

Seventeenth Report of the Independent Monitoring Commission

Presented to the Houses of Parliament by the Secretary of State for
Northern Ireland in accordance with the Northern Ireland
(Monitoring Commission etc.) Act 2003

*Ordered by the House of Commons to be printed
7th November 2007*

SEVENTEENTH REPORT OF THE INDEPENDENT MONITORING COMMISSION

Presented to the Government of the United Kingdom and the Government of Ireland
under Articles 4 and 7 of the International Agreement establishing the Independent
Monitoring Commission

Presented to the Houses of Parliament by the Secretary of State for
Northern Ireland in accordance with the Northern Ireland
(Monitoring Commission etc.) Act 2003

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Organisations and by Associated Political Parties and Other Groups;
Reproduced from the IMC's Fifth Report, May 2005

1. INTRODUCTION

1.1 We present this report on the continuing activities of paramilitary groups under Articles 4 and 7 of the International Agreement establishing the Independent Monitoring Commission¹.

1.2 This report follows the usual cycle for ones of its kind and therefore comes six months after our previous one in April 2007². It focuses mainly on the six month period 1 March to 31 August 2007.

1.3 Two things have been key to all our work:

- First is the objective of the Commission set out in Article 3 of the International Agreement;

The objective of the Commission is to carry out [its functions] with a view to promoting the transition to a peaceful society and stable and inclusive devolved Government in Northern Ireland.

- Second are the principles about the rule of law and democratic government which we published in March 2004 and which we set out in Annex II.

1.4 We also think it is important to reiterate three points about the nature of our work:

- We have explained in some detail how we approach our task³. We believe that our methods are fair and thorough; we take great care in our assessments; and we have always tried to learn from the experience gained in each report and from what people have said to

¹ The text of Articles 4 and 7 is in Annex I.

² IMC Fifteenth Report, April 2007. Our Sixteenth Report in September 2007 was on security normalisation under a separate part of our remit.

³ IMC Fifth Report, May 2005, paragraphs 1.9-1.13.

us about them. We welcome frank comment, on this report no less than on its predecessors;

- We appreciate that while the report addresses the situation in Northern Ireland as a whole, the situation varies very considerably from place to place⁴. People may therefore find that the picture we paint does not tally with their personal experience;
- The views we express in our reports are ours alone. We are independent and expect to be judged by what we say. We do not make statements of official policy. It is for the two Governments and, if appropriate, the Northern Ireland Executive and Assembly, to decide how to respond to our reports.

⁴ We address the question of the geographical variations in paramilitary violence in paragraphs 3.9-3.13 below.

2. PARAMILITARY GROUPS: ASSESSMENT OF CURRENT ACTIVITIES

2.1 We set out below our assessment of the current activities and state of preparedness of paramilitary groups. We focus on the six months from 1 March to 31 August 2007. This assessment extends those we have given in previous such reports, and the reader may wish to refer to them for a comprehensive view of events since we first reported in April 2004⁵. Our First Report gave an account of the origins of the groups and of their structures at that time.

2.2 Developments over the past year have led us to set out the material on paramilitary organisations in a slightly different way from hitherto, in two respects:

- In our Seventh Report two years ago we noted the then very recent act of decommissioning by PIRA⁶. Since then we have reported the progressive and unequivocal implementation of the organisation's decision to follow a political path. A year ago we referred to what we described as the organisation's "transformation"⁷. Since then there has been other firm evidence, such as the backing for Sinn Féin's decision in January 2007 to support policing and the criminal justice system⁸. Sinn Féin's subsequent entry into the Northern Ireland Executive has meant that the provisional movement as a whole has been more closely engaged in the democratic process. We strongly believe that this position is now stable. We have therefore decided that we need no longer give an analysis of the organisation's activities at the same length as we have in the past, and that instead we can properly confine ourselves to a brief summary and to reporting any significant developments. The material on PIRA in paragraphs 2.15-2.16 below is

⁵ We have produced two kinds of report under Article 4. Of the 11 hitherto, 9 have covered the activities of all the groups. These were our First (April 2004), Third (November 2004), Fifth (May 2005), Seventh (October 2005), Eighth (February 2006), Tenth (April 2006), Twelfth (October 2006), Thirteenth (January 2007) and Fifteenth (April 2007). The two other reports under Article 4 were ad hoc ones produced at our own initiative. The first of these (our Fourth Report, February 2005) dealt with the Northern Bank robbery and the second (our Sixth Report, September 2005) dealt with the UVF/LVF feud.

⁶ IMC Seventh Report, October 2005, paragraphs 3.13 – 3.18.

⁷ IMC Twelfth Report, October 2006, paragraph 5.18.

⁸ We covered this in our Thirteenth Report, January 2007, paragraphs 4.4 – 4.6.

therefore considerably shorter than in our recent reports. We will however continue to monitor PIRA and we will report anything significant;

- In recent reports we have noted the encouraging remarks made by the UDA and UVF and those associated with the organisations. We have also said that the impact on the ground had been limited and that much more needed to be done to end criminality. We refer below to important and encouraging developments on the part of the UVF in the six months under review. Nevertheless, we think that there are some issues which affect both organisations and those associated with them; we address them in paragraphs 4.5-4.8 below.

Dissident Republicans Generally

- 2.3 Starting with our Twelfth Report in October 2006 we have analysed separately activities which we believed were undertaken by dissident republicans but which we could not at the time attribute to a particular organisation. In our Fifteenth Report six months ago we reported that dissidents had planted incendiary devices. We also said that Óglaigh na hÉireann (ONH) had remained active, claiming responsibility for pipe bomb attacks against PSNI premises and the homes of police officers, and that it had showed a determination to continue acts of terrorism.
- 2.4 ONH remained active in the six months under review. In July it threw a pipe bomb at Strabane PSNI station which exploded on the roof of adjacent premises. We believe it was responsible for the three explosive devices which were discovered at the houses of District Policing Partnership members and a PSNI officer in the Strabane area over four days in April 2007; none caused any damage. Members remained engaged in a variety of criminal activities, including drug dealing; we think the proceeds go largely to the perpetrators rather than the organisation. ONH sought to enhance its capability by continuing efforts to recruit members. There are indications that the leadership may seek to address the question of whether they could sustain a continuing and more effective terrorist campaign.

- 2.5 Responsibility has not yet been attributed for the explosive devices found near the railway line in Newry in July 2007. We believe that dissident republicans planned to foment trouble during St Patrick's Day parades and to disrupt other parades during the summer. Effective policing and poor organisation on the part of the perpetrators meant that little trouble materialised but dissidents were involved in a number of incidents in which petrol bombs and other missiles were thrown at police vehicles and into loyalist areas. We believe that dissidents have sought to target the homes of police officers or others thought to possess weapons, with a view to stealing them. Members of a grouping calling itself the Republic Defence Army, based in the Strabane area, may have been responsible for an assault in May. There was an attempt to achieve greater unity among dissident republicans but in practice the evidence is of more fragmentation.
- 2.6 Finally, we are aware of speculation in the media about the possibility of dissident groups calling a ceasefire because of disillusion over their lack of ability to sustain an effective campaign. We do not think that dissident republicans are seriously addressing this as a future strategy, even if some members might be prompted to murmur about a ceasefire because they would be aware of its potential implications for the release of prisoners. We have no reason at present to expect a broad ranging move or one which would have any very significant impact on the threat that dissidents continue to pose.

Continuity Irish Republican Army (CIRA)

- 2.7 In our Fifteenth Report we said that CIRA had been responsible for a failed pipe bomb, had targeted PSNI officers and had threatened alleged drug dealers. It had also been involved in efforts to sustain its capability such as recruitment, training and the procurement of weapons. Members, including senior ones, had continued to be involved in serious crime.
- 2.8 CIRA has been active over the six months under review. It was responsible for two of the three paramilitary murders committed in the period; the victims

were both former Belfast members who had established a rival group in the same area⁹. A third person was injured in the same attack. We believe that in Lurgan it was responsible for the construction of a mortar which could have been used against members of the security forces. The device was found in March 2007 before it could be used. CIRA claimed that it was responsible in the Armagh area for throwing a pipe bomb at a police vehicle and petrol bombs at a police building. We do however believe that members monitored police patrols, and the organisation has undertaken targeting, including of PSNI officers and premises. In our view CIRA hoped to carry out attacks in order to disrupt the political process in Northern Ireland but did not bring them to fruition. Members threw petrol bombs and missiles at police officers in the Lurgan area in August. Throughout the six months members have engaged in a wide variety of serious criminal activity North and South, including extortion, drug dealing, robbery, brothel keeping, smuggling and fuel laundering. We believe that although most of the proceeds go to individual members some pass to the organisation.

2.9 CIRA has continued its efforts to enhance the organisation's capability. It sought to recruit members (though with limited success and so far as we are able to establish it has not attracted disillusioned former members of PIRA) and to develop a youth wing; it has attempted to acquire weapons, and it may have tested home made explosives; it has made efforts to see that involvement in Republican Sinn Féin (RSF) did not divert members from paramilitary activity; and it has sought to raise finance. We also believe that the 400lb of home made explosive discovered by the PSNI in Craigavon in August 2007 belonged to CIRA.

2.10 CIRA thus remains active, dangerous and committed. It has sought to enhance its long term capability and we believe that it would have undertaken other serious incidents had it been able to do so. As we have said in the past, it is capable of a greater level of violent and other crime.

⁹ We deal with paramilitary murders in paragraph 3.4 and the associated table below.

Irish National Liberation Army (INLA)

2.11 In our Fifteenth Report we said that INLA had continued at a low level of activity. It had undertaken one abduction and assault and had remained involved in serious crime, the level of which had appeared to be increasing after the period under review. We concluded, as we had in the past, that INLA remained a threat and that we could not rule out its once again becoming more dangerous.

2.12 We believe that INLA was responsible for one of the three paramilitary murders committed during the period under review¹⁰. In Belfast, Derry and Strabane members have undertaken patrols to prevent anti-social behaviour, and have acted against a number of alleged drug dealers and others. Members have been heavily involved in a range of serious criminal activity North and South, in the case of the latter apparently with greater energy than in the recent past, albeit for personal gain. This activity has included providing protection and undertaking paid services for organised crime gangs, from which it secures a considerable income. This is particularly the case in the Dublin area. Overall therefore our view remains essentially unchanged: INLA retains a capacity for extreme violence; we cannot rule out its becoming more dangerous in future; and in the meantime it is largely a criminal enterprise.

Loyalist Volunteer Force (LVF)

2.13 In our Fifteenth Report we said that the LVF had not been involved in any terrorist activities and apparently had no political aspirations. However people using the name of the LVF were heavily involved in serious crime, albeit for personal rather than organisational benefit. Although it retained some form of structure, and had weapons it was not considering decommissioning, we described the LVF as a criminal gang and we said, as we had before, that in our view it had no coherent political purpose.

¹⁰ We deal with paramilitary murders in paragraph 3.4 and the associated table below.

2.14 This position has not changed. The LVF retains a limited paramilitary structure but does not function for terrorist purposes. Nor does it articulate a political aim. Rather, it is a loose association of people some of whom use the organisation's name for criminal purposes. Those criminal activities remain serious and some involve violence but the proceeds appear to be for personal and not organisational benefit.

Provisional Irish Republican Army (PIRA)

2.15 We said in our Fifteenth Report that PIRA had not engaged in acts of terrorism or in preparatory activities for it. Neither the organisation nor individual members had undertaken paramilitary shootings and assaults, and where members had sought permission to use violence it had been refused. Such threats as members had made had been without sanction. Instructions had been given not to engage in criminal activity, and although some members still continued to be involved in it the general level had continued to decline. We were aware of no instances in which PIRA members had been involved in exiling. We were unable to determine how the organisation was dealing with the question of previously illegally gained funds. We concluded that the leadership remained firmly committed to the strategy of following a political path and we pointed to ways in which it had vigorously pursued it. We saw no threat to this strategy and believed that there had been a significant decline in dissenting opinion.

2.16 For the reasons we give in paragraph 2.2 above, we report only briefly on PIRA on this occasion. We do not think that the organisation is involved in terrorist or other illegal activity and believe it has continued to instruct members to refrain from committing crime. Some members remained involved in criminality but such incidents as there have been were in contravention of these instructions. During the parades season it urged co-operation with the police. Some people whom PIRA had previously exiled have been able to return to Northern Ireland. Some members in some areas have not entirely moved on from the view that dealing with anti-social behaviour is appropriately mediated by threats and social exclusion, as a

form of community control, rather than by proper human rights-compliant community policing. That said, we remain of the firm view that the organisation is fully committed to pursuing the political path and that it will not be diverted from it.

Real Irish Republican Army (RIRA)

- 2.17 In our Fifteenth Report we said that RIRA had been responsible for an attack on a PSNI station which, had it not failed, could have been very serious. The organisation also monitored other police stations with a view, we believed, to possible attack, and we thought that it had planned but not executed other attacks. RIRA also recruited. Members were involved in serious crime, mainly for personal gain but some of the proceeds in our view passed to the organisation. Overall, RIRA had been less active in the second half of the six months under review than in the first half. We concluded, as we had in the past, that RIRA remained capable of extreme violence.
- 2.18 RIRA's paramilitary activities have continued at a relatively low level. We believe it was responsible for an unreported shooting in April 2007. In common with other dissident republican groups, it has targeted PSNI officers and premises. In March 2007 units monitored and targeted PSNI officers and vehicles in the North West and in South Armagh. It planned but was unable to carry out a number of operations, especially in the Lurgan and Craigavon area. In the summer it was probably responsible for threatening alleged criminals in west Belfast. The police have continued to have some success against RIRA.
- 2.19 Although it has not been as active as at some earlier periods on which we have reported, RIRA has made efforts to enhance the organisation's capability. Leading figures are aware that the organisation is at present unable to sustain what it would consider a successful campaign and are looking further ahead to when it may be able to do so. It is therefore presently focusing on consolidation, development and on increasing

operational security. It sought to train members in a range of terrorist activities. It tried to recruit members, though as in the case of CIRA with limited success and so far as we are aware without attracting numbers of disillusioned former members of PIRA. It has also continued its attempts to acquire weapons and ammunition. We think the organisation has access to some weapons stored in Northern Ireland. Like other dissident groups it has continued efforts to raise funds.

- 2.20 The picture for RIRA is therefore of an organisation which has achieved little operationally in the six months under review, which maintains a strong determination to be able to do much more in future, and which has made efforts to enhance its capability to that end. The threat thus remains.

Ulster Defence Association (UDA)

- 2.21 In our Fifteenth Report we said that although the overall trend of involvement of UDA members in acts of violence was down there had been an increase in some places in the three months to February 2007. They had been responsible for the bulk of the loyalist assaults and for a number of the shooting incidents to which we referred in that report, although we were aware of no such incidents which were sectarian or inspired by racial hatred. UDA members had also continued to be heavily engaged in a variety of kinds of serious crime, although in some places there had been early indications that the level of drug dealing and extortion might be declining. As an organisation the UDA had remained in some turbulence. There had been efforts by the leadership to reduce criminality amongst the membership but we concluded that there was no effective strategy for dealing with criminality generally and that the leadership had no intention at that time of decommissioning weapons. This all led us to the view that, despite the aspirations on the part of some in the leadership, the impact of changes had been limited and their pace slow. We said that we thought the UDA needed to move faster, including on the question of decommissioning.

2.22 The internal turbulence to which we refer above has been a key factor for the UDA in the six months under review, as it has been since. There have been a number of confrontations between the so-called mainstream and the so-called breakaway faction in South East Antrim, some of which have involved sporadic violence. The most serious was in Carrickfergus on 21 July 2007 when a PSNI officer attending the incident was shot in the back. He is extremely lucky that his injuries were not much more serious, and possibly fatal. For the reasons we set out more fully in paragraph 3.6 below, we consider this to have been a paramilitary shooting for which the UDA must bear responsibility, even if it was not sanctioned by the leadership. They must also bear responsibility for the incident as a whole, for which they had mustered their members and brought them to Carrickfergus in some numbers. Since then, UDA leaders have sought to prevent further such confrontations, although there have been other incidents in South East Antrim. The same internal tensions were in our view the reason why some people were forced from their homes. Others expelled from the UDA in 2006 remain unable to return to their homes.

2.23 There have been other incidents of UDA violence. Members were involved in the serious rioting on the Kilcooley estate in Bangor on 1 August 2007 following police searches. Petrol bombs and fireworks were thrown at the police and at one point live rounds were fired at them. We believe that UDA members were responsible for the shooting, although the violence was orchestrated locally, not sanctioned by the leadership, and members have since been reprimanded for their involvement. In June in Ballymena UDA members petrol bombed premises occupied by Polish nationals. About two thirds of the loyalist assaults to which we refer in Section 3 below were undertaken by members of the UDA¹¹.

2.24 This picture must not be taken to mean that the UDA leadership has abandoned its previous efforts to change the organisation's direction. Senior

¹¹ See paragraphs 3.5-3.8 and the associated tables and graphs below.

figures continue to seek to reduce criminal involvement and some crime is less prevalent. We believe there is a genuine desire to make progress, although their success remains limited and members are still involved in a wide range of serious crimes, including drug dealing, the sale of counterfeit goods and loan sharking. We believe that the proceeds largely go to the perpetrators. Some members have been expelled because of their activities. We do not believe that the UDA has terrorist ambitions or a strategy to enhance the organisation's capacity. Some individual units appear still to be recruiting members, but we believe that this is on a local and ad hoc basis. The internal tensions appear to lie behind such acquisition of weapons as there has been; we believe there were attempts during the period under review and that some individual members continue to aspire to acquire weapons. Likewise, such limited intelligence gathering as there has been was aimed at securing information about people who had previously been expelled from the organisation.

2.25 Some care therefore needs to be taken in making an overall assessment of the UDA over the six months under review. The period has been dominated by the results of the internal tensions. Those same tensions also prompted some other less public activity. The leadership has sought to reduce violence by members and the level of criminality, and has continued to take steps to that end though its success has been limited. We do not doubt, as we have said before, that there are senior figures who are convinced of the need for the organisation to move in an entirely new direction. But the organisation is not centrally structured and, as has been demonstrated in the six months under review this limits its capacity to deliver change quickly. There has been some very recent progress by way of contacts between the UDA and the Independent International Commission on Decommissioning but there is no sign that the decommissioning of weapons is an early prospect. The pace of real change remains far too slow. We will continue to judge the organisation by what it does, not what it says. We deal in paragraphs 4.5 - 4.8 below with some issues to do with both the main loyalist organisations.

Ulster Volunteer Force (UVF) and Red Hand Commando (RHC)

- 2.26 In our Fifteenth Report we said that the UVF had not engaged in terrorist activity but that, although the overall trend was downwards, it had been responsible for an increased number of assaults in the three months to February 2007. Members were involved in serious crime, mainly for personal gain, but there had been a reduction in the amount of drug dealing. We believed that the UVF leadership wished to reduce the size of the organisation and to restructure it (issues on which it had consulted and briefed the membership), and it had given instructions that criminal activity should cease. However, the practical impact of these measures had so far been limited and the leadership had taken no steps to decommission weapons. We concluded that overall more things had moved in the right direction than had moved adversely or stayed the same, but the leadership had not managed to give effect to a coherent strategy. We said that in our view the time had come for the leadership to grasp the nettle, that if it did not do so soon (including on the issue of decommissioning weapons) talk of its intentions would become less and less credible, and that early substantial moves were now necessary.
- 2.27 Shortly after we said this in our Fifteenth Report the UVF leadership did substantially grasp the nettle. On 3 May 2007 it issued a statement in which it said that it would renounce violence and transform itself from a military to a civilian organisation. Paramilitary activity such as recruitment, training and targeting would stop and so-called active service units would be stood down. The organisation as a whole would be downsized. Any involvement by members in crime would be in contravention of the “command” of the leadership. As to weapons, they were not decommissioned. Instead they were to be put “beyond reach”; the statement referred to their being in dumps under the control of the leadership but not accessible to members. This statement and its implementation appear to embrace the Red Hand Commando as well.

- 2.28 We have looked closely at the UVF to determine whether the statement has been given practical effect; four of the six months under review follow the statement. Broadly speaking, we think that implementation is under way. The leadership is clear on the direction in which it is taking the organisation, has briefed the message in the statement down to the grass roots and has started to take steps to reduce the organisation's size. Some members have been allowed to leave; some have been expelled on disciplinary grounds. We have no indication that there has been any recruitment since early May. Such intelligence gathering as appears to have taken place has been directed against potential informers or suspected dissident republicans¹². That aside, we have no evidence of any terrorist-type activity, whether overt, such as targeting, or preparatory, such as acquiring weapons although we cannot rule out local and unsanctioned acquisition on an opportunistic basis.
- 2.29 It is therefore clear that the 3 May statement represents a major turning point for the UVF. The leadership has set a strategy to which it is committed and has started to implement it. But the position is not yet entirely transformed and there are some pockets of resistance. Although we are not aware of any overall challenge to the leadership it is not at all surprising that there should be some opposition despite the long period of careful preparation and internal consultation which preceded the statement. It is understandable that the leadership should want to manage this carefully. We have mentioned before that the organisation might seek to maintain a small residual capability to respond if necessary to future attacks from republicans¹³. We still believe that this might happen in some places, notwithstanding the downsizing which has started and despite the fact that the May statement spoke of the "mainstream republican offensive" being over. Some members continue to be involved in violent and other crime even though it is contrary to the organisation's policy, and about a third of

¹² We undertook in our previous Article 4 report to deal in this one with allegations of UVF intelligence gathering. See IMC Fifteenth Report, April 2007, paragraph 2.29.

¹³ IMC Thirteenth Report, January 2007, paragraph 2.30.

the loyalist assaults to which we refer in Section 3 below are attributable to members of the UVF¹⁴. And finally there remains the question of the decommissioning of weapons. We consider this at greater length in paragraphs 4.5 - 4.8 below.

¹⁴ See paragraphs 3.5-3.8 and the associated tables and graphs.

3. PARAMILITARY GROUPS: THE INCIDENCE OF VIOLENCE

3.1 Article 4 requires us to monitor trends. In this section we set out information on the six months 1 March to 31 August 2007 set against similar information for earlier six month periods.

3.2 As on every occasion when we have undertaken this analysis we want to stress the unavoidable limitations of any statistical examination of the incidence of paramilitary violence. Statistics can include only those acts of violence which come to the notice of the police and we are aware that not all incidents are reported. It is also not possible to quantify intimidation short of violence. And nothing we say about the statistics can adequately convey the dreadful experiences of the victims and their families.

3.3 Over the period from 1 March 2003 to 31 August 2007 we believe that the number of *paramilitary murders* was as follows¹⁵:

	1 Mar – 31 Aug 07	1 Sept 06 – 28 Feb 07	1 Mar – 31 Aug 06	1 Sept 05 – 28 Feb 06	1 Mar – 31 Aug 05	1 Sep 04 – 28 Feb 05	1 Mar – 31 Aug 04	1 Sept 03 – 29 Feb 04	1 Mar – 31 Aug 03
CIRA	2								
INLA	1								
LVF									1
PIRA									
RIRA									1
UDA				2	1	1		1	1
UVF					4		2	1	
Not attributable							1		2
TOTAL	3	0	0	2	5	1	3	2	5

3.4 The 3 paramilitary murders recorded in the table above make this the worst six month period for two years. The last paramilitary murder we reported was in February 2006. The two CIRA murders were carried out by members

¹⁵ In successive earlier reports we included extensive annotations to the following table, for example indicating why we had not included particular murders. We discontinued this practice in our Twelfth Report in October 2006 and we refer readers to those earlier reports for the full details. We also refer readers to the comment we made on the disappearance of Lisa Dorrian on 28 February 2005 and her murder in our Fifteenth Report in April 2007 (page 18, footnote 12).

from Belfast. We believe they were in response to the establishment of a rival group in the same area by the two victims, who were former Belfast members. A third person was injured in the same attack. The INLA murder was of somebody alleged to have used the organisation's name when he was dealing in drugs. All three victims therefore had or claimed association with the organisation which killed them. It remains the case that we are unable to attribute responsibility for the murder of Denis Donaldson in County Donegal in April 2006.

The following paramilitary murders have occurred since 1 March 2007:

Edward Burns, murdered 12 March 2007.

Joseph Jones, murdered 12 March 2007.

Brian McGlynn, murdered 3 June 2007.

3.5 The number of *casualties of paramilitary shootings and assaults* from 1 March 2003 to 31 August 2007 was as follows:

Shooting Casualties

Responsible Group	1 Mar – 31 Aug 07	1 Sept 06 – 28 Feb 07	1 Mar – 31 Aug 06	1 Sept 05 – 28 Feb 06	1 Mar – 31 Aug 05	1 Sep 04 – 28 Feb 05	1 Mar – 31 Aug 04	1 Sept 03 – 29 Feb 04	1 Mar – 31 Aug 03
Loyalist	1	2	14	36	36	37	39	69	34
Republican	0	8	4	2	4	7	11	19	35
TOTAL	1	10	18	38	40	44	50	88	69

Assault Casualties

Responsible Group	1 Mar – 31 Aug 07	1 Sept 06 – 28 Feb 07	1 Mar – 31 Aug 06	1 Sept 05 – 28 Feb 06	1 Mar – 31 Aug 05	1 Sep 04 – 28 Feb 05	1 Mar – 31 Aug 04	1 Sept 03 – 29 Feb 04	1 Mar – 31 Aug 03
Loyalist	13	14	19	20	39	29	42	57	46
Republican	2	5	9	6	16	25	18	26	24
TOTAL	15	19	28	26	55	54	60	83	70

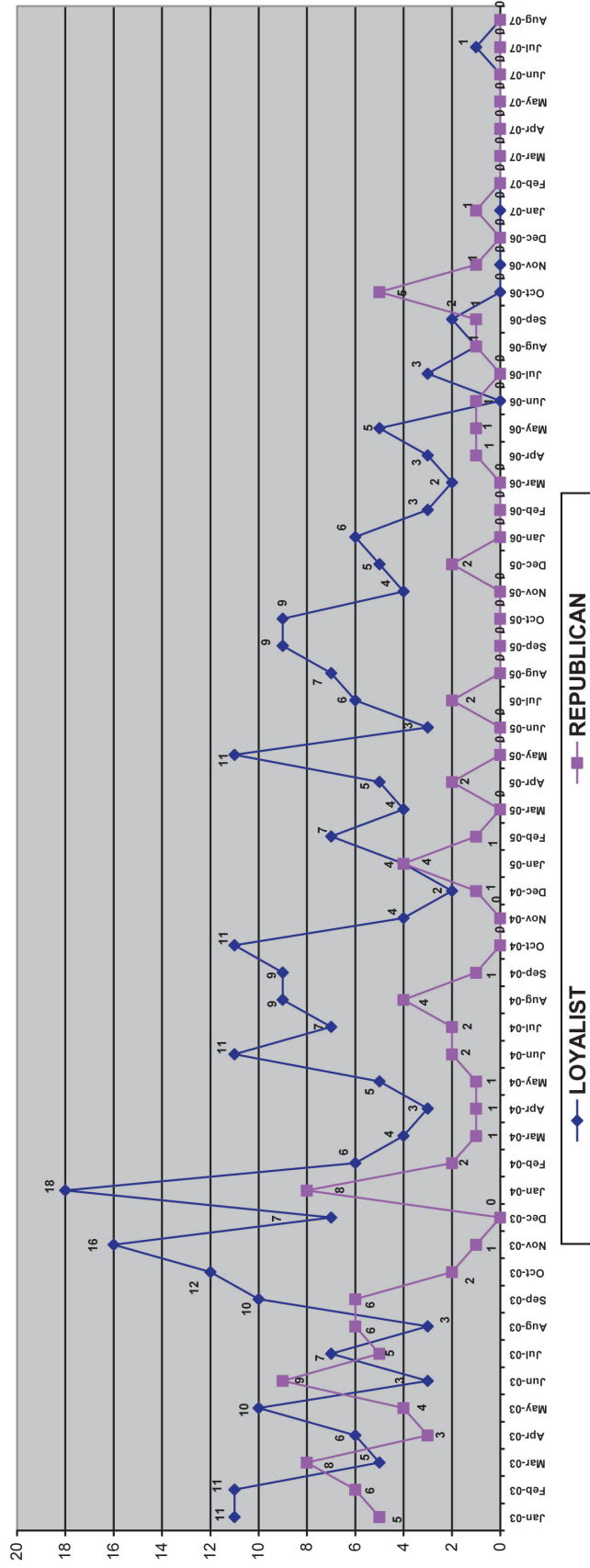
3.6 We have the following comments on the shooting casualties:

- We have carefully considered the attribution of the shooting of a PSNI officer in Carrickfergus on 21 July 2007 to which we refer in paragraph 2.22 above. We have concluded that it should be categorised as a paramilitary shooting and attributed to the UDA. The confrontation between factions of the UDA that day arose because leaders of the organisation had mustered considerable numbers of their members. The leaders knew that there were tensions and must have been aware that they might erupt into violence. They could not have been confident that nobody would carry a weapon. We do not believe that UDA leaders actually planned the use of firearms or explicitly sanctioned this shooting, but just as they must clearly take responsibility for the incident as a whole so they must take responsibility for this shooting which resulted directly from it;
- The limitation on official statistics to which we refer in paragraph 3.2 above arises in this reporting period. We believe that RIRA was responsible for a shooting in April 2007 which because it was unreported is not included in the figures above or in the following graphs;
- The casualties in the six months under review are by far the lowest since we started our analysis in March 2003. This follows the previous six months when the total had been the lowest to date by a considerable margin;

3.7 The number of assault casualties has continued to fall, though less sharply than between the two preceding six month periods. Loyalists still inflicted the great majority – 87%. There was 1 fewer loyalist victim than in the preceding 6 months, and 3 fewer republican ones. PIRA was not responsible for either of the 2 republican casualties.

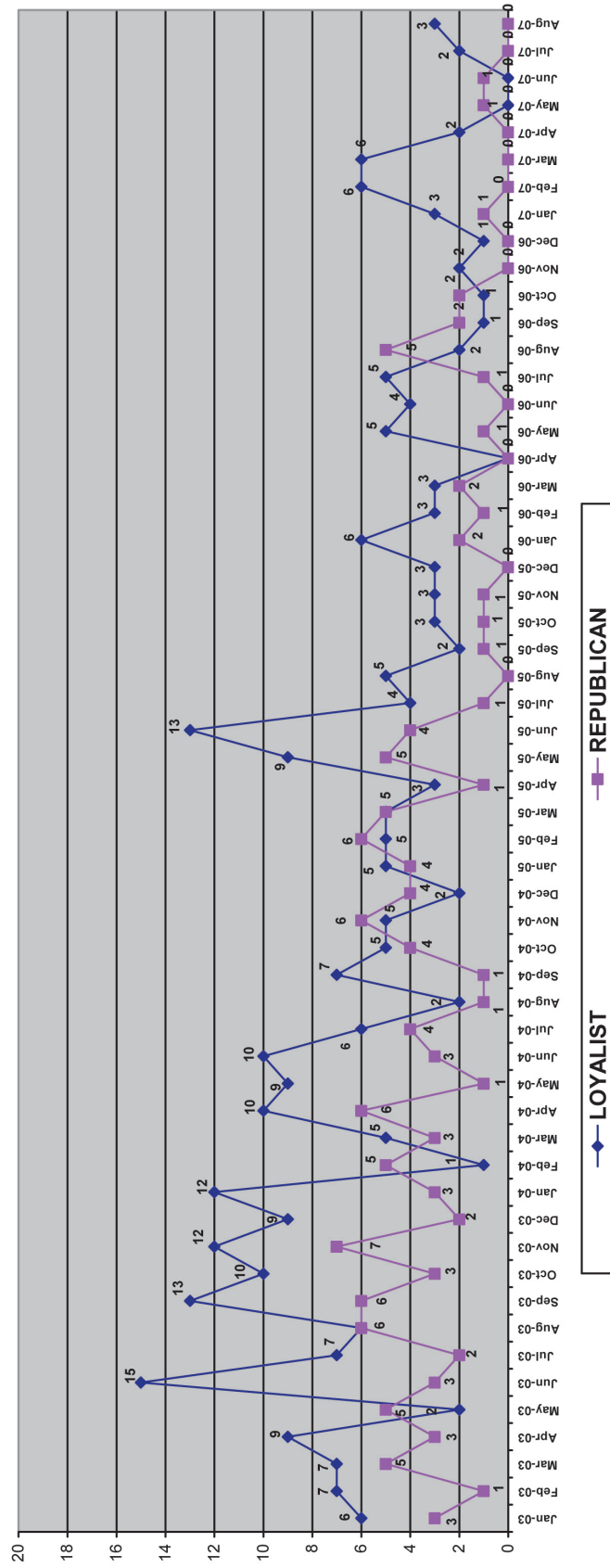
3.8 The following graphs include the monthly figures we have previously published, extended by 6 months to 31 August 2007.

PARAMILITARY-STYLE SHOOTINGS: NUMBER OF REPORTED CASUALTIES BETWEEN
JANUARY 2003 TO AUGUST 2007



TOTALS OVER THE PERIOD: LOYALIST SHOOTING CASUALTIES - 290 REPUBLICAN SHOOTING CASUALTIES - 101

PARAMILITARY-STYLE ASSAULTS : NUMBER OF REPORTED CASUALTIES BETWEEN
JANUARY 2003 TO AUGUST 2007



TOTALS OVER THE PERIOD: LOYALIST PARAMILITARY ASSAULTS – 292 REPUBLICAN PARAMILITARY ASSAULTS - 135

Geographical Variations in Paramilitary Violence

3.9 In our reports twelve and twenty four months ago we commented on the very considerable variation in the geographical distribution of the incidents of paramilitary violence and included maps which illustrated it¹⁶. We think that it would be helpful to continue this analysis by looking at the position over the 12 months 1 September 2006 to 31 August 2007.

3.10 The maps of Northern Ireland as a whole are produced on the same basis as those in our previous reports and so are directly comparable. The first 3 show:

- The distribution of casualties arising from shootings and assaults combined *by all paramilitary groups*;
- The distribution of casualties arising from *loyalist* shootings and assaults combined;
- The distribution of casualties arising from *republican* shootings and assaults combined.

3.11 The fourth map shows the total number of casualties from shootings and assaults by *both loyalist and republican paramilitary groups* in Belfast.

3.12 The numbers in these maps relate to the local government districts. Annex III gives a key to these districts and contains a technical note.

3.13 In broad terms these maps show that:

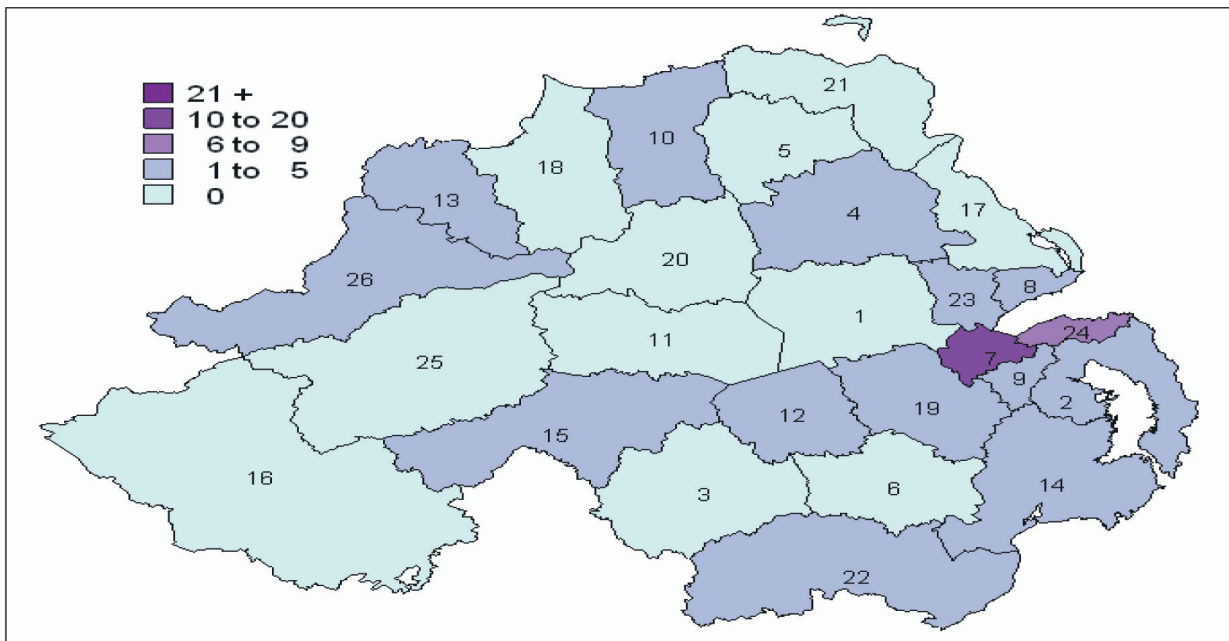
- Most parts of Northern Ireland experienced no or very few casualties from paramilitary attacks. The number of local council districts with

¹⁶ IMC Seventh Report, October 2005 paragraphs 4.7-4.11; and IMC Twelfth Report, October 2006, paragraphs 3.14-3.18.

none increased from 10 to 11, as did the number falling into the 1 to 5 rather than a higher band;

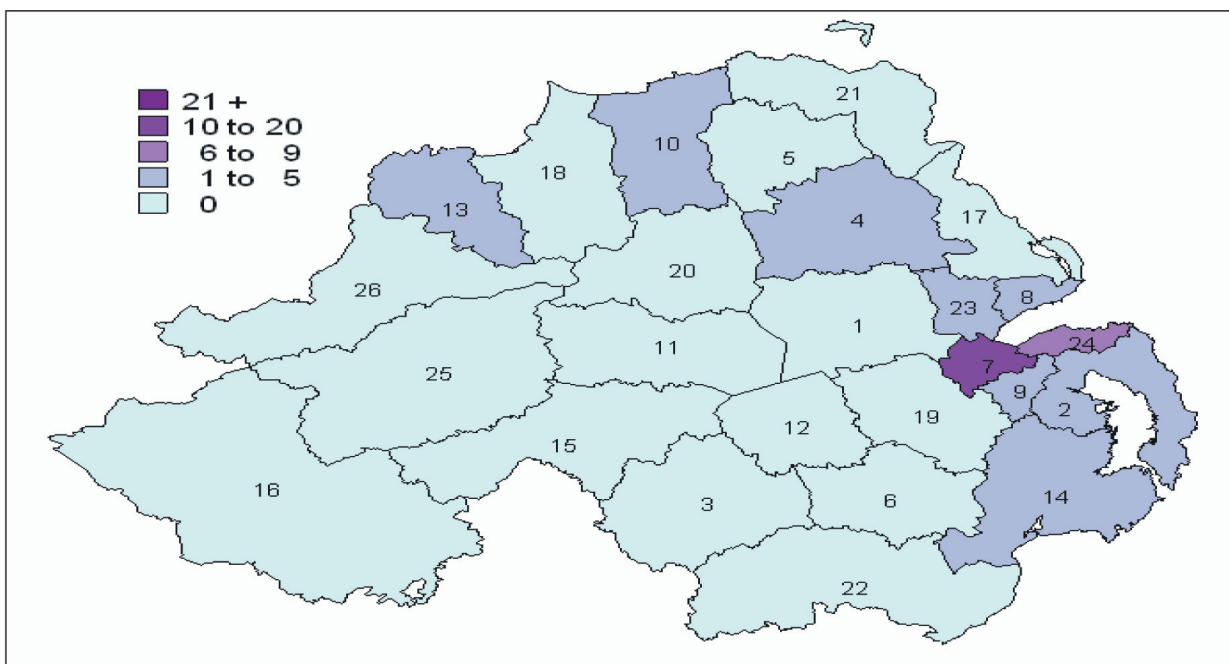
- The 2 council areas with more than 5 casualties were Belfast (10 to 20) and North Down (6 to 9);
- The casualties from loyalist attacks (of which there were double the number in total as there were from republican attacks) were concentrated in Belfast and North Down. Ards and Newtownabbey Council areas saw the main reductions in such attacks. The total is about one third what it was in the same period in 2005-2006;
- The geographical pattern of casualties from republican attacks is broadly what it was in the same period in 2005-2006, (Belfast and due west of the city into County Tyrone, the North West and South Armagh) though the total is some two-thirds what it was in the previous 12 months;
- Within Belfast the pattern has again narrowed compared with the previous 12 months. One ward (Clonard) experienced 5 or more casualties – one different ward had the same number before – but no wards fell in the 3 to 4 band, as compared with five which did so before.

Casualties as a result of paramilitary attacks in Northern Ireland by Local Government District: September 2006-August 2007[†]



Total number of attacks in Northern Ireland = 45

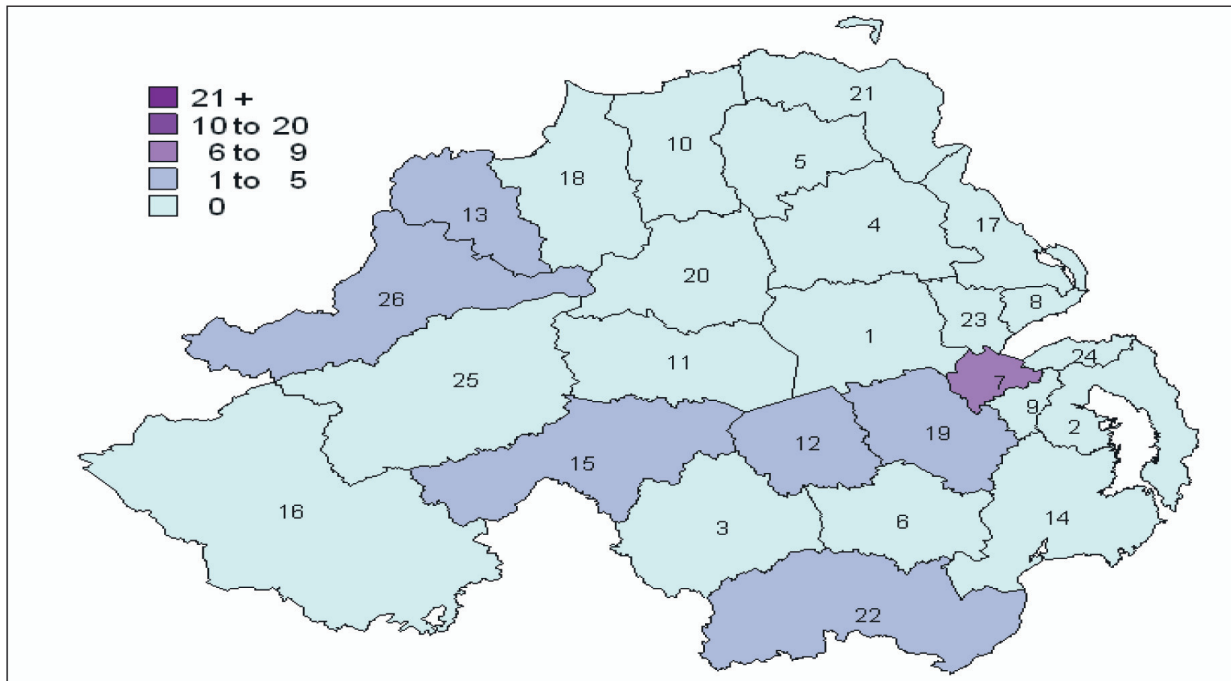
Casualties as a result of paramilitary attacks in Northern Ireland where attribution is perceived as Loyalist: September 2006-August 2007[†]



Total number of Loyalist attacks = 30

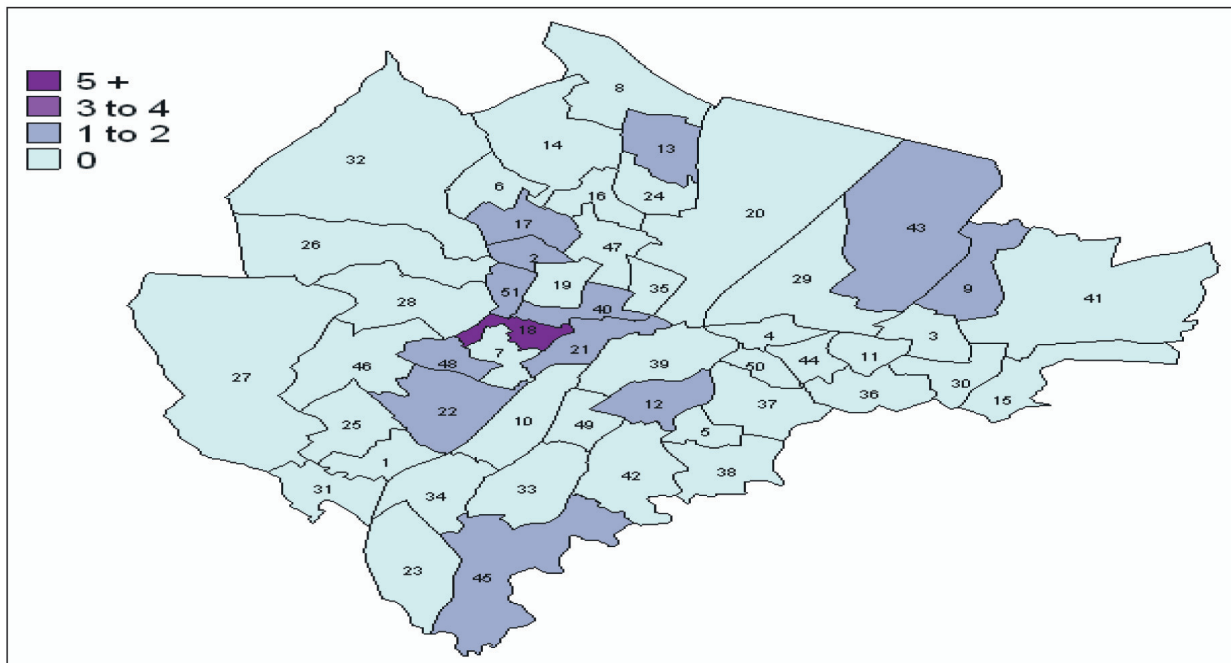
[†] The numbers on the maps refer to local government districts (see the key in Annex III) – and not to acts of violence

Casualties as a result of paramilitary attacks in Northern Ireland where attribution is perceived as Republican: September 2006-August 2007†



Total number of Republican attacks = 15

Casualties as a result of paramilitary attacks in the Belfast Local Government District by Ward: September 2006-August 2007†



Total number of attacks in Belfast = 19

† The numbers on the maps refer to local government districts or wards (see the key in Annex III) – and not to acts of violence

Conclusions

3.14 We repeat the cautionary note we sounded in our previous report of this kind¹⁷. The small number of paramilitary attacks compared with most of the period on which we have reported means that small movements in the figures result in considerable percentage changes. We still believe that it is useful to draw out conclusions as we do below, particularly because they illustrate the trends and enable readers to make comparisons with our earlier reports. But the percentages must be interpreted with care.

3.15 Our conclusions for the six months 1 March to 31 August 2007 are:

- **There were 3 paramilitary murders, all by dissident republicans. This is the largest number in a six month period for two years.**
- **The total number of casualties from both shootings and assaults for all groups has again fallen, from 29 to 16 – 45%. Compared with the same six month period in 2006 it has fallen from 46 to 16 – 65%. The combined figure is by a considerable margin the lowest we have ever recorded, as it was when we reported both six and twelve months ago;**
- **The combined figure of shooting and assault casualties of loyalist attacks – 14 – was 2 less than in the preceding six month period, which had been the lowest for any such period on which we had reported; this is a decrease of 13%. This time it resulted entirely from 1 shooting and 13 assaults, as compared with 2 from shootings and 14 from assaults in the preceding 6 month period. It compares with 33 in the same period in 2006 (made up of 14 shooting casualties and 19 assault casualties) – a reduction of 58%;**

¹⁷ IMC Fifteenth Report, April 2007, paragraph 3.9.

- The combined total of shooting and assault casualties of republican attacks was 2, both of assault. It is by far the lowest such figure we have reported and it compares with 13 in the preceding six month period (8 from shootings and 5 from assaults) – a reduction of 85%. In the same period in 2006 the total was also 13, though it was differently made up (4 from shootings and 9 from assaults);
- Averaged out for all paramilitary groups, there was 1 victim about every 11 days;
- Loyalists caused 87% of the assault casualties;
- PIRA was not responsible for either of the 2 republican casualties;
- The changes may be summarised as follows:

Loyalist Groups

- Shooting casualties were down by 50% from 2 to 1 compared with the preceding 6 month period, and down by 93% from 14 to 1 compared with the same period in 2006;
- Assault casualties were down by 7% from 14 to 13 compared with the preceding 6 month period, and down by 32% from 19 to 13 compared with the same period in 2006;

Republican Groups

- Shooting casualties were down from 8 to 0 compared with the preceding 6 month period, and down from 4 to 0 compared with the same period in 2006;

- Assault casualties were down by 60% from 5 to 2 compared with the preceding 6 month period, and down by 78% from 9 to 2 compared with the same period in 2006;

Geographical Variations

- There was a further reduction in the number of areas in which there were no casualties from paramilitary attacks.

4. LEADERSHIP

- 4.1 Article 4 of the International Agreement requires us to assess whether the leadership of paramilitary groups is directing illegal activities or seeking to prevent them.
- 4.2 In our Fifth Report, in the Spring of 2005, we set out standards which we believed should be observed by people in positions of leadership in political parties and groups associated with paramilitary groups¹⁸. We have applied those standards to all our subsequent assessments, and we do the same in this report. The standards said that those in leadership should articulate their opposition to all forms of illegality, should exert their influence against members of paramilitary groups who had not given up crime, and should give clear support to the criminal justice system. We set them out in full in Annex IV.
- 4.3 These standards are relevant to Sinn Féin in respect of PIRA, the Progressive Unionist Party (PUP) in respect of the UVF, and the Ulster Political Research Group (UPRG) in respect of the UDA.

Sinn Féin and PIRA

- 4.4 In line with what we said in paragraph 2.2 above, we think it is necessary to refer only briefly to Sinn Féin. We expressed the firm view in our previous report that the leadership of Sinn Féin and of the provisional republican movement generally was wholly committed to the political strategy and that we did not see any threat to the continuing implementation of the strategy. The demonstration of its commitment to democratic politics which Sinn Féin gave in May 2007 by entering the Northern Ireland Executive in association with parties of other persuasions reinforces us in this earlier view, as does increasing Sinn Féin engagement with the institutions of policing and criminal justice.

¹⁸ IMC Fifth Report, May 2005, paragraphs 1.15–1.17 and 8.9-8.10.

Next Steps for the UDA and the UVF

- 4.5 Before turning to the loyalists we raise some general issues which touch both the UDA and UVF. This is despite the fact that during the six months under review the UDA, because of its internal tensions, has in some respects gone backwards, whereas the UVF has moved significantly in the right direction.
- 4.6 The political situation in Northern Ireland has been transformed. The devolved Executive and Assembly are functioning and it is the declared objective of the two Governments to devolve policing and justice in May 2008. The largest of the paramilitary groups - PIRA - is firmly set on a political path. What has not changed is that no paramilitary group can claim any political justification for involvement in criminal activity.
- 4.7 The decommissioning of arms remains an issue for both the UDA and the UVF. To have arms is to act illegally, however inaccessible the arms may be. Decommissioning is a test by which any paramilitary organisation must ultimately expect to be judged. In our view it is hard to lay an entirely convincing claim to be irrevocably set on a peaceful path, or expect dispassionate observers to take a wholly benign view of their declared intentions, until it is at least clear that they plan to decommission and are taking active steps to that end with some prospect of success. In our earlier reporting on PIRA we did not consider it had embarked on a political path until after it had decommissioned arms in September 2005, and we maintained a close eye after that in case there were any indications that its declarations had not been matched by its deeds. We take no different approach to the UVF or UDA.
- 4.8 Given the fundamental importance of decommissioning and the changed situation in Northern Ireland it seems to us that there is an increasingly sharp question: are these paramilitary organisations still entitled to the continued comfort that if they were at some stage to offer their arms for decommissioning they could do so free of the fear of prosecution or in the

knowledge that the weapons would not be subject to forensic testing?¹⁹ There are two main factors to be weighed in answering this question. One is the extent to which the situation in Northern Ireland may be considered to be normal. The other is the extent to which an organisation such as the UDA has assumed the characteristics of an association of criminals rather than a terrorist group and its activities have become mainly criminal in nature.

The PUP and the UVF

- 4.9 In our previous report we expressed the confident view that the PUP was committed to the democratic process and to helping guide the UVF away from crime and towards activities which would benefit local communities. At that time however we expressed reservations about the UVF's capacity to make further significant steps forward despite such useful moves as the issuing of a code of conduct to its members and its readiness to tackle the issue of hate crime, and we were concerned about the lack of pace. We concluded that unless the leadership could deliver more significant results in the very near future we would be forced to the view that it was unwilling or unable to bring about real change.
- 4.10 Since then the UVF has taken the significant steps forward to which we refer in paragraphs 2.26 – 2.29 above. We call the UVF statement of 3 May 2007 "a major turning point". The leadership has a strategy which it is pursuing. It is being implemented, although not surprisingly there is some resistance to it. We do not doubt that the stance of the PUP has played its part in bringing the UVF to this position. The main outstanding question is when and how vigorously the UVF will be able to tackle the decommissioning of arms.

¹⁹ These are the key protections offered by the UK and Irish decommissioning legislation, respectively the Northern Ireland Arms Decommissioning Act 1997 and the Decommissioning Act 1997.

The UPRG and the UDA

- 4.11 In our previous report we said that we did not doubt the good intentions of senior figures in both the UPRG and the UDA. We welcomed the Conflict Transformation Initiative (CTI), whose leaders, we thought, had shown courage and determination. We also spoke favourably of the Beyond Conflict project being developed by the South East Antrim UDA. But we went on to say that it was essential to move much further, and to do so urgently.
- 4.12 In paragraphs 2.21 – 2.25 above we paint a mixed picture of the UDA over the six months under review. The eruption of internal tensions – above all between the so-called mainstream and the South East Antrim faction - has in many respects taken the organisation backwards. There has been some violence and some members are still deeply involved in crime. We know that senior figures remain determined to change the UDA's direction and to promote the development of their communities. There has been some very recent progress by way of contacts between the Independent International Commission on Decommissioning but there is no sign that the decommissioning of weapons is an early prospect. So far however the pace of change has been far too slow and the leadership has not demonstrated its ability to deliver action which is anything like sufficient. It is to be hoped that there will be further developments.

5. OTHER SIGNIFICANT ISSUES

The Consequences of Paramilitary Activity

5.1 With the exception of dissident republicans most of our reporting over the past two years has been of progress, sometimes modest and insufficient, sometimes transformational. The objective for which we were set up is progressively being achieved. But this does not mean that the effects and the legacy of paramilitarism have ended, or that it would immediately end even if the organisations entirely ceased to exist. Paramilitaries have had an immense impact, including over the time when they have not been engaged in terrorist activity as such. Much of the impact has been in the communities from which they have secured their support. Individuals and families have been traumatised, with the effects in some cases being so serious that they have passed to the next generation; the term “broken people” has been used in some cases, we think justifiably. There has also been enormous damage to the structure and functioning of many communities. We are aware of a considerable level of trauma and disturbance: the long-running series of incidents in West Belfast with damage to people and property; the physical damage by young people to themselves as well as within their community; and the problem of ensuring that local communities deal with local problems in a way which is both human rights-compliant as well as effective. We are monitoring these issues with some concern.

Terrorism, Organised Crime and the Law

5.2 We have referred in previous reports to the distinction between terrorism and other forms of crime so far as paramilitary organisations are concerned. With the prospect of the devolution of justice and policing it becomes apt to consider the nature of the legislation which would be most effective against them. How far should it be founded in counter-terrorism law, reflecting the roots of these organisations? How far should it be based on the general criminal law, including the provisions dealing with organised crime,

reflecting the fact that some are now largely associations for criminal purposes? We would welcome views on this.

ANNEX I

INTERNATIONAL AGREEMENT BETWEEN THE GOVERNMENT OF THE UK AND THE GOVERNMENT OF IRELAND – ARTICLES 4 AND 7

Article 4

In relation to the remaining threat from paramilitary groups, the Commission shall:

- (a) monitor any continuing activity by paramilitary groups including:
 - (i) attacks on the security forces, murders, sectarian attacks, involvement in riots, and other criminal offences;
 - (ii) training, targeting, intelligence gathering, acquisition or development of arms or weapons and other preparations for terrorist campaigns;
 - (iii) punishment beatings and attacks and exiling;
- (b) assess:
 - (i) whether the leaderships of such organisations are directing such incidents or seeking to prevent them; and
 - (ii) trends in security incidents.
- (c) report its findings in respect of paragraphs (a) and (b) of this Article to the two Governments at six-monthly intervals; and, at the joint request of the two Governments, or if the Commission sees fit to do so, produce further reports on paramilitary activity on an ad hoc basis.

Article 7

When reporting under Articles 4 and 6 of this Agreement, the Commission, or in the case of Article 6(2), the relevant members thereof shall recommend any remedial action considered necessary. The Commission may also recommend what measures, if any, it considers might appropriately be taken by the Northern Ireland Assembly, such measures being limited to those which the Northern Ireland Assembly has power to take under relevant United Kingdom law.

ANNEX II

THE IMC'S GUIDING PRINCIPLES

These guiding principles were set out in the statement the IMC issued on 9 March 2004.

- The rule of law is fundamental in a democratic society.
- We understand that there are some strongly held views about certain aspects of the legal framework, for example the special provisions applying to terrorism, and that those holding these views will continue to seek changes. But obedience to the law is incumbent on every citizen.
- The law can be legitimately enforced only by duly appointed and accountable law enforcement officers or institutions. Any other forcible imposition of standards is unlawful and undemocratic.
- Violence and the threat of violence can have no part in democratic politics. A society in which they play some role in political or governmental affairs cannot – in the words of Article 3 – be considered either peaceful or stable.
- Political parties in a democratic and peaceful society, and all those working in them, must not in any way benefit from, or be associated with, illegal activity of any kind, whether involving violence or the threat of it, or crime of any kind, or the proceeds of crime. It is incumbent on all those engaged in democratic politics to ensure that their activities are untainted in any of these ways.
- It is not acceptable for any political party, and in particular for the leadership, to express commitment to democratic politics and the rule of law if they do not live up to those statements and do all in their

power to ensure that those they are in a position to influence do the same.

ANNEX III

MAPS SHOWING THE GEOGRAPHICAL DISTRIBUTION OF PARAMILITARY VIOLENCE IN SECTION 3: TECHNICAL NOTE AND KEY TO LOCAL GOVERNMENT DISTRICTS

The maps following paragraph 3.13 showing the geographical distribution of paramilitary violence over the 12 months from 1 September 2006 to 31 August 2007, are based on District Council areas for Northern Ireland as a whole and on wards for Belfast. The maps below give a key by which individual areas can be identified.

Technical Note

Maps of this kind can be produced only if a valid postcode is associated with the incident. All of the 45 paramilitary attacks (which include both shootings and assaults) during the period 1 September 2006 to 31 August 2007, had a valid postcode (as verified against the 2005 Central Postcode Directory), for the location of the attack and are therefore included in this analysis. The maps use 1993 Local Government District and Ward boundaries. The keys are in Tables 1 and 2 below.

The attribution of a paramilitary-style attack to either a Loyalist or Republican category is based on information available to investigating officers at the time of the attack.

Figures for the current year are provisional and may be subject to minor amendment.

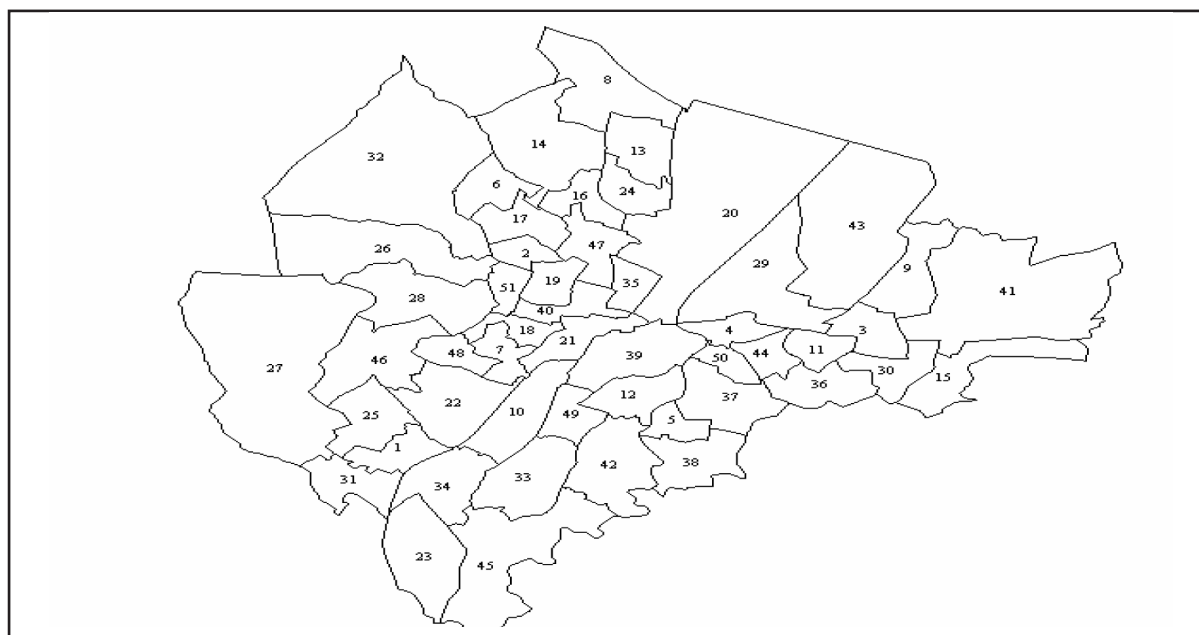
Table 2, below the map of Belfast local government wards, identifies the community background split within the ward as defined by a person's current religious group, if any, or the religious group in which they were brought up for people who do not regard themselves as belonging to any religion. The proportions are based on data from the 2001 Census, which took place on 29 April 2001 and have been rounded to the nearest whole number. The category 'Protestant' includes those respondents who gave their religion as Protestant or other Christian/Christian related. The category 'Catholic' includes those who gave their religion as Catholic or Roman Catholic.

Outline of Northern Ireland by Local Government District



Local Government District	Map reference number	Local Government District	Map reference number
Antrim	1	Down	14
Ards	2	Dungannon	15
Armagh	3	Fermanagh	16
Ballymena	4	Larne	17
Ballymoney	5	Limavady	18
Banbridge	6	Lisburn	19
Belfast	7	Magherafelt	20
Carrickfergus	8	Moyle	21
Castlereagh	9	Newry and Mourne	22
Coleraine	10	Newtownabbey	23
Cookstown	11	North Down	24
Craigavon	12	Omagh	25
Derry	13	Strabane	26

Outline of Belfast Local Government District by Ward



Ward	Map reference number	Protestant / Catholic Population (%)	Ward	Map reference number	Protestant / Catholic Population (%)
Andersonstown	1	1 / 99	Glencolin	27	1 / 98
Ardoyne	2	3 / 96	Highfield	28	94 / 4
Ballyhackamore	3	80 / 12	Island	29	90 / 5
Ballymacarrett	4	47 / 51	Knock	30	90 / 5
Ballynafeigh	5	33 / 59	Ladybrook	31	12 / 87
Ballysillan	6	91 / 4	Legoniel	32	59 / 38
Beechmount	7	4 / 92	Malone	33	38 / 56
Bellevue	8	35 / 61	Musgrave	34	37 / 60
Belmont	9	90 / 4	New Lodge	35	2 / 97
Blackstaff	10	91 / 4	Orangefield	36	91 / 3
Bloomfield	11	88 / 5	Ravenhill	37	67 / 26
Botanic	12	23 / 67	Rosetta	38	37 / 58
Castleview	13	64 / 31	Shaftesbury	39	58 / 37
Cavehill	14	45 / 51	Shankill	40	94 / 3
Cherryvalley	15	85 / 9	Stormont	41	85 / 9
Chichester Park	16	20 / 75	Stranmillis	42	44 / 48
Cliftonville	17	29 / 68	Sydenham	43	90 / 4
Clonard	18	3 / 96	The Mount	44	90 / 4
Crumlin	19	94 / 4	Upp. Malone	45	69 / 25
Duncairn	20	90 / 6	Upp. Springfield	46	3 / 97
Falls	21	3 / 97	Waterworks	47	7 / 91
Falls Park	22	2 / 98	Whiterock	48	1 / 99
Finaghy	23	50 / 45	Windsor	49	47 / 43
Fortwilliam	24	64 / 33	Woodstock	50	87 / 6
Glen Road	25	2 / 97	Woodvale	51	95 / 3
Glencairn	26	85 / 12			

ANNEX IV

THE IMC'S CRITERIA FOR ASSESSING THE PROGRESS MADE BY PARAMILITARY ORGANISATIONS AND BY ASSOCIATED POLITICAL PARTIES AND OTHER GROUPS; REPRODUCED FROM THE IMC'S FIFTH REPORT, MAY 2005

In our Fifth Report in May 2005 we set out criteria by which we would assess the progress being made by paramilitary organisations and, separately, by associated political parties and other groups. We reproduce those criteria in full below.

Paramilitary Organisations

This aspiration raises two particular questions for us. First are the indications which would encourage us to assess that a paramilitary group really was making material progress towards giving up all illegal activity. Second are the areas we would look at in assessing whether it had actually done so.

In addressing the first question on making material progress towards giving up all illegal activity encouraging indications would include whether a group had taken the strategic decision to give up illegal activity; had given a clear lead to its members that they must do so; and had declared that as a group it had stopped such activity. Other indications might include: whether the group was taking steps to end its capability to undertake criminal acts; whether it was co-operating with the police; and whether it was lifting threats against people, including those it had exiled.

As far as the second question is concerned, namely assessing whether a group had actually stopped illegal activity, we would continue to monitor and report on whether or not it still:

- **used violence in any form;**
- **committed other crimes;**

- **recruited or trained members;**
- **gathered intelligence, targeted people or procured material;**
- **exiled or intimidated people.**

Associated Political Parties and Other Groups

We think it might be helpful if we indicated in this report the sort of thing we believe political parties generally need to do in order to demonstrate that they are giving the right leadership, whether they are parties which are associated with paramilitaries or over whom they may have influence, or not. We also think that it is right to set out a challenge to any political parties which may find themselves in positions of influence over paramilitaries.

Given the normal standards expected of political parties in a democratic society, what should Northern Ireland political parties achieve? They should:

- **Make their commitment to the ending of all forms of paramilitary crime credible and vocal.**
- **By any lawful means exert the maximum possible influence to the same end over paramilitary groups and over individual members.**
- **Credibly and vocally challenge those members of paramilitary groups who may be reluctant to give up crime, and give full support to those who are ready to do so.**
- **Give credible, vocal and practical support to all parts of the criminal justice system, including policing, and similarly accept the definition of crime that the law lays down.**

- **Play a full and constructive role in the participative organs of the criminal justice system such as the Policing Board and the District Policing Partnerships.**

- **Within the framework of support for the rule of law, engage in open and constructive debate with the two Governments and with the various commissions and other bodies in Northern Ireland concerned with the criminal justice system over the ending of all forms of paramilitary crime and the establishment of firm community support for the criminal justice system.**



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