCRIMINATION BASED ON RACE OR SEX, WAS DEFEATED IN PARLIAMENT DUE TO CONCERNS THAT ITS COST TO BUSINESSES WOULD BE PROHIBITIVE.

~~C O N F I D E N T I A L~~

LIMITED OFFICIAL USE SECTION 10 OF 11 STATE 025680

USVIENNA FOR USDEL OSCE

E.O. 12356: N/A

SECTION 6 WORKER RIGHTS

- A. THE RIGHT OF ASSOCIATION

WORKERS HAVE THE RIGHT TO FORM AND JOIN UNIONS, AND THE GOVERNMENT FULLY RESPECTS THIS. UNIONS PARTICIPATE FREELY IN INTERNATIONAL ORGANIZATIONS.

UNIONS ARE FREE OF GOVERNMENT CONTROL. LIKE EMPLOYERS' ASSOCIATIONS, THEY MUST HAVE THEIR ACCOUNTS CERTIFIED BY THE GOVERNMENT. SENIOR UNION OFFICERS MUST BE ELECTED BY SECRET BALLOT. THE LAW MANDATES SECRET BALLOTS BEFORE A STRIKE CALL; PROHIBITS UNIONS FROM DISCIPLINING MEMBERS WHO REJECT A LEGAL STRIKE CALL; AND ALLOWS MEMBERS TO LODGE COMPLAINTS AGAINST THEIR UNION WITH A GOVERNMENT-APPOINTED COMMISSIONER.

THERE IS NO SPECIFIC STATUTORY "RIGHT TO STRIKE" IN THE UK. VOLUNTARY CESSATION OF WORK MAY BE CONSIDERED A BREACH OF CONTRACT. A SYSTEM OF LEGAL IMMUNITIES FROM PROSECUTION FOR UNIONS ENGAGED IN LAWFUL INDUSTRIAL ACTION WAS NARROWED BY ACTS OF PARLIAMENT IN THE 1980'S. THESE ACTS EXCLUDE SECONDARY STRIKES AND ACTIONS JUDGED TO HAVE POLITICAL MOTIVES; UNIONS ENCOURAGING SUCH STRIKES ARE SUBJECT TO FINES AND SEIZURE OF THEIR ASSETS. THE LEGISLATION ALSO RESTRICTS THE ABILITY OF UNIONS TO ACT AGAINST SUBSIDIARIES OF PRIME EMPLOYERS WITH WHOM THEY ARE IN DISPUTE WHEN THE SUBSIDIARIES ARE NOT PARTY TO THE DISPUTE AND ARE THE EMPLOYERS OF RECORD.

IN SEPTEMBER 1993 THE COUNCIL OF EUROPE (COE) DETERMINED THAT BRITISH LABOR LAW VIOLATED THE EUROPEAN SOCIAL CHARTER BY PERMITTING AN EMPLOYER TO DISMISS ALL EMPLOYEES

WHO TAKE PART IN A STRIKE AND THEN, AFTER 3 MONTHS, TO REHIRE THEM SELECTIVELY. THE COE REQUESTED THE BRITISH GOVERNMENT TO NOTIFY THE COE OF THE MEASURES TO BE TAKEN TO REMEDY THIS DEFECT, BUT THE GOVERNMENT HAS NOT DONE SO, AS IT HAS OPTED OUT OF THE CHARTER.

LEGISLATION IN 1978 AND 1990 MADE IT ILLEGAL TO DENY EMPLOYMENT ON THE GROUND THE APPLICANT IS NOT A UNION MEMBER. THE TRADE UNION REFORM AND EMPLOYMENT RIGHTS ACT OF 1993 ABOLISHED THE WAGE COUNCILS SET NEW PROCEDURAL REQUIREMENTS FOR UNION STRIKES, DUES COLLECTION, AND MEMBERSHIP RULES; AND MADE IT POSSIBLE FOR PRIVATE CITIZENS, WHEN DEPRIVED OF GOODS OR SERVICES DUE TO STRIKE ACTION, TO SEEK DAMAGES AND TO OBTAIN ASSISTANCE FOR THIS FROM THE GOVERNMENT. AN AMENDMENT REVERSES A COURT RULING THAT HAD BANNED EMPLOYERS FROM OFFERING WORKERS FINANCIAL INDUCEMENTS TO GIVE UP TRADE UNION REPRESENTATION. THE TRADE UNIONS CONGRESS (TUC) IN 1993 LODGED COMPLAINTS WITH THE INTERNATIONAL LABOR ORGANIZATION (ILO) ON VARIOUS PROVISIONS OF THE 1993 ACT (SEE B., NEXT); BY YEAR'S END THE ILO HAD NOT COMPLETED CONSIDERATION OF THESE COMPLAINTS.

- B. THE RIGHT TO ORGANIZE AND BARGAIN COLLECTIVELY

ALTHOUGH THERE IS NO LEGAL OBLIGATION FOR EMPLOYERS TO BARGAIN WITH WORKERS' REPRESENTATIVES, AND LABOR-MANAGEMENT CONTRACTS ARE NOT ENFORCEABLE IN THE COURTS, COLLECTIVE BARGAINING IS LONGSTANDING AND WIDESPREAD, COVERING ABOUT 40 PERCENT OF THE WORK FORCE.

THE 1993 ACT CITED ABOVE ABOLISHED THE MEDIATION SERVICE'S MANDATE TO PROMOTE COLLECTIVE BARGAINING; THIS WAS THE SUBJECT OF ANOTHER TUC COMPLAINT TO THE ILO.

WORKERS WHO BELIEVE THEMSELVES VICTIMS OF ANTIUNION DISCRIMINATION MAY SEEK REDRESS THROUGH INDUSTRIAL TRIBUNALS. REMEDIES AVAILABLE INCLUDE PAYMENT OF INDEMNITIES AND REINSTATEMENT.

CONTRARY TO ILO CONVENTION 98, ON THE RIGHT TO ORGANIZE AND BARGAIN COLLECTIVELY, IT IS LAWFUL FOR EMPLOYERS OR OTHERS TO CIRCULATE BLACKLISTS OF UNION MEMBERS SEEKING EMPLOYMENT. IN MAY 1993 THE ILO CONCLUDED THAT THE BRITISH GOVERNMENT IS OBLIGED TO PROTECT UNION MEMBERS

FROM SUCH DISCRIMINATION, BUT THE GOVERNMENT HAS NOT RESPONDED TO THIS.

EXPORT PROCESSING ZONES DO NOT EXIST.

- C. PROHIBITION OF FORCED OR COMPULSORY LABOR

FORCED OR COMPULSORY LABOR IS PROHIBITED AND IS NOT

~~C O N F I D E N T I A L~~

LIMITED OFFICIAL USE SECTION 11 OF 11 STATE 025680

USVIENNA FOR USDEL OSCE

E.O. 12356: N/A

PRACTICED.

- D. MINIMUM AGE FOR EMPLOYMENT OF CHILDREN

SCHOOL ATTENDANCE UNTIL THE AGE OF 16 IS COMPULSORY. CHILDREN UNDER AGE 16 ARE NOT PERMITTED TO WORK IN AN INDUSTRIAL ENTERPRISE EXCEPT AS PART OF AN EDUCATIONAL COURSE.

- E. ACCEPTABLE CONDITIONS OF WORK

THERE IS NO LEGISLATED MINIMUM WAGE. THE TRADE UNION REFORM AND EMPLOYMENT RIGHTS ACT OF 1993 ABOLISHED THE WAGE COUNCIL SYSTEM, WHICH PRIOR TO SEPTEMBER 1993 HAD ESTABLISHED MINIMUM HOURLY WAGES AND OVERTIME RATES FOR ADULT WORKERS IN 26 LOW-WAGE INDUSTRIES. THE UNITED KINGDOM HAS NO LEGISLATION LIMITING DAILY OR WEEKLY WORKING HOURS.

THE HEALTH AND SAFETY AT WORK ACT OF 1974 REQUIRES THAT THE HEALTH AND SAFETY OF EMPLOYEES NOT BE PLACED AT RISK. A HEALTH AND SAFETY COMMISSION EFFECTIVELY ENFORCES REGULATIONS ON THESE MATTERS, AND MAY INITIATE CRIMINAL PROCEEDINGS. WORKERS' REPRESENTATIVES ACTIVELY MONITOR THE ENFORCEMENT.

CHRISTOPHER

BT

#5680

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SECT: SECTION: 01 OF 11

<^SECT>SECTION: 02 OF 11

<^SECT>SECTION: 03 OF 11

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SSN: 5680

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DIST:
SIT: NSC
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Cable

PREC: IMMEDIATE
CLASS: UNCLASSIFIED
LINE1: OAAUZYUW RUEHBLA0045 0321531-UUUU--RHEHAAX.
LINE2: ZNR UUUUU ZZH
LINE3: O 011400Z FEB 95
LINE4: FM AMCONSUL BELFAST
OSRI: RUEHBL
DTG: 011400Z FEB 95
ORIG: AMCONSUL BELFAST
TO: RUEHC/SECSTATE WASHDC IMMEDIATE 8244
INFO: RUEHLO/AMEMBASSY LONDON PRIORITY 7696
RUEHDL/AMEMBASSY DUBLIN PRIORITY 5529
SUBJ: LEAKED FRAMEWORK PAPER DRAWS UNIONIST WRATH

TEXT:

UNCLAS BELFAST 0045

E.O. 12356: N/A

TAGS: PREL, PGOV, UK, EI

SUBJECT: LEAKED FRAMEWORK PAPER DRAWS UNIONIST WRATH

REF: A) BELFAST 0023 B) BELFAST 0032 C) 94 BELFAST 589

1. THE LEAKED FRAMEWORK DOCUMENT DRAFT PUBLISHED IN THE FEBRUARY 1 "THE TIMES" HAS CREATED AN UPROAR IN NORTHERN IRELAND. ALL SHADES OF UNIONISM HAVE REACTED WITH UNMITIGATED HOSTILITY.

-- ULSTER UNIONIST PARTY (UUP) LEADER JAMES MOLYNEAUX SAID HE WAS "ALARMED BUT NOT SURPRISED" AT THE NATURE OF THE ALLEGED DRAFT, NOTING THAT HE HAD REPEATEDLY WARNED HMG THAT CIVIL SERVANTS WERE DRAWING UP SCHEMES THAT WOULD PROVE UNACCEPTABLE TO UNIONISTS.

-- MOLYNEAUX OBSERVED THAT THE UUP WOULD LEAD A "NO" CAMPAIGN ON ANY REFERENDUM THAT RESEMBLED THE DRAFT FRAMEWORK. IN SUCH CIRCUMSTANCES, THE UUP LEADER CONTINUED, HE WOULD FIND IT DIFFICULT TO SUPPORT THE GOVERNMENT ON OTHER ISSUES, GIVEN A SEVERE RIFT ON THE NORTHERN IRELAND QUESTION.

-- UUP CHIEF WHIP WILLIAM ROSS WAS BLUNT. HE OBSERVED THAT THE "RELATIONSHIP" BETWEEN THE GOVERNMENT AND THE UUP WAS IN JEOPARDY.

-- DEMOCRATIC UNIONIST PARTY (DUP) LEADER IAN PAISLEY SAID THAT THE LEAKED PAPER VINDICATED HIS LONGSTANDING OPPOSITION TO THE GOVERNMENT'S NORTHERN IRELAND POLICY.

-- DUP DEPUTY LEADER PETER ROBINSON ANNOUNCED THAT IT WAS TIME FOR A NEW "UNITED FRONT" OF ALL UNIONISTS, A THEME ROBINSON HAS HIGHLIGHTED IN RECENT WEEKS.

2. SDLP LEADER JOHN HUME CALLED FOR CALM, AND ATTACKED "THE TIMES" AS IRRESPONSIBLE. HUME CLAIMED THAT THE AUTHOR OF "THE TIMES" ARTICLE, MATTHEW DANCONA, HAD STRONG UNIONIST VIEWS AND A CLEAR AGENDA IN PUBLISHING THE PIECE. SINN FEIN HAS REFRAINED FROM COMMENT. MARTIN MCGUINNESS, LEADING THE SINN FEIN DELEGATION INTO STORMONT FOR THE FOURTH HMG-SINN FEIN "EXPLORATORY" SESSION, HAD NOTHING TO SAY ON THE MATTER. ALLIANCE PARTY LEADER JOHN ALDERDICE SAID HE WOULD SEEK AN IMMEDIATE MEETING WITH THE PRIME MINISTER, ADDING THAT HE THOUGHT LONDON AND DUBLIN WERE TO BLAME FOR THE CURRENT CRISIS BECAUSE THEY HAD TAKEN SO LONG TO WORK ON THE STILL-UNPUBLISHED FRAMEWORK.

3. IT HAS BEEN ANNOUNCED THAT THE PRIME MINISTER WILL GO ON TELEVISION AT 2055 LOCAL TO ADDRESS THIS ISSUE.

MARTINEZ
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#0045

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SECT: SECTION: 01 OF 01
SSN: 0045
TOR: 950201104253 M1490671
DIST:
PRT: SODEBERG
SIT: NSC STEPHENS
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PRT: SODERBERG
SIT: SUM2
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CLASS: UNCLASSIFIED
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OSRI: RUEHBL
DTG: 021100Z FEB 95
ORIG: AMCONSUL BELFAST
TO: RUEHC/SECSTATE WASHDC PRIORITY 8245
INFO: RUEHLO/AMEMBASSY LONDON 7698
RUEHDL/AMEMBASSY DUBLIN 5530
SUBJ: PRIME MINISTERS ADDRESS DOES LITTLE TO ASSUAGE UNIONIST
ANGER

TEXT:

UNCLAS BELFAST 0047

E.O. 12356: N/A

TAGS: PREL, PGOV, UK, EI

SUBJECT: PRIME MINISTERS ADDRESS DOES LITTLE TO ASSUAGE UNIONIST
ANGER

REF: BELFAST 0045

1. PRIME MINISTER JOHN MAJORS FEBRUARY 1 EVENING ADDRESS ON NORTHERN IRELAND HAS DONE LITTLE TO EASE WIDESPREAD UNIONIST APPREHENSION OVER THE LEAKED FRAMEWORK DOCUMENT (2EFTL). ULSTER UNIONIST PARTY (UUP) LEADER JAMES MOLYNEAUX CONTINUED TO DECRY THE ALLEGEDLY UNDUE INFLUENCE OF BRITISH AND IRISH CIVIL SERVANTS. UUP CHIEF WHIP WILLIAM ROSS SAID THERE WAS NO CHANCE THAT ANY UNIONIST COULD ACCEPT WHAT WAS IN THE LEAKED DOCUMENT AND THAT, THEREFORE, THE "FRAMEWORK PROCESS" WAS DEAD. DEMOCRATIC UNIONIST PARTY (DUP) LEADER IAN PAISLEY CONTINUED TO ATTACK HMG, AND WENT AFTER THE UUP AS WELL, CLAIMING THAT, UNLIKE THE DUP, THE ULSTER UNIONISTS HAD NOT FORESEEN THE DANGERS TO THE UNION INHERENT IN THE FRAMEWORK PROCESS.

2. SINN FEINS GERRY ADAMS OPINED THAT IT IS NOW TIME FOR BOTH GOVERNMENTS TO MOVE QUICKLY TO INCLUSIVE ALL-PARTY TALKS ON NORTHERN IRELAND. HIS COLLEAGUE, MARTIN MCGUINNESS, AGREED. MCGUINNESS, WHO HAD LITTLE TO SAY AS HE LED THE SINN FEIN DELEGATION INTO ITS FOURTH ROUND OF TALKS WITH HMG, DID NOTE ON LEAVING THOSE TALKS THAT IT WAS A MOMENT FOR ALL TO REMAIN CALM. SDLP LEADER JOHN HUME SUPPORTED MAJORS CALL FOR TIME AND TRUST, ADDING THAT ALL PARTY TALKS SHOULD BEGIN SOONER RATHER THAN LATER.

3. PROGRESSIVE UNIONIST PARTY (PUP) LEADER DAVID ERVINE CALLED ON UNIONISTS OF ALL PARTIES TO AVOID "KNEE-JERK REACTIONS." ULSTER DEMOCRATIC PARTY (UDP) SPOKESPERSON GARY MCMICHAEL NOTED

THAT HIS PARTY WOULD PREFER TO STUDY THE FINAL FRAMEWORK DOCUMENT BEFORE COMMENTING, BUT THAT THE LEAKED VERSION WAS OBVIOUSLY UNACCEPTABLE TO LOYALISTS.

MARTINEZ
BT
#0047

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SECT: SECTION: 01 OF 01

SSN: 0047

TOR: 950202090518 M1492973

DIST:

PRT: SIT SODERBERG

SIT: NSC STEPHENS SUM SUM2 VERSHBOW

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Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
005. cable	re: Reaction to "The Times" articles (4 pages)	02/02/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Cables
Jan 1995-Dec 1996 ([Peace Process, Irish, Ireland, Stormont])
OA/Box Number: 510000

FOLDER TITLE:

[01/25/1995-02/09/1995]

2006-1990-F
vz1637

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
006. cable	re: Northern Ireland (4 pages)	02/03/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Cables
Jan 1995-Dec 1996 ([Peace Process, Irish, Ireland, Stormont])
OA/Box Number: 510000

FOLDER TITLE:

[01/25/1995-02/09/1995]

2006-1990-F

vz1637

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
007. cable	re: "Irish Times" Interview of Gerry Adams (3 pages)	02/06/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Cables
Jan 1995-Dec 1996 ([Peace Process, Irish, Ireland, Stormont])
OA/Box Number: 510000

FOLDER TITLE:

[01/25/1995-02/09/1995]

2006-1990-F

vz1637

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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TO: RUEHC/SECSTATE WASHDC 8253
INFO: RUEHLO/AMEMBASSY LONDON 7706
RUEHDL/AMEMBASSY DUBLIN 5536
RUEHED/AMCONSUL EDINBURGH 3076
SUBJ: LOYALIST POLITICIANS WARN OF DANGERS OF "TOO MUCH
SPECULATION" OVER FRAMEWORK DOCUMENT

TEXT:
UNCLAS BELFAST 0055

E.O. 12356: N/A
TAGS: PREL, PGOV, UK, EI
SUBJECT: LOYALIST POLITICIANS WARN OF DANGERS OF "TOO MUCH
SPECULATION" OVER FRAMEWORK DOCUMENT

1. LOYALIST POLITICIANS, WHO MET WITH HMG REPRESENTATIVES AT STORMONT ON FEBRUARY 6, WARNED OF THE DANGERS OF "TOO MUCH SPECULATION" OVER THE CONTENTS OF THE FRAMEWORK DOCUMENT. THE LEADER OF THE ULSTER DEMOCRATIC PARTY (UDP), GARY MCMICHAEL, CRITICIZED MAINSTREAM UNIONIST POLITICIANS FOR MAKING "HYSTERICAL, ALARMIST CLAIMS THAT COULD HEIGHTEN TENSION FURTHER AND DRIVE THE COMMUNITY TO THE POINT OF NO RETURN." THE UDP LEADER DISMISSED SUGGESTIONS THAT LOYALIST PARAMILITARIES WERE ON THE VERGE OF BREAKING THE CEASEFIRE. HE SAID HIS PARTYS STANCE HAD CALMED THE SITUATION. "THE ONLY PEOPLE WHO ARE DANCING ABOUT ARE PAISLEY AND MOLYNEAUX. THE PARAMILITARIES ARE NOT DOING ANY DANCING." MCMICHAEL URGED UNIONISTS TO WAIT AND SEE WHAT THE FRAMEWORK DOCUMENT PROPOSES BEFORE PASSING JUDGMENT ON IT. HE CALLED FOR UNITY AMONG ALL SHADES OF UNIONISM AND PROPOSED A CONFERENCE WHICH WOULD DISCUSS HOW BEST TO ENSURE THE FUTURE OF THE UNION. "WE ALL HAVE THE SAME GOAL, TO KEEP NORTHERN IRELAND WITHIN THE UNITED KINGDOM. SO WE SHOULD WORK TOGETHER."

2. A STATEMENT FROM IAN PAISLEYS DEMOCRATIC UNIONIST PARTY, HOWEVER, WARNED THE "PEOPLE OF ULSTER TO IGNORE THE NAIVE AND SUSPECT UTTERANCES OF FRINGE UNIONIST PARTIES." AND IT ACCUSED THOSE "WOULD-BE POLITICIANS" OF "PROPPING UP" THE NORTHERN IRELAND OFFICE, INSTEAD OF "ATTACKING THE GOVERNMENTS TREACHERY."

MARTINEZ

BT
#0055

NNNN

SECT: SECTION: 01 OF 01

SSN: 0055

TOR: 950207073839 M1500989

DIST:

SIT: NSC

□

Cable

PREC: IMMEDIATE
CLASS: UNCLASSIFIED
LINE1: OAAUZYUW RUEHDLA0686 0401632-UUUU--RHEHAAX.
LINE2: ZNR UUUUU ZZH
LINE3: O 091632Z FEB 95
LINE4: FM AMEMBASSY DUBLIN
OSRI: RUEHDL
DTG: 091632Z FEB 95
ORIG: AMEMBASSY DUBLIN
TO: RUEHC/SECSTATE WASHDC IMMEDIATE 7177
INFO: RUEHBL/AMCONSUL BELFAST IMMEDIATE 3345
RUEHLO/AMEMBASSY LONDON IMMEDIATE 2675
SUBJ: BUGS INTERRUPT EXPLORATORY TALKS

TEXT:
UNCLAS DUBLIN 000686

E.O. 12356: N/A
TAGS: PREL, PHUM, PTER, UK, EI
SUBJECT: BUGS INTERRUPT EXPLORATORY TALKS

1. SINN FEIN VICE PRESIDENT PAT DOHERTY TELEPHONED US TO CLARIFY NEWS REPORTS FROM BELFAST AND LONDON THAT SINN FEIN HAD WALKED OUT OF THE FEBRUARY 9 EXPLORATORY TALKS WITH THE BRITISH AT STORMONT CASTLE. DOHERTY SAID THAT ON ARRIVAL AT STORMONT, THE SINN FEIN DELEGATION WAS SHOWN INTO THE ROOM SET ASIDE FOR THEIR DELEGATION MEETINGS AND CONSULTATIONS. WHEN TECHNICIANS ACCOMPANYING THE DELEGATION SWEEPED THE ROOM, SIGNALS INDICATED THAT BUGGING DEVICES WERE PROBABLY IN PLACE. THE BRITISH WERE ASKED TO LISTEN TO THE SWEEPING EQUIPMENT AND THEY AGREED THAT THERE WAS A PROBLEM. THE ROOM WAS THEN SEALED AND THE BRITISH AUTHORITIES ARE GOING TO INVESTIGATE THE MATTER.

2. DOHERTY SAID HE WANTED US TO KNOW THAT THE MEETING WAS POSTPONED WITH THE AGREEMENT OF BOTH PARTIES AND THAT SINN FEIN DID NOT ACT UNILATERALLY. HE HOPES THE MEETING CAN BE RECONVENED ASAP.

SMITH
BT
#0686

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SECT: SECTION: 01 OF 01

SSN: 0686

TOR: 950209113527 M1506236

DIST:

PRT: SIT SODERBERG

SIT: NSC STEPHENS SUM SUM2 VERSHBOW

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Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
008. cable	re: DFA on February 2 Liaison Group (3 pages)	02/09/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Cables
Jan 1995-Dec 1996 ([Peace Process, Irish, Ireland, Stormont])
OA/Box Number: 510000

FOLDER TITLE:

[01/25/1995-02/09/1995]

2006-1990-F
vz1637

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]