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Meeting of the Anglo-Irish Intergovernmental Conference

London, 18 July 1997

Item 2 (a) Review of Parades

Speaking Points

Key Points:

We have been given a breathing space by the Orange Order and it is incumbent on us to use it to move toward resolving the issue of contentious parades.

Nationalist confidence in the RUC's ability to enforce parade decisions contrary to the wishes of the loyal orders has been severely shaken yet again.

The parades legislation will be a critical factor in determining the credibility of the Parades Commission as the way forward on the parades issue.

Overview

- We have already discussed the implications of the events on the Garvaghy Road on a number of occasions. However, I think it is important in the context of this Conference to review broadly what we can learn from recent events and how we might proceed.
- The Irish Government has spoken publicly of its sense of relief at the decision taken by the Orange Order to pull back from contentious areas. The response to the greater need of society for a peaceful Twelfth, the display of leadership and the discipline of the Lodges were particularly encouraging.
- However, recent events have also been very sobering. They have revealed once again the depth of community divisions and reminded us of the potential of the

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parades issue to ignite widespread confrontation and disturbance.

- Nationalist opinion was mobilised by the fate of the Garvaghy residents at the hands of both the security forces and the Portadown District of the Orange Order.
- Dialogue or accommodation was more noted by its absence than presence.
- It is very hard to justify a decision which deprived a local community of access to their Church on Sunday so that another community could enjoy the privilege of going home from their Church by a provocative route, instead of the uncontroversial route they went up.
- Nationalist spokesmen such as Séamus Mallon have drawn attention to the manifest dangers of policing decisions being taken by reference to the balance of threat, rather than on the basis of fairness and principle.
- In the run-up to the Twelfth, there was also great uncertainty about the will of the RUC to withstand the Orange Order should it insist on the right to march.
- Derry was clearly mobilised to frustrate the Orange Parade in the city if the Lower Ormeau was under curfew or siege. Inevitably, bushfires would have erupted at flashpoints throughout Northern Ireland.
- The decision of the Orange Order steered Northern Ireland from the brink at which it found itself.
- Yet while we share in the general relief and accept that a breathing space has been created, the underlying issues remain unanswered. We may each have our own views as to what those issues are. However, let me say that I believe that these

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can be distilled to two essential issues.

Essential Issues

- The **first** key issue revolves around nationalist perceptions of the RUC in the wake of the decision to force the Orange Parade down the Garvaghy Road.
- This annual ritual at Drumcree which casts the police in the role of defenders of the Orange Order at the expense of equally- or even more - important rights of other people has done untold damage.
- It has convinced many that the RUC is an instrument which can be pointed in the direction of disorder from nationalist sources, but that their capacity to deal with Orange threats is limited.
- What is the estimated Orange membership of the RUC?
- What measures are envisaged to redress the damage done to the credibility of the RUC by Drumcree 1, 2 & 3?
- The **second** key issue concerns the need to develop a proper, fair and well considered code of practice for resolving contentious parades.
- This should protect the right to march, but also build in obvious factors such as rights of residents, economic and social disruption, cost to taxpayers, obligation to give notice and engage in dialogue etc.
- The importance of dialogue cannot be lost sight of either in public statements or in the formulation of the parades legislation and the code of conduct.

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- Equally, we are very alive to the need for residents groups to understand the legitimate fears and aspirations of the loyal orders. The ghettoisation of cultures is neither worthy nor desirable.
- We will want to develop our thoughts on this in more detail.

Parades Commission and Legislation

- It will be important to ensure that the legislation encourages confidence in the power, authority, independence and credibility of the Parades Commission.
- At what stage is the parades legislation?
- There are a number of critical questions about this legislation about which we would appreciate an early indication and some discussion.
- Our officials might get together at an early date to discuss your ideas on the parades legislation.

Apprentice Boys Parades, August

- We face further potential difficulties during the Apprentice Boys parade in Derry on 9 August and the associated feeder parades, particularly that by the Belfast Walkers Club on the Ormeau Road.
- Hopefully, the space created by the Orange Order will positively influence all those involved to make further gestures toward a peaceful outcome.
- We are fortunate to have the good offices of John Hume to help progress matters

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in Derry.

- Particular attention will need to be paid to the Lower Ormeau Road.
- Dunloy may be vulnerable to a repeat of the events of last August when returning Apprentice Boys converged on the village. Prompt RUC intervention successfully avoided a potentially nasty situation.
- We will obviously need to stay in touch over the period ahead.

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Meeting of the Anglo-Irish Intergovernmental Conference

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2(a) Review of Parades

Background Note

General

1. The circumstances in which the Portadown Orange Parade was forced down the Garvaghy Road on 6 July threatened to generate serious upheaval and conflict between the nationalist community and the Orange Order up to and including the Twelfth. Both nationalists and unionists appeared to be mobilised and ready to engage in serious confrontations in Belfast (Lower Ormeau), Derry (the rendezvous for the County Orange Parades) and a range of towns and villages such as Bellaghy, Dunloy, Newry, Newtownbutler, Armagh, Castlewellan, Ballycastle and Pomeroy. In the event, the situation was defused by the decision of the Orange Leadership and local lodges - advised and supported by Lord Molyneux, RUC Chief Constable Ronnie Flanagan and the loyalist paramilitary political leadership - to cancel or reroute marches from contentious areas.
2. This decision was greeted with widespread relief and commendation. Though it clearly caused some strain within the Order, the move encouraged other lodges not to generate local standoffs and disturbances in other areas. Resident groups were less than fulsome in their praise but ultimately relieved at avoiding the tensions and violence if the parades had proceeded.

Garvaghy Road

3. In the early hours of 6 July, hundreds of RUC officers in riot gear, backed up by British soldiers, moved in to clear residents from the Garvaghy Road. Considerable force was used. Streets were sealed off in the operation with approximately 75 British Army Saxon vehicles and numerous RUC armoured vehicles blocking street entries. The Garvaghy community was effectively cut off into isolated groups of houses. Movement between these areas was virtually impossible. A long cordon of landrovers was posted along the parade route. At least 14 civilian injuries were reported including as a result of plastic

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bullets. (It is believed that a number of injured did not travel to hospital for fear of arrest or reprisals). During this curfew, residents were denied access to their Church for Sunday Mass. An open air service was conducted against a phalanx of British Army personnel carriers.

4. The parade involving approximately 1,200 members of Portadown Orange Lodge later proceeded along the Garvaghy Road. In line with conditions 'imposed' on the parade, there was no music played. A single drum beat was played and one Union flag and two Orange standards were carried. While UUP leader David Trimble attended the service, he did not accompany the parade on its return leg. This was described as another concession.
5. In the aftermath of the parade, protesting nationalist youths on the Garvaghy Road threw missiles at the departing security forces. Residents leaders, including Breandán MacCionnaith, made genuine attempts to quell these disturbances. The security forces replied with plastic bullets - 80 were counted by CAJ observers. The CAJ believe that the use of plastic bullets was unnecessary. 27 civilians and 14 RUC officers were injured during disturbances. Rioting ensued throughout nationalist areas of Northern Ireland for the subsequent three days during which 2,500 plastic bullets were fired. The most concentrated trouble occurred in Derry with rioting by younger elements and in North and West Belfast. This rioting was not as ferocious as it had been last year and it was evident that it was being modulated by republicans.

Loyalist Volunteer Force

6. The Loyalist Volunteer Force had threatened to attack civilians in the South if the Drumcree march did not proceed along the Garvaghy Road. The paramilitary organisation, according to media reports, staged a show of force near Portadown on 11 July. While the LVF made claims about launching a major bomb and gun campaign in the South, these were dismissed as empty boasts. Security sources suggest that the organisation is tiny and is not expert at bomb production. Figures of 500 members quoted in the media appear very inflated, though it is undoubtedly true that loyalist

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paramilitaries enjoy considerable support in the Portadown area..

Nationalist Reaction

7. In a statement on 6 July, the Government expressed its deep disappointment at the decision in relation to the routing of the parade. It further stated that the ongoing difficulties underlined the urgency of working out agreed ground rules and a code of practice to ensure that conflicting rights are reconciled through dialogue and reasonable compromise.
8. The Minister for Foreign Affairs met with the Secretary of State on 8 July following the plenary meeting of the talks. The Minister again conveyed the Government's dismay at events. The Secretary of State stated, in response, that the Chief Constable had sought an accommodation up until Sunday morning. She indicated that the leaked NIO document (which indicated that a consensus had been reached between the Secretary of State, the Chief Constable, the Parades Commission chairman and senior officials, a fortnight before the march that the "least worst option" was to allow the parade to go ahead) had not predetermined the decision.
9. When they met with the Minister on 9 July, the Garvaghy Road Residents Coalition conveyed their shock and trauma at the degree of violence used against them by the RUC at the weekend. They felt bereft of rights and dignity. They said that they were genuinely frustrated and unsure how to proceed politically or on a peaceful community basis to resolve the issue. The Taoiseach joined the meeting for a time.
10. In a meeting with the Secretary of State on 8 July, the SDLP impressed on Dr. Mowlam the anger in the nationalist community and the complete loss of confidence in the British Government. The SDLP proposed a total moratorium on all parades. On 9 July, the SDLP met with Prime Minister Blair and reiterated that the areas of concern to the party were those which could lead to confrontation. In his public comments, SDLP leader John Hume said that nobody should be allowed to have a tradition of marching provocatively through other peoples' areas and called for a moratorium on all parades. Hume said that

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minds should now be concentrated on “tackling the underlying disease” by reaching a political agreement.

11. Speaking on 14 July, the Secretary of State claimed that the reason the Orange Order and Garvaghy residents had not had dialogue was “because of the nature of the chair of the Garvaghy Road residents and his links with Sinn Féin”. She claimed MacCionnaith had “not been straight” with her. Breandán MacCionnaith later denied he was a member of Sinn Féin. The Irish News in an editorial on 15 July pointed to the breakdown in trust between the residents and the Secretary of State as evidenced by the above exchange.

Republican Paramilitary Reaction

12. The IRA appear to be following a trend established by the murders of Constables Graham and Johnston in Lurgan last month in attacking members of the security forces during periods of tension surrounding Orange parades. At least 10 attacks involving firearms were carried out by republicans on security force members over the period 6 - 12 July though none of these resulted in fatalities. The IRA claimed responsibility for an attack in Coalisland in which a policewoman received facial injuries from a gunshot on 6 July and an attack which injured five members of the security forces in North Belfast on 11 July. The INLA also claimed responsibility for a number of attacks in the immediate aftermath of Drumcree. It is believed that INLA elements were responsible for the shooting which wounded two youths at a Twelfth bonfire in North Belfast. It threatened to attack an Orange Parade should one be forced along the Lower Ormeau on 12 July.

10 July, Orange Order Statements

13. To initial disbelief and subsequent relief, the Orange Order issued a series of statements on 10 July indicating that contentious parades would be cancelled or rerouted on the Lower Ormeau, in the Shambles of Armagh, Derry and Newry. This was being done in the greater interest of Northern Ireland and to avoid the conflict and violence they claimed was the objective of republicans. The Orange leadership and the Lodges involved (Ballynafeigh, County Derry, County Armagh and Newry District) came under considerable pressure from the moderate unionists leaders to make this move. The advice

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of Lord Molyneux, the RUC Chief Constable and the leaders of the loyalist UDP and PUP would have been an instrumental factor in bringing about these decisions.

14. The **Ballynafeigh** District lodge cancelled its planned parade along the Lower Ormeau Road to join with the Belfast County demonstration. It made clear that this did not compromise its right to parade the entire length of the Ormeau Road and that by cancelling it asserted the principle of not accepting an alternative route. Lodge members were clearly unhappy with having to make this decision and did so only under considerable pressure.
15. The County **Derry** lodges, in switching its County rendezvous from Derry to Limavady, said that the decision was taken to avoid giving "succour or support to the enemies of our country" and to prevent confrontation "with the forces of the Crown". The Order reserved the right to return to the original route at a time of its choosing. Given the mobilisation of nationalist opinion within the city and the expectation that a very large body of nationalists would occupy the Diamond from Friday onwards, there was little chance that the Derry Lodges could have prevailed, even with the assistance of the security forces.
16. The **Armagh** Lodge, in cancelling its planned parade through Armagh City, pointed to "Sinn Féin/IRA" inspired violence and stated it had taken the decision "for the greater good of the province and the maintenance of the Union and to avoid serious loss of life". **Newry** District lodge also reserved the right to parade at a later date. In an extensive statement, the lodge placed the blame for the recent rioting on the Newry "Coalition Against Sectarian Marches".

Reaction

17. There was a general welcome from all sides for the Orange Order's decisions. The Minister for Foreign Affairs welcomed the decisions and said that they pulled the situation back from the brink and gave "space for all sides to consider how this whole issue can be handled on a basis of respect for the rights of all, the Orange Order and the

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wider community alike". The Government called for "an equally positive response from nationalists". SDLP leader John Hume M.P. described the decisions as "statesmanlike" and a very positive step forward. Sinn Féin president, Gerry Adams M.P., welcomed the decision and called for talks as a means of securing a settlement for future parades.

18. In a statement on 12 July, President Clinton welcomed the Orange Order's decisions. He said "In choosing not to risk confrontation, the members of the Orange Order have taken a significant step".
19. The Secretary of State described the decisions as "both principled and...required some moral courage". She called on others to show similar flexibility and generosity. The RUC Chief Constable, Ronnie Flanagan, said that the decision was in the best interests of all the people of Northern Ireland. The Chairman of the Parades Commission, Alastair Graham, said the decision was a very significant gesture and "an extremely difficult decision". He expressed his hope that it would lay the foundation for a much more constructive approach to the issue. UDP spokesperson, Gary McMichael said the Orange Order had shown a remarkable degree of strength and courage which needed to be reciprocated. PUP spokesman, David Ervine also welcomed this "marvellous gesture". UUP MP, Jeffrey Donaldson pointed to the "very courageous decisions" made in the "best interests of Northern Ireland". He subsequently said the courage shown by Orangemen had not been matched by nationalist residents. Former UUP leader, Lord Molyneux, also praised the Orange Order's "great courage" and, rather self-effacingly, underplayed his own role. In an editorial on 14 July, the unionist News Letter said that the reward of the decisions for unionism had been great and "the benefits must not be squandered by lack of vision and foresight".
20. However, DUP Councillor Sammy Wilson said unionists would be bewildered at the "Orange surrender". UUP leader, David Trimble, described the decisions as "a one-off". Further evidence of UUP disagreement emerged when William Thompson M.P. said that those who took the decision to compromise were out of touch with the rank and file of Orange institutions. Joel Patton of the Spirit of Drumcree group condemned the move

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as a betrayal and vowed to displace the current Orange leadership, though he urged members discontented with the decisions not to split the ranks of the Orange Order but to oppose the decisions from within. Patton called on Order members to protest at the Ormeau Bridge, Derry and Dunloy at the decisions but these failed to materialise. The Rev. Ian Paisley thundered abuse from Ballycastle, saying that the move was another surrender to insatiable republicans.

Situation in Flashpoint Areas

Lower Ormeau Road

21. At the main Belfast parade in Edenderry, the Deputy County Grand Chaplain praised the Ballynafeigh Orangemen for their decision. Orange Order Grand Master, Robert Saulters, said the Order was a moderating influence, encouraging members and all with influence to live at peace with their neighbours and to strive for high ideals of character and conduct. He said the Order remained "ready and willing to fight for those things which remain crucially important to most of the citizens of Northern Ireland."

Derry

22. The 12 of July passed off relatively peacefully. There were some scuffles in Derry when loyalists hurled abuse at Orange lodge members involved in a small feeder parade, for rerouting the main parade. Loyalists blocked the route leading the RUC to divert marchers across a stretch of the Diamond in the city centre. In reaction 5 nationalists staged a sit down protest and were removed by security forces. In contrast to earlier undertakings, the RUC allowed an Orange parade to cross the Craigavon Bridge. The Bogside Residents Group accused the Orange Order of a breach of faith in bringing bands onto the west side of the river and through the Diamond.
23. Rioting occurred in the city in the evening. Plastic bullets were fired by police and a number of arrests made. Members of the Bogside Residents Group and Sinn Féin had gathered in the Diamond to protest the earlier parade. In a subsequent statement, residents spokesman Donncha MacNiallais said that the residents group presence was in order to monitor the situation. He said the actions of the Orange Order in bringing

marchers and a band into the city centre that morning had directly led to scuffles involving the Order and subsequently to the RUC turning on nationalists. He claimed the residents group's presence had served to reduce tension.

24. When the march returned from the main parade in Limavady there were clashes on the Craigavon Bridge between loyalists and police who prevented most of the parade from returning to the West Bank. Five people were remanded in custody on 14 July charged with riotous assembly in the city on Sunday morning.
25. In a planned security operation on 13 July, the RUC and British Army discovered 500 lbs of home made explosives at two locations in the Creggan Estate in Derry. Fifty families were evacuated during the operation. There do not appear to have been any arrests. Loyalists interpreted the find as proof that the IRA was prepared to bomb an Orange parade in Derry. Sinn Féin spokesman Mitchell McLoughlin, rejected this and said that the material had been intended for use in an earlier operation.

Newry

26. Following the decision of the Newry District Orange Lodge not to proceed with its march on 12 July, members of the Black Preceptory due to march through the town on 14 July voluntarily rerouted the parade. The marchers were returning from an event in Scarva, Co. Down. A spokesman for Newry Coalition against Sectarian Marches welcomed the decision as showing common sense. Residents claimed that a British army helicopter had landed nearby to take photographs of nationalist protesters and the spokesman described this as "designed to intimidate".

Dunloy

27. Orangemen handed in a letter of protest after abandoning its early morning march on the 12th when the RUC advised them that there was a serious risk of public disorder if the march went ahead. Around 200 nationalists had gathered to prevent the march. The evening parade was also abandoned. Former Ireland rugby international and recently elected DUP councillor David Tweed was reported to have cried when he was unable to

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lay a wreath on his father's grave. Had the Dunloy Orange lodge agreed to meet with the Dunloy residents at some future date, they would have won the consent of the village for a march, in line with the agreement proposed last March.

Bellaghy

28. In Bellaghy, Orangemen called off plans to return through the village following the main 12 July parade in Tobermore. The decision was taken on the morning of the 12th. The morning parade passed off without incident, the village having been saturated with British Army and RUC personnel which created a buffer between protesting nationalists and the Orange parade. The leader of the local Lodge, Robert Overend, has indicated a willingness to engage in dialogue to reach agreement.

Newtownbutler

29. Under the aegis of Rev. Roy Magee, acting on behalf of the Parades Commission, a signed agreement was reached between local residents and the Orange lodge which allowed an Orange parade on the Twelfth morning but none in the evening. The agreement also indicated that both sides would engage in further dialogue to reach a lasting resolution of the parades issue there.

North Belfast

30. Sectarian clashes occurred in North Belfast on Saturday and Sunday (12 and 13 July) and continued sporadically for a number of days. The attacks were concentrated between the loyalist White City area and the nationalist Serpentine Road. Police moved in to separate the factions as stones and petrol bombs were thrown. Plastic bullets were fired to disperse rioters. Two police officers and a soldier were injured in the clashes. Families from both areas were forced to leave their homes. A representative of White City residents has expressed a wish to meet with Serpentine Road residents to discuss the issue. A resident of White City blamed the clashes on nationalist exploitation of the Orange Order's decision to cancel the Ormeau Road march. Nationalists claimed the clashes were started by loyalists who shouted sectarian slogans from a bus on their return to White City on Saturday night. A residents spokesman claimed attempts to begin

dialogue with loyalist residents had failed. In this hardline patchwork of sectarian interfaces, tensions remain high and further clashes may well erupt.

Strabane

31. A threatened confrontation between Orangemen and nationalist residents in Strabane failed to materialise when the Order cancelled a feeder parade in the town. Several hundred nationalists had gathered to prevent a number of lodges marching through the town. Instead of marching through the town, 10 Orangemen carrying a banner but without a band marched to the cenotaph. However, the RUC was accused of running amok through an estate in the town prior to a planned residents festival. 200 nationalist residents held a peaceful protest outside the RUC station.

Parades Commission

32. A Parades Commission with determining powers on parade routes was the main recommendation of the North Review of Parades and Marches which reported in January 1997. Legislation to give such powers was not introduced in advance of the 1997 marching season. Instead, the British Government confirmed that the Parades Commission would provide advice to the Chief Constable on parade routes.
33. The members of the Parades Commission for Northern Ireland were announced on 26 March last. The Chairman, Alistair Graham, was previously involved in trade unionism and hospital administration in Britain. He has extensive experience in mediation from his trade union career.
34. The other members of the Commission are:
- Berna McIvor, the Chairperson of the SDLP in Derry and Vice-Chair of the Western Education and Library Board and a close associate of John Hume.
 - Frank Guckian, a leading Derry businessman, Chairman of the Western Health and Social Services Board and Chairman of the Planning Appeals Commission

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- David Hewitt, who has served since 1993 as the Independent Assessor of Military Complaints for Northern Ireland.
- Rev. Dr. Roy Magee, Minister of Dundonald Presbyterian Church who is credited with brokering the Loyalist cease-fire.

35. The Chairman of the Parades Commission, Alastair Graham, observed the Orange parade on the Garvaghy Road on 6 July. He said that the Commission had "considerable sympathy" with the decision the Chief Constable had to take. He went on to say that "the circumstances in which (the) parade was conducted reinforces my commitment to ensure that we can establish a clear set of criteria which will provide a better basis for decisions next year". He also said that he was determined to begin consultations on how the Commission will operate under the new legislation as soon as possible.

36. According to the leaked British briefing document, the Commission Chairman was part of the "consensus" which deemed a parade on the Garvaghy Road the "least worst option". Concerns have been expressed, as a result, within the nationalist community as to the ability of the Commission under his chairmanship to play an objective role on the issue.

37. Parades Commission member, Rev. Roy Magee led the negotiations on the 12 of July march in Newtownbutler which reached an agreement on the Twelfth parades there.

38. The Secretary of State has repeatedly referred, since the parade on the Garvaghy Road, to her hope to begin formulating legislation on the Parades Commission as soon as possible. In her meeting with the Minister on 8 July, she indicated that changes in the public order legislation would enable new criteria to be brought in to ensure fairness between the two traditions.

Apprentice Boys Parades, 9 August

39. The Apprentice Boys are due to hold their annual parade around Derry Walls and in the

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Diamond on 9 August. Last year, confrontation was avoided when it was agreed, under a process chaired by John Hume and involving the head of the Apprentice Boys, Alasdair Simpson and representatives of the Bogside Resident Group, that the Apprentice Boys would not walk the Walls but would do so at a time of their own choosing (this was subsequently done in October). At any rate, the section of the Walls overlooking the Bogside was blocked off. This was on foot of a ban on parades that section of the walls issued by the Secretary of State under Article 5 of the Public Order Order. The security forces had announced that there would be no parade along the Lower Ormeau Road - a forced parade there would have increased tensions in Derry, probably to the point of confrontations.

40. The day passed off peacefully. The arrangements for the day were widely welcomed and regarded as a successful 'enforced compromise'. It is hoped that the 10 July gesture of the Orange Order this year may prompt a reciprocal gesture from the Bogside Resident Group in August and that an improvement on the enforced compromise of last year can be agreed.

Security Section
Anglo-Irish Division
17 July 1997

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