



West Belfast Candidates. Back Row L-R: Rosie McCortley, Pat Sheehan, Jennifer McCann. Front Row L-R: Fra McCann, Martina Anderson and Alex Maskey

The question of the past continues to cast a shadow over the future for so many families who live with loss as a direct consequence of our conflict. This publication seeks to give voice to some of the families bereaved directly and indirectly by the British state in Belfast. After more than 40 years, the Ballymurphy families are still campaigning for the truth into the British army killings of their loved ones, so too are the families of the McGurks Bar Massacre. After 25 years the family of Patrick Finucane still seek the truth into the full extent of British state collusion in Pat's murder and also the Jordan family as they seek the truth into the killing of their son IRA volunteer Pearse Jordan.

Each of these families' campaigns in their own unique way is making a significant contribution that is building a momentum for truth, a momentum that will ultimately benefit everyone. I am also acutely aware that there are thousands of stories of loss, injury and pain. Each of these families has a right to information about the death of their loved one.

The British government fears people like the Jordan and Finucane families who have been steadfast in their determination seeking information about the death of their loved one. These campaigns are asking questions that the British state can no longer deny or ignore. It is these questions that have forced the British state to engage their national security veto. Engaging their national security veto is now about delay: the British focus is to delay the truth from emerging. I and my Sinn Féin colleagues support these families in their battles for truth and justice.

Sinn Féin's approach to the issue of legacy has been guided by the needs of families and our commitment to the universal application of the right to truth, consistent with international human rights standards. Indeed the British response to family demands for truth has been to engage their national security veto to prevent information and onward disclosure to victims, particularly families of British state violence and collusion. For our part we, in Sinn Féin, will continue to stand shoulder to shoulder with families who seek to know the truth about the death of their loved ones.

**MEP DECLARATION**

**Uásdatú FPE Aibreán 2016**



MEPs have signed a declaration calling for British state compliance of its Article 2 obligations under the ECHR in the context of state killings during the conflict in Ireland.

3,589 people were killed during the conflict in Ireland between the late 1960s and the signing of the Belfast 'Good Friday' Agreement of 1998.

It is now widely accepted that many of these killings and injuries involved acts by agents of the British state. These state agents were engaged in practices and policies, for which the British state has not been held to account. These include:

- The use of lethal force including the use of plastic bullets as a response to civil disorder,
- A shoot to kill policy,
- A state policy of 'collusion' between the British state and paramilitaries.

These state policies were subject to criticism in six European Court of Human Rights (ECtHR) cases delivered from May 2001, all holding the British state in breach of its investigatory procedural obligations under Article 2 of the European Convention of Human Rights (ECHR).

A 'Package of Measures' was incepted by the British Government to discharge its Article 2 obligations under ECHR.

Independent British state reports from the Criminal Justice Inspectorate NI and Her Majesties Inspector of Constabularies, as well as further judgments from the ECtHR, conclusively demonstrate that the Package of Measures, have failed.

A dangerous precedent is set across Europe, if a member state is able to thwart

the implementation of judgments in right to life cases. European Human Rights Commissioner, Nils Muznieks stated publicly in Belfast in November 2014 that:

"until now there has been virtual impunity for State actors. The issue of impunity is a very serious one and the UK government has a responsibility to uphold the rule of law. This is not just an issue of dealing with the past, it has to do with upholding the law in general."

Under the Good Friday Agreement the British Government is obliged to deliver, "complete incorporation into Northern Ireland law of the European Convention on Human Rights, with direct access to the courts, and remedies for breach of the Convention." The Human Rights Act (HRA) 1998 gives this legal effect to the ECHR, despite recent British Government threats to repeal the HRA.

Furthermore the European Parliament Joint Motion for Resolution on the Peace Process adopted in plenary on the 5th November 2014 stated in paragraph 1 that the EP, "urges all parties to the process to work constructively towards a lasting resolution of the conflict and the full implementation of the Good Friday Agreement and subsequent agreements for a long-lasting and enduring peace."

Therefore we, the undersigned MEPs, call on the British Government to urgently discharge its obligations under Article 2 of the ECHR, so as to promote public confidence and trust in the Rule of Law and to protect the integrity of the ECtHR standards requiring the prompt and effective execution of judgements.



In the recent negotiations broad agreement was reached on the architecture of the legacy mechanisms, which could deliver independent investigations and information recovery for the families of all victims of the conflict. Having previously agreed to full disclosure to the Historical Inquiries Unit the British Government introduced a blanket veto on the release of that information, within the draft legislation under the pretext of national security. The British concerns related to the potential identification of their state agents, and the revelation of techniques and methodologies utilised by their security services. To my mind these are bogus arguments designed to prevent the truth emerging around their conflict policies and practices.

**"Sinn Féin, will continue to stand shoulder to shoulder with families who seek to know the truth about the death of their loved ones."**

Signaling our intent to progress the legacy issue Sinn Féin discussed these concerns in depth, along with legal advisors, family and campaign groups. To progress the issue our response was to provide a number of reasonable options to guide and direct any decision around the onward flow of information to families. And to do so in a way which did not endanger lives, or compromise current methodologies. The Sinn Féin options sought to address the clear imbalance between the blanket British national security veto and the rights of families to access relevant information pertaining to the death of their loved ones.

This issue of impunity for British state actors was addressed by Nils Muiznieks, Council of Europe, Human Rights Commissioner in Belfast last year when he recognised that: "there has been virtual impunity for the state actors involved and I think the government has a responsibility to uphold its obligations under the European Convention to fund investigations and to get the results. The issue of impunity is a very, very serious one and the UK government has a responsibility to uphold the rule of law. This is not just an issue of dealing with the past, it has to do with upholding the law in general."

In cases where the British state was responsible for killings and where it used its agents to kill, the systematic failure to investigate remains the defining fault line on how we deal with our past. Indeed the lack of accountability for British state actions has manifest in a culture of impunity. Combatting this impunity is vital to building confidence in the rule of law and the democratic institutions.

Sinn Féin will work to ensure that the British state fulfils its international legal responsibilities and funds the agreed legacy mechanisms as so desired by many families. I will continue to highlight the continuing failure of the British state to establish robust, independent and human rights compliant investigations into the British army killings in Ballymurphy, McGurks Bar, Patrick Finucane and IRA Volunteer Pearse Jordan. I will continue to argue for a legacy process that is independent from the British state and which is fully resourced to meet the needs of all victims.

*Martina Anderson*  
Martina Anderson MEP

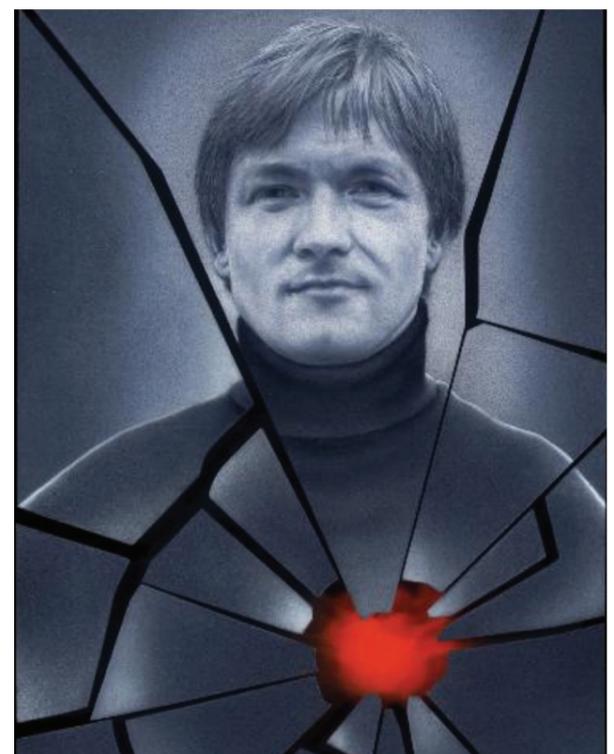
**NEWSLETTER**



**MEP Update April 2016**

**SINN FEIN SUPPORTS FINUCANE FAMILY CALL FOR AN INQUIRY.**

This is Patrick Finucane, the Belfast solicitor murdered by Loyalist paramilitaries on 12 February 1989. He was a son, a brother, a husband – he was my father. Since his murder my family and I have campaigned for a full independent, judicial public inquiry into the circumstances of his death. We have done so in the belief, knowledge and compelling evidence that my father's murder was part of an approved British government policy of widespread collusion that involved widespread targeting and assassination of hundreds of Irish citizens. To date, as agreed at Weston Park Talks in 2001, the British government has yet to honour its commitment to hold an independent inquiry into my father's death.



This delay also confirms our suspicions that the British government have much to conceal into my father's death.

Our suspicions of this practice and policy of collusion involving the British state and Loyalist paramilitaries received



## SINN FEIN SUPPORTS FINUCANE FAMILY CALL FOR AN INQUIRY CONT.

'official' confirmation in October 2011. On this day the British Prime Minister David Cameron told my family that he accepted that collusion directly led to the murder of my father. Later on 12 December 2012 - 23 years after the death of my father - in response to the publication of the De Silva Review the British Prime Minister David Cameron told the British House of Commons, that:

"The collusion demonstrated beyond any doubt by Sir Desmond - which included the involvement of state agents in murder - is totally unacceptable. We do not defend our security forces - or the many who have served in them with great distinction - by trying to claim otherwise. Collusion should never, ever happen. So on behalf of the Government - and the whole country - let me say once again to the Finucane family, I am deeply sorry.

The sheer magnitude of this statement still invokes a feeling of near disbelief while also raising more significant questions. This acknowledgement of state collusion in the death of my father by a British Prime Minister came after 20 years of campaigning. Yet the De Silva Review that the British Prime Minister referred to was not the outcome we wanted. It was not the independent inquiry that is core to our family campaign. It was no more than a review of 'official' British papers. There was no cross-questioning of witnesses or examination of information by an independent judge.

Rather than facilitate a public inquiry into the killing of Patrick Finucane, where collusion has been acknowledged, the British government has used the De Silva paper review to resist and obstruct our family demands for a full independent, judicial public inquiry.

Like all families affected by the practice and policy of British state collusion the Finucane Family want the truth. We want it publicly, openly and independently.

**This will only be achieved through a full independent, judicial public inquiry which can address our unanswered questions:**

- We want to know, why? Why was Patrick Finucane killed?
- We want to know, how? How was his killing planned?
- We want to know, who? Who knew - and at what level was his killing authorised?

As a family we are also acutely aware of the many families bereaved in the conflict. All of whom have a fundamental right to truth. As a family we seek the truth - no more, no less. In the absence of the truth British Prime Minister David Cameron's acceptance of collusion in the death of Patrick Finucane is no more than empty rhetoric as it leaves so many questions unanswered.

In the absence of the truth into my father's killing our family campaign for a full independent, judicial public inquiry into the circumstances of the death of Patrick Finucane will continue as we seek to understand why the British government fears the truth into the death of Patrick Finucane, my dad?

John Finucane  
Son of Patrick Finucane

## INFORMATION AND DISCLOSURE VITAL TO THE MCGURKS FAMILIES

On 04 December 1971 the Ulster Volunteer Force (UVF) planted a no-warning bomb on the doorstep of McGurk's Bar. The bar was located at the corner of North Queen Street and Great Georges Street, close to St Patricks Church, North Belfast. As the bomb exploded 15 innocent men, women and children lay dead. 16 others were seriously injured as the building collapsed.

Within 12 hours the Royal Ulster Constabulary (RUC) circulated the lie that the McGurk's Bar bombing was an IRA 'own-goal'. This RUC lie sought to criminalise the innocent victims of the massacre rather than investigating the UVF gang who planted the bomb. This lie was then spread by the British government, the Unionist politicians and the complicit media.

The focus of the lie was that the IRA had either been making the bomb in the bar or transporting it from the bar. This lie was part of a wider British policy of disinformation which was designed to detract attention from Britain's conflict policies and actions. Lies and falsehoods were a key thrust of their black propaganda strategy.

The families and the local community always knew this to be a lie. The McGurk's families now have the British army, police and government documents to prove it, obtained from Britain's own archives.

These secret papers show that two days after the atrocity, Brian Faulkner, North of Ireland Prime Minister in a meeting with Reginald



Maudling, British Home Secretary, advanced the theory of an IRA 'own-goal' and brazenly admitted to political interference in the RUC investigation. The British documents prove that the cover-up went right to the top of the political establishment.

Then on 16 December the RUC Chief Constable, George Shillington told Prime Minister Brian Faulkner, the Minister of State for Home Affairs, John Taylor, and the General Officer Commanding the British forces, Lt. General Sir Harry Tuzo:

"Circumstantial evidence indicates that this was a premature detonation and two of those killed were known IRA members, at least one of whom had been associated with bombing activities. Intelligence indicates that the bomb was destined for use elsewhere in the city."

This is damning proof that the RUC told lies and misled government. 'Investigative bias' on

the part of the RUC was also later recognised in a Police Ombudsman Report. Families now want to know why the lies were told. Such lies on top of political cover-up have unquestionably compounded family loss and grief.

The families are campaigning for the documents about the McGurk's Bar bombing and subsequent cover-up to be made public. The British response has been to hide and conceal documents. They hide behind the shield of so-called 'national security'. Questions must now be asked: How so-called British 'national security' interests trump the rights of families seeking the truth? And also what national security interests could possibly be at stake 45 years after the deaths?

For the McGurk's families, 'national security' is a blanket shield being used as a weapon to deny the truth. The documents that detail British policy decisions and their propaganda considerations are held in Whitehall, the Public Records Office and National Archives. Withholding information is core to their conflict policy. It is vital that these archives, information vaults and files are opened.

Accessing information is vital for these families. Ending the so-called British 'national security' veto, and maximising information disclosure are vital to unlocking the truth about the McGurk's Bar massacre.

More information available on the family campaign at: [www.mcgurksbar.com](http://www.mcgurksbar.com)

## THE TRUTH ABOUT BALLYMURPHY MASSACRE WILL BE TOLD

Members of the British Parachute Regiment killed 11 civilians over a three day period in August 1971 in what became known as the 'Ballymurphy Massacre'. They were: Fr Hugh Mullan, Frank Quinn, Joan Connolly, Joseph Murphy, Danny Teggart, Noel Philips, Eddie Doherty, John Laverty, Joe Corr, Paddy McCarthy and John Mc Kerr. Most were killed within sight of their family homes.

These 11 killings left 57 children without a parent. Family grief has been compounded by the lack of an effective investigation by the RUC and more latterly the PSNI into these killings.

For over 40 years successive British governments have refused to hold an independent investigation into these killings despite mass eye witness accounts and evidence collated by the family campaign. As a consequence the families of the deceased, supported by the local community, have led their own campaign for an independent investigation into the killings.

Despite obstruction from the British state the family campaign proposed a review panel to investigate the circumstances of the Ballymurphy Massacre. It was similar in type to the inquiry model into the Hillsborough football disaster.

In 2011 the new Attorney General John Larkin QC ordered a new inquest into 10 killings which were caused by British army gunfire. On the same day the British Ministry of Defence stated it would fully cooperate with these inquests. Yet despite that commitment more than five years have passed and the full inquests have yet to happen. This is largely due to the failure of the British Ministry of Defence and the Police Service of Northern Ireland to disclose information around the killings, information requested by the families and the coroner.



This refusal by the British government and the police to disclose information affects 95 families who are engaged in a total of 56 outstanding historic legacy inquests including the Ballymurphy killings. The questions that many families are asking are straightforward:

- Why are the British state and the PSNI blocking disclosure?
- What are they covering up?
- And why?

In the minds of families the British state cannot handle the truth. They cannot handle the truth that what happened in Ballymurphy was state murder, pure and simple. It was policy.

Despite the British and Irish governments making an agreement with the local political parties on legacy mechanisms in the Stormont House Agreement the British government has since introduced a national security veto on disclosure. This veto is a shield to blocking the information to the families.

Even after 40 years of family campaigning the families are being denied their right to truth. The Ballymurphy Family Campaign is not going away. They remain committed to upholding the memories of their loved ones.

## THE JORDAN FAMILY AND THEIR CAMPAIGN FOR TRUTH

In November 1992, the RUC and British army had a property in West Belfast under surveillance where they suspected the IRA was handling explosives. On the 25 November a major RUC operation was initiated involving at least 4 vehicles, at least 12 RUC officers, two RUC barracks and an operations command room in East Belfast. Around 5pm a decision was passed to follow and stop the car that IRA Volunteer Pearse Jordan was travelling in; the car was rammed and forced into the side of the road. Volunteer Pearse Jordan was unarmed. He got out of the car to escape and when he was running away an RUC officer known only as 'Sergeant A' got out of his car and shot him. IRA Volunteer Pearse Jordan died at the scene. The inquest into the killing of Pearse Jordan has been taking place during February and March, 2016. This new inquest was ordered when the findings of the last inquest were quashed by the High Court in 2014. Indeed this new inquest is a huge testimony to the resolve, dedication and resilience of the Jordan Family that they have battled and campaigned for 20 years to have the truth told about the death of their son.

This is a notable inquest. Over 200 hearings have taken place with the PSNI at all times seeking to prevent an open and honest examination of the facts surrounding the killing of Pearse Jordan. Gradually, inquest

practice and procedure has become more credible as a way of interrogating the official account of what happened. Documentation has been forced from the PSNI. In this case it is significant that former RUC officers are now required to attend and answer questions. The inquest's scope has been widened to cover the undercover RUC surveillance operation that led to the killing of Pearse Jordan.

The RUC officer who killed Pearse Jordan is known only as 'Sergeant A'; he and his colleagues were granted anonymity. 'Sergeant A' told the inquest he has no regrets; he added his only regret was the ceasefire and that he didn't get any more action. Some of the RUC involved were also involved in the shoot-to-kill incidents of 1982. Teresa and Hugh Jordan, however, have been able to see 'Sergeant A' and his colleagues. They have been able to judge their demeanour. Seeing their son's killer/s has been an important stripping away



of the official state cover-up.

### Key issues for the Jordan Family:

- Was Pearse shot in the back as his family and eye-witnesses maintain or did he spin round after being shot, as claimed by RUC officer known as 'Sergeant A'?
- Was a warning called or was firing instantaneous as eye-witnesses recall?
- Why does the operations log only begin at 5.03pm? Was the log wiped to hide earlier knowledge and orders?
- Are the RUC officers to be believed when they claim they thought Pearse was holding a gun when he was running away?
- Did the RUC think that the driver was a local IRA commander and were they taken aback when the victim turned out to be someone they didn't know?
- Why was a key document confirming that personnel in the co-ordination room had intelligence linking the local IRA commander to their operation only made available as the inquest was about to complete?
- Is it credible, as claimed by the RUC, that this information was not passed to personnel on the ground?
- Was this an extra-judicial execution with no intention to arrest?

For fuller information visit [www.relativesforjustice.com](http://www.relativesforjustice.com) and the associated blog reports on the inquest proceedings.