



Twelfth 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

Ordered by the House of Commons to be printed October 2006



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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 continues the usual cycle for those of its kind and comes six months after our previous one in April 2006². It focuses mainly on the six month period 1 March to 31 August 2006³.
- 1.3 We include one new element in this report. In Section 5 below we give an assessment of the differences in paramilitary activity between late 2003, when we were first established in shadow form, and the 6 months under review in this report. This report is our seventh comprehensive assessment of paramilitary activity, and we have additionally presented 2 reports on particular events⁴. We recognise that after 3 years and 7 individual assessments it may be difficult to have a clear picture of what has and has not changed. We think it would therefore be timely and valuable to offer this additional overview.
- 1.4 Two things remain central to our work, as they have been since our first report in April 2004:
 - First, we continue to be guided by the objective of the Commission which is set out in Article 3 of the International Agreement:

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

² IMC Tenth Report, April 2006.

³ The two Governments asked for an additional report on paramilitary activity half way through the previous six month period, as the International Agreement permits them to do. They published it as our Eighth Report in February 2006. Our Tenth Report in the following April contained the data on paramilitary violence for the full six months 1 September 2005 – 28 February 2006 and it therefore provides the baseline against which the equivalent data in this report can be assessed.

⁴ Our cycle of reports on continuing paramilitary activity under Articles 4 and 7 comprises IMC First Report (April 2004); IMC Third Report (November 2004); IMC Fifth Report (May 2005); IMC Seventh Report (October 2005); IMC Eighth Report (February 2006); IMC Tenth Report (April 2006). Our Fourth and Sixth reports (February and September 2005), although also on paramilitary activity under Articles 4 and 7, dealt with particular events – the Northern Bank Robbery in the case of the Fourth and the LVF/UVF feud in the case of the Sixth – and were not comprehensive surveys of the present kind. Our other three reports were on security normalisation, under a different part of our remit.

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, we continue to follow the principles about the rule of law and democratic government which we published in March 2004, and which we set out in Annex II.

2. PARAMILITARY GROUPS: ASSESSMENT OF CURRENT ACTIVITIES

2.1 We give below our assessment of the current activities and state of preparedness of paramilitary groups, focusing on the six months 1 March to 31 August 2006. This assessment continues those we have made in previous reports, and the reader may wish to refer to them for a comprehensive view of events over the two and a half years since we first reported. Our First Report also gave an account of the origins and structure of the groups⁵.

Dissident Republicans Generally

2.2 As in previous reports, there are a number of activities which we believe were undertaken by dissident republicans but which we cannot at present attribute to a particular group. It can also be the case that in some instances members of different dissident organisations, often from the same locality, co-operate in the commission of a crime. If in future it becomes possible to attribute any of the activities we outline immediately below to a particular organisation, we will do so in a subsequent report.

2.3 We believe that dissident republicans were responsible for an attempted attack on the PSNI in April when a viable device was placed in a delivery van and the driver was forced at gun point to drive it to Strand Road Police Station in Derry. In the summer dissidents attacked the home of a loyalist in Ballymena, and in the area to the North of the town attacked loyalist bonfires, Orange halls, Gospel halls and Protestant schools. We also think that dissidents were responsible for an arson attack on an Orange hall in Loughiel in July. Some dissidents also sought to orchestrate violence against loyalist parades, although serious clashes were prevented. In August we believe that dissidents were responsible for a viable explosive device found in County Louth.

2.4 Dissidents have also engaged in other forms of paramilitary activity, including exercising control in certain communities and acquisitive crime.

2.5 We have reported before on *Óglaigh na hÉireann* (ONH), a small dissident grouping which emerged in 2005. It has remained active. It sought to recruit members and to obtain weapons and it was responsible for a limited number of bomb hoaxes.

⁵ IMC First Report (April 2004).

Continuity Irish Republican Army (CIRA)

- 2.6 In our Tenth Report we said that CIRA was an active organisation and that it sought to remain so. Although the police North and South had scored some valuable successes against CIRA over the six months we concluded that it remained a threat and would undertake serious acts of violence if it were able to do so.
- 2.7 CIRA has continued to be active. It attacked loyalist bonfires in Ballymena in June 2006 and Orange halls elsewhere the following month. Members were arrested in two separate instances in April in possession of components which could be used in the construction of an explosive device. A CIRA member was, we believe, involved in a shooting in Armagh in May and members exiled a person from his home town because they believed him to be involved in drug dealing. CIRA members were responsible for a number of hoax bomb threats during the period under review. CIRA members are also involved in other crime, including burglary designed to acquire weapons.
- 2.8 The organisation has continued efforts to recruit members, to train members in engineering and firearms and to procure and develop munitions. Its members continue to monitor PSNI officers and stations to assess the potential for attack and the organisation continues to gather information on serving and former members of the security forces. We have no doubt that CIRA remains committed to terrorism, although it continues to be the case that its capabilities do not generally match its aspirations and the police North and South have had a number of welcome successes against it. We also note that a senior member received a substantial prison sentence in Dublin in July 2006.
- 2.9 We conclude, as we have before, that CIRA remains an active and dangerous threat, even though not a very widespread one, and that it will undertake acts of violence if it is able to do so and judges them to be in its interests.

Irish National Liberation Army (INLA)

- 2.10 In our Tenth Report we concluded, as we had three months earlier, that INLA was continuing a low but potentially serious level of activity and that it remained involved in organised crime, including drugs and smuggling. We noted that it did not have the capacity for a sustained campaign but that there was a threat it might become more active than it had recently been.

2.11 The position with INLA is essentially unchanged. Its level of activity is low. It is not capable of undertaking a sustained campaign, nor does it aspire to as it seems to remain committed to its “no first strike” policy. Its members have undertaken shootings and assaults against those they believe to be acting anti-socially or to be involved in drug dealing. In March it told a number of people to leave their homes and in April it was responsible for an arson attack. The organisation continues to raise funds through the smuggling and distribution of tobacco and it has demanded protection money from foreign workers. Our overall view remains as it was in our previous report.

Loyalist Volunteer Force (LVF)

2.12 We said in our Tenth Report that the LVF’s level of violent activity had stayed relatively low since the end of the feud with the UVF in the autumn of 2005, but that it remained heavily involved in organised crime, and that it was a deeply criminal organisation.

2.13 As we have said in successive reports, the nature and level of activity by members of the LVF has continued essentially as before. In comparison to the other loyalist paramilitary groups it is very small. The organisation is fragmented and the level of its activity of a paramilitary kind is limited. Members are heavily involved in crime, especially major drug dealing and we believe that the perpetrators of crimes keep the bulk of the proceeds for themselves. We also believe that members were responsible for a campaign of intimidation against a Catholic family intended to force it to leave the area in which it lived. We are not aware of paramilitary shootings or assaults for which the LVF was responsible over this period, but some threats are attributable to the organisation.

2.14 We are aware of statements to the effect that the LVF has ceased to function as a paramilitary organisation. In our view there is still a network of criminals who call themselves the LVF; members pay dues; there has been no decommissioning of the weapons which undoubtedly exist; and the instructions which have been issued to people to refrain from using the LVF name when dealing in drugs suggest the presence of at least some form of authority. While this is the case we believe that the LVF can be said to exist, particularly in mid-Ulster, and to be a paramilitary organisation. That said, we believe the LVF is primarily a criminal concern and we do not think that it has any coherent political purpose. We believe that some senior figures have dissociated themselves from criminal activity but we also think that some of those involved in serious crime are people from within what can be considered the leadership. We are also aware

of the involvement of some associated with the organisation in community development and the removal of paramilitary murals (under the title Ulster Community Network), which is to be welcomed.

Provisional Irish Republican Army (PIRA)

2.15 We said in our Tenth Report that we were convinced the PIRA leadership had committed itself to following a peaceful path and that it was working to bring the whole organisation along with it, although ensuring full compliance with this strategy was inevitably a challenging task. In the preceding three months there had been further dismantling of military structures, we were aware of no sanctioned acts of violence and there were signs of the leadership continuing to seek to stop criminal activity. The weapons which we had previously said had not been decommissioned the preceding September had in our view been withheld despite the instructions of the leadership⁶. The intelligence gathering we had earlier found to be continuing appeared to us by the time of our Tenth Report to have moved into line with the undertakings in the PIRA statement of July 2005. We concluded by saying that overall our assessment was positive, that the leadership was committed to the peaceful strategy and that it was working to ensure full compliance with it.

2.16 We remain of the view which we expressed in our report six months ago, namely that the PIRA leadership has committed itself to following the political path. In the period since then we have seen further evidence to support this. There are two aspects to this evidence: indications that things are being done in pursuit of the strategy; and indications that other things are not happening because of the strategy. We examine both aspects below.

2.17 We turn first to things being done in pursuit of the strategy and note the following:

- PIRA has taken further steps to run down its terrorist capability. It has disbanded “military” structures, including the General Headquarters departments responsible for procurement, engineering and training, and it has stood down volunteers and stopped allowances. Continuing inactivity itself leads to further erosion of capability;

⁶ IMC Eighth Report, February 2006, paragraph 3.23
IMC Tenth Report, April 2006, paragraph 2.17.

- The leadership continues to instruct members not to use physical force, whether for the purposes of community discipline or any other reason. When, in response to pressure from within the community to deal with anti-social behaviour, permission to do so has been sought, it has been denied. We think that with a very small number of exceptions the leadership has been successful in checking violence by members;
- The leadership has maintained a firm stance against the involvement of members in criminality, although this does not mean that criminal activity by all members has stopped. The leadership's stance has included public statements and internal directions; investigating incidents of breach of the policy; the expulsion of some members; and emphasising the importance of ensuring that business affairs are conducted in a legitimate manner. We also note that in April Mr Martin McGuinness publicly condemned the activity of people known to have been PIRA members who had been arrested for armed robbery and in May he called on those who had absconded while awaiting sentence for the abduction and assault of Robert Tohill to give themselves up;
- Senior members of the organisation have played key and personal roles in securing a peaceful parades season. This has included confronting troublemakers from the republican community and being in the front line to stop people from responding to what they saw as provocation. We believe that the work of PIRA members significantly contributed towards the absence of violence.

2.18 Turning to the second aspect of our analysis – things which have not happened because of the organisation's strategy – we note the following:

- We do not believe that PIRA is now engaged in terrorism;
- We do not believe that PIRA is undertaking terrorist-type training;
- We do not believe that PIRA has been recruiting. It appears to have directed towards Sinn Féin some who have sought to join. The leadership is seeking to reduce the size of the organisation;
- We have no evidence of targeting, procurement or engineering activity;

- We remain of the view expressed in our previous report that in so far as a small quantity of weapons were held back from decommissioning, this was done by local groupings despite the instructions of the leadership. This may have been reflected in the display of weapons by a maverick grouping (the Republican Defence Army – RDA) at the graveside of a republican in the North West in June 2006⁷. We believe that the munitions found in Counties Sligo and Monaghan in June 2006 were old material not accessed for a very long time and largely in a state of advanced decay. We do not believe that it was material known to the organisation or that it had been deliberately kept out of the decommissioning in September 2005. We do not believe that weapons have been acquired or developed. The leadership has issued instructions to this effect;

- There were no PIRA shootings in the period covered by this report. Contrary to the instructions to which we refer above, and without any leadership sanction, there were two assaults by PIRA members in early August, both we believe committed in the course of community watch activity, and there were a small number of other incidents in which PIRA members were involved in minor altercations. They may therefore have reflected frustration on the part of individuals about the inability of the organisation to deal with perceived anti-social behaviour. Some of the community watch activity in which PIRA members have been involved has attracted allegations of threatening behaviour and may have been associated with instances when people were forced from their homes; we have no information that this was sanctioned by PIRA and we do not believe that such incidents are part of the new strategy;

- We have no reason to believe that there has been any organisational involvement in or planning of robbery or other such organised crime over this period. Nevertheless some individual members of PIRA remain involved in serious criminal activity for personal gain, including smuggling and money and fuel laundering, though in some cases – notably fuel smuggling – there has been a clear reduction. We believe that, for example, the robbery of vodka in County Meath in April 2006 by people known to have been PIRA members was for personal gain. Some members have also been involved in the acquisition

⁷ See paragraph 2.20 below.

of property. We believe that some or all of this activity is likely to involve the proceeds of earlier crimes. We think it likely that some members will pursue their own criminal careers despite injunctions not to do so, and the organisation now has a more limited capacity to discipline them than it used to. In our view none of these actions of individuals calls into question the leadership's stance against the involvement of members in criminality. How the organisation itself is handling the question of previously illegally obtained funds is not entirely clear to us. We note that such activities are being pursued by the law enforcement agencies North and South and that in a number of instances vigorous steps have been taken;

- We believe that what might be described as "military" or "terrorist" intelligence gathering has ended. We do not think that PIRA is gathering intelligence on members of the security forces for the purpose of attacking them or that illegal action is being planned or undertaken on the basis of intelligence. Nor is intelligence sought from members of the republican community, although some which is volunteered may still be retained. We think that some PIRA members still monitor the activities of those they consider to be acting anti-socially but we do not believe that any paramilitary action is being taken as a result. We believe that PIRA remains interested in information which supports its political strategy and maintains cohesion of the movement. It is also interested in the activities of loyalist paramilitaries, mainly to enable it to predict trouble in the parades season and at interface areas. We have no indication of the illegal acquisition of information for these kinds of purpose. PIRA does continue to investigate suspected informers or others in its own ranks thought likely to threaten the organisation's stability and it monitors the activities of dissident republicans⁸.

2.19 We believe that what we say above, taken together, presents convincing evidence of PIRA's continuing commitment to the political path. It is implementing the policy, sometimes vigorously (though legally) so far as individual members are concerned. We refer above to the disbanding of those departments which were directly involved in the campaign of terrorism; such structures as remain are largely concerned with preserving the cohesion of the organisation and serving the wider purpose of the republican movement as a whole in a period of major change of strategy and direction. We believe

⁸ On the murder of Denis Donaldson in April 2006, see paragraph 3.7 below.

that the leadership does not consider a return to terrorism as in any way a viable option and that it continues to direct its members not to engage in criminal activity.

2.20 This has not been done without the creation of some tension within the organisation and it has not meant that all individual members have behaved lawfully in their own right. The strategy has created mistrust on the part of some but the leadership is persisting with its implementation and we have no reason to think that the organisation will be unable to manage the various disagreements which have emerged. It has encouraged some disaffected members to resign. Some people in Dublin have established a small political grouping on revolutionary socialist principles called *éirígí*. We do not believe that there has been any material movement to dissident republican organisations. We have noted the appearance of a number of armed men at a graveside in the North West in June 2006 calling themselves the Republican Defence Army (RDA). We think the RDA is a small local grouping with limited wider appeal. We have no reason to believe that developments of this kind will upset the delivery of the strategy to which we believe PIRA remains committed.

2.21 We referred in our previous report to support for policing. This is an important question, not only in its own right but because it is illustrative of both the process of transition and of tensions within the organisation. It remains our view that the leadership has accepted the need for engagement in policing and wishes to achieve it. The leadership has given public indications to this effect and efforts have been made to secure membership support. While many accept the pragmatic need to make the change the matter remains controversial for some in the movement.

2.22 Our overall view therefore remains positive, as it was in our previous report. In the intervening six months we believe the movement has been in the right direction. We believe there has been further evidence of the implementation of the strategy whereby PIRA is following a political path and differences of view within the organisation will not divert the leadership from implementing it.

Real Irish Republican Army (RIRA)

2.23 We said in our Tenth Report that RIRA had continued to commit acts of violence, was engaged in serious crime and maintained efforts to sustain its capacity. We concluded that its aspirations as a terrorist organisation and its readiness to use extreme violence were undiminished.

2.24 Members of RIRA attacked a police vehicle in Ballymena in March, although the officers escaped uninjured. In May and June Ballymena members paint bombed an Orange hall and two schools. In August we think it likely that RIRA was the dissident group responsible for incendiary devices which caused extensive damage to commercial premises in Newry; on the following day there were several hoax alerts and viable devices were found which failed to explode. These incidents represent an escalation in RIRA terrorism, which had been at a relatively low level since the end of its campaign of incendiaries in early 2005. Members were also responsible for at least one assault in this period.

2.25 RIRA continues efforts to recruit members; its members monitor police officers and stations; and they have identified people who are loyalist paramilitaries as potential targets for attack. The organisation also gathers information on serving and former members of the security forces. It also continues its efforts to procure and develop weapons, and in June a number of its members were charged with offences connected with the attempted acquisition of munitions overseas.

2.26 RIRA members are involved in other forms of criminal activity. They attacked the home of an individual in Ballymena they suspected of anti-social behaviour and assaulted a member of ONH in March. In the same town they continued to intimidate Protestant families and foreign workers. We believe that Ballymena members robbed a public house in March and that they have obtained protection money from local drug dealers. Some members of the organisation were arrested following protests against a US firm in Strabane in August and others had publicly worn combat dress the previous month.

2.27 We conclude therefore that RIRA remains active and dangerous and that it continues to seek to sustain its position as a terrorist organisation.

Ulster Defence Association (UDA)

2.28 We said in our Tenth Report that the UDA had continued to engage in acts of violence, being responsible for both the paramilitary murders in the six months 1 September 2005 to 28 February 2006; that it was heavily involved in crime; that it continued to aspire to arm and equip itself; and the organisation remained an active threat to the rule of law. We also noted that there were some positive signs, with some leading elements in the

organisation seeking to reduce criminality, but that these efforts had had a mixed success.

2.29 The picture during the 6 months under review is still mixed but there are some indications of more positive leadership which this time have had a useful impact. At the same time there continues to be violence and a heavy involvement in crime amongst some members.

2.30 We think it is likely that the murder of Mark Christie on 22 August 2006 was committed by people connected with the UDA although we have no information to suggest that it was sanctioned by UDA leadership and we have not classified it as a paramilitary murder. UDA members were responsible for a number of sectarian attacks in the summer, including: one in Belfast in July (which was not, we believe, sanctioned at a senior level) in which a person was seriously injured; one in Ballymena in the same month; and a number in Derry during June and July, including the serious attack on Paul McCauley, for which we have no indication that there was senior sanction. UDA members have continued to undertake shootings and assaults. Some members in Ballymena monitored the activities of dissident republicans in a period of tension following the murder of Michael McIlveen which we think was sectarian in nature but not paramilitary (although some of those involved may have had UDA connections). Following changes within the UDA in North Belfast several people were exiled from the area and fled to England; a former senior member was refused permission to return to Northern Ireland. The number of threats attributable to the UDA has increased, largely as a result of the tensions in North Belfast.

2.31 The UDA has also continued its efforts to sustain its capability as an organisation. Some individual units still recruit new members. Some have also continued efforts to obtain weapons, though we believe that this activity has been questioned by others within the organisation. We have seen no sign that the UDA is contemplating an early decommissioning of weapons.

2.32 Members of the UDA remain heavily involved in a wide variety of other serious crime, including drug dealing, the sale of counterfeit goods, robbery and extortion.

2.33 We have referred in recent reports to signs that within the leadership of the UDA were people who wanted to reduce the organisation's involvement in crime but we concluded that we had seen little significant impact from their efforts. This time we see some

progress. We think that there is a genuine desire on the part of some leading members to steer the organisation away from crime. So far they have had mixed success. The expulsion of members of the North Belfast Brigade on the grounds of their criminal activity and the subsequent avoidance of bloodshed was a valuable step forward; we also believe that senior figures successfully restrained members from violence following these changes. There appear to have been some reduction in drug dealing offences in certain areas, but other crimes may have taken their place. Senior members also made efforts to ensure that other members did not engage in violence in connection with the parades season. And members were ordered not to take part in disturbances in prison instigated by a former member. All these efforts are to be welcomed. We hope very much that they will continue and have increasing impact; we will closely monitor what happens in the coming period⁹.

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

2.34 In our Tenth Report we said that the UVF had remained active, though less so than during the feud with the LVF in the summer of 2005. It had committed acts of violence and engaged in other forms of crime. We welcomed the fact that some elements in the UVF were making efforts to tackle criminality but did not see any significant signs of their being successful, and we concluded, as we had in earlier reports, that the organisation was active, violent and ruthless.

2.35 The UVF has remained involved in violence in the 6 months under review. The murder of Ronald Mackie in July 2006 was, we believe, the responsibility of a UVF member and associates although we do not think it was sanctioned by the UVF leadership and we have not classified it as a paramilitary murder. Members of the organisation were responsible for 2 attempted murders: that of Mark Haddock in May (we think this attack was sanctioned) and that of James Keenan in July (which we think was not sanctioned). Members of the organisation continue to be involved in shootings and assaults. The UVF was also responsible for more threats against people than any other loyalist group over the 12 months to August 2006. And we believe members of the UVF, probably without senior sanction, undertook a sectarian attack in March. Members of the organisation from Derry targeted Catholics living in loyalist areas as potential targets for sectarian intimidation and in Ballymena gathered intelligence on dissident republicans in

⁹ We examine the question of leadership and the role of the UPRG further in Section 4 below.

May. In Belfast in March members were involved in public disorder, though we do not believe that this was pre-planned.

2.36 Other forms of UVF criminality remain prevalent. We believe that members were responsible for the robbery of a store in Dundonald in July. Other examples of crime are extortion, smuggling, the sale and distribution of counterfeit goods, and loan sharking.

2.37 That said, there have been some signs that people within the leadership have continued the efforts to which we have previously referred to tackle criminality within the organisation and to reduce its “military” capacity. We welcome this and hope their work will continue. We think that senior UVF figures acted to prevent members engaging in violence during the parades season. A process of consultation has been going on within the UVF for some time which we understand has resulted in a new code of conduct for members. In this context we note that instructions have been issued to units to scale down recruitment, although we believe that some individual units are continuing to recruit. Units have been briefed that the leadership intends to downsize the organisation. More generally, units have been briefed to move away from criminality and units which persist have been threatened with expulsion. We do not believe that the leadership attempted to procure or develop weapons over this period. All of this is valuable and important. But the task the leadership faces is a difficult one if it is to wean the organisation away from crime and we will watch future developments closely¹⁰.

¹⁰ We examine the question of leadership and the role of the PUP further in Section 4 below.

3. PARAMILITARY GROUPS: THE INCIDENCE OF VIOLENCE AND EXILING

3.1 Article 4 requires us to monitor trends. We set out in this Section information on the six months 1 March to 31 August 2006, set against similar information for earlier six month periods.

3.2 We are very conscious, as we have been since we first reported in April 2004, that data of this kind have limitations:

- They can encompass only incidents which become known to the police, not those where the victims do not report them; in some cases fear of further paramilitary violence may lead people never to report what has happened to them. Threats which fall short of violence of their nature fall outside these figures even though intimidation can be almost as traumatic as violence itself. And no statistics can adequately portray the suffering of the victims or their families;
- Furthermore, one consequence of the reduction in paramilitary control of some local communities is that sectarianism and a culture of lawlessness continue to find expression, though no longer necessarily directed by organisations. The results are as deeply damaging to the individuals and communities which suffer them as when they were directed activities. Some examples of this over the last six months have been the continuing attacks on Mr Pat Ramsey and his family in Derry, the attacks and other serious crime in West Belfast affecting the Notorantonio and Devlin families and others, and the attacks in the Old Throne area of North Belfast. We remain deeply concerned about these and believe that they are one of the damaging consequences of many years of paramilitary activity in Northern Ireland.

3.3 We also recognise that in most parts of Northern Ireland incidents of the kind we refer to below are almost or completely unknown. We return again to the question of the geographical spread of paramilitary violence in paragraphs 3.14-3.18 below.

3.4 Over the period from 1 March 2003 until 31 August 2006 we believe that the number of paramilitary murders was as follows:

| | 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 | | | | | | | |
| INLA | | | | | | | |
| LVF | | | | | | | 1 |
| PIRA | | | ** | * | | | |
| RIRA | | | | | | | 1 |
| UDA | | 2 | 1 | 1 ¹¹ | | 1 | 1 |
| UVF | | | 4 | | 2 | 1 | |
| Not attributable | | | | | 1 ¹² | | 2 ¹³ |
| TOTAL | 0 ¹⁴ | 2 ¹⁵ | 5 ¹⁶ | 1 | 3 | 2 | 5 |

3.5 This is the first occasion on which we have been able to report that no sanctioned paramilitary murders were committed in the six month period under review. We refer in paragraph 2.35 above to two attempted murders for which we think UVF members were responsible.

** A member or former member of PIRA may have been involved in the killing of Joseph Rafferty in Dublin in April 2005. We have no reason to believe that the murder was carried out on behalf of PIRA. However we believe that members of both Sinn Féin and PIRA were aware in advance of the threat and did not take sufficient action to prevent it.

* We do not include a figure for the murder of Robert McCartney in this table. But we remain of the view we expressed in our Fifth Report that members of PIRA were involved in the murder though we do not believe that central PIRA leadership sanctioned it in advance.

¹¹ Our Fifth, Seventh and Eighth Reports showed 2 murders at this point in the table. This was incorrect. The death of Stephen Nelson, which we attributed to members of the UDA, was counted twice – once at the time he was attacked on 19 September 2004 and again when he subsequently died from his injuries on 18 March 2005. We regret this error. The name of the victim and the date of his death were correctly shown.

¹² Information suggests this death may have been linked to a republican paramilitary group but the precise motivation and attribution remain unclear.

¹³ One of these was abducted and murdered by a republican group but we are unable to say which group. One was a member of PIRA killed in the struggle when attempting to undertake a paramilitary attack.

¹⁴ We do not think that the murder of Michael McIlveen in Ballymena in May 2006 was paramilitary, though we believe it was sectarian.

¹⁵ (i) In our Eighth Report we said that we had not included the murder of Martin Conlon on 7 November 2005. Although the victim was suspected of being a member of RIRA we were not then able to say who was responsible for his death. That remains the position.

(ii) We have not included the murder of Ronald Todd, who went missing on 21 December 2005 and whose body was found on 14 February 2006. We have no present reason to conclude that this was a paramilitary murder.

¹⁶ As we indicated in our Fifth Report published in May 2005, we are not in a position to comment on the killing of Stephen Montgomery. We said in our Sixth Report on the UVF/LVF feud published in September 2005, that we recognise that people may have expected us to refer here to the disappearance of Lisa Dorrian on 28 February 2005 and her murder, and to the murder of Thomas Devlin on 10 August 2005. It remains the case that we have no reason to believe that either murder was carried out on behalf of a paramilitary group.

- 3.6 We have not included in these figures the murders of Ronald Mackie on 29 July 2006 and of Mark Christie on 22 August 2006. In the case of Ronald Mackie we believe that this was an unplanned event without sanction of the UVF leadership. In the case of Mark Christie we do not believe that this incident was sanctioned by the UDA leadership.
- 3.7 In our previous report we mentioned the murder of Denis Donaldson in County Donegal on 4 April 2006. We said we were not able to attribute responsibility for the murder and would continue to monitor the situation. There has been no change in this situation to date.
- 3.8 Because we necessarily use figures on incidents reported to the police, and because not all incidents are reported, we also invite readers to note what we say about individual paramilitary groups in Section 2 above so as to gain as full a picture as possible.
- 3.9 The number of casualties of paramilitary shootings and assaults from 1 March 2003 to 31 August 2006 was as follows:

Shooting Casualties

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

Assault Casualties

| Responsible Group | 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 | 18 | 20 | 39 | 29 | 42 | 57 | 46 |
| Republican | 9 | 6 | 16 | 25 | 18 | 26 | 24 |
| TOTAL | 27 | 26 | 55 | 54 | 60 | 83 | 70 |

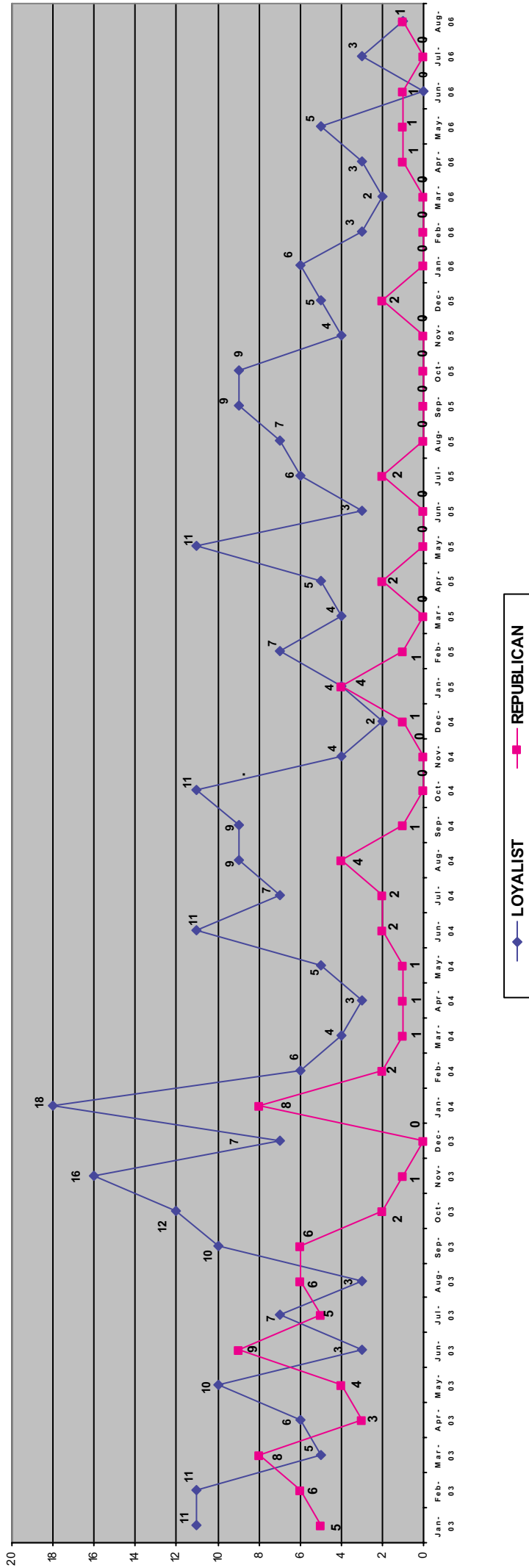
- 3.10 These figures show a sharp fall in the number of shootings in the six months under review, entirely as a result of reduced loyalist activity. The figure of 14 victims of loyalist shootings contrasts with 36 in the preceding six month period and the previous lowest figure of 34. The number of republican shootings has increased from 2 to 4. None of the republican shootings were attributable to PIRA.

3.11 In the case of assaults, the total number is broadly the same as in the previous six months. There was a slight fall in those attributable to loyalists (in respect of whom there had been a significant fall between the two previous six month periods). There was a slight increase in the number of victims of republican assaults (in respect of whom there had also been a big fall between those same two periods).

3.12 We analyse the figures more fully in paragraph 3.24 below.

3.13 Our remit requires us to monitor trends in security incidents. The following graphs include the monthly figures we have previously published, extended by 6 months from 1 March to 31 August 2006.

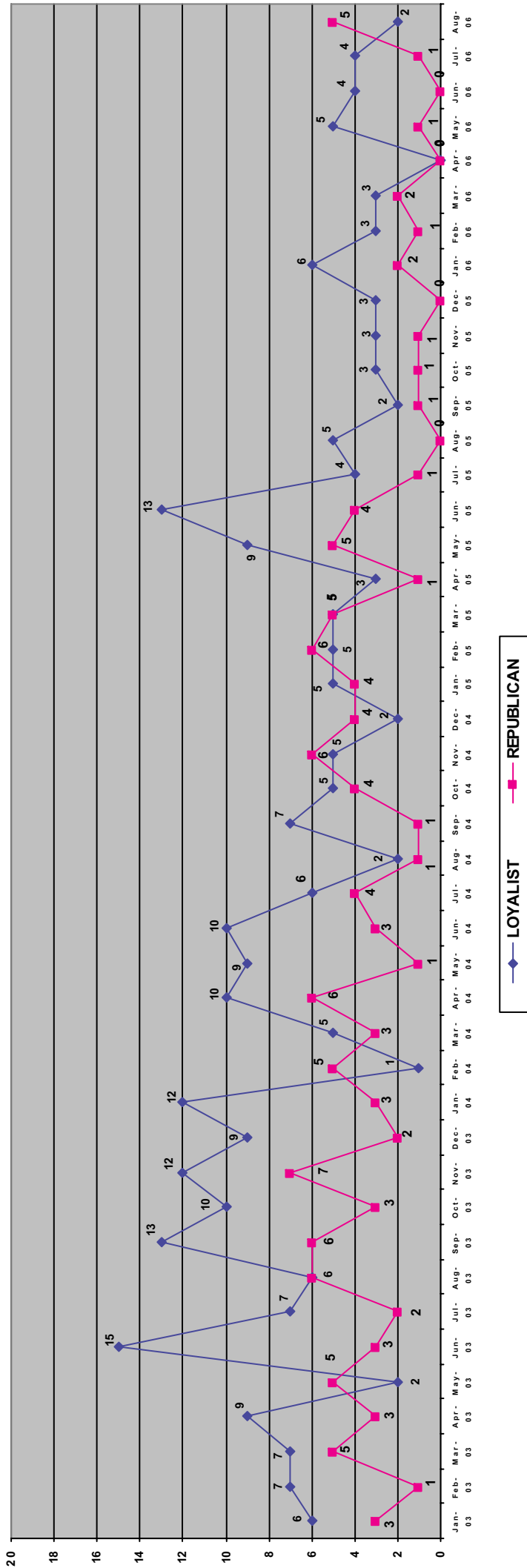
**PARAMILITARY-STYLE SHOOTINGS: NUMBER OF REPORTED CASUALTIES BETWEEN
JANUARY 2003 TO AUGUST 2006**



TOTALS OVER THE PERIOD: LOYALIST SHOOTING CASUALTIES - 287 REPUBLICAN SHOOTING CASUALTIES - 93

Figures and attributions for the above period are both subject to minor statistical adjustment

**PARAMILITARY-STYLE ASSAULTS: NUMBER OF REPORTED CASUALTIES BETWEEN
JANUARY 2003 TO AUGUST 2006**



TOTALS OVER THE PERIOD: Loyalist Paramilitary-Style Assaults – 264 Republican Paramilitary-Style Assaults – 128

Figures and attributions for the above period are both subject to minor statistical adjustment

Geographical Variations in Paramilitary Violence

3.14 In our Seventh Report in October 2005 we commented on the very considerable variations in the geographical distribution of the incidents of paramilitary violence and included maps which illustrated it. We think that it would be helpful to update that information for the 12 months 1 September 2005 to 31 August 2006.

3.15 The first 3 maps of Northern Ireland as a whole are produced on the same basis as those in our Seventh Report and so are directly comparable. They 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.

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

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

3.18 In broad terms these maps show:

- The extent to which parts of Northern Ireland have had no or very few casualties over this period. The number of Districts with no attacks increased from 7 to 10 between the two 12 month periods, although 2 which experienced no attacks in 2004-05 experienced some in 2005-06. There were reductions in the Districts of Derry and Strabane;

- That casualties from loyalist attacks (of which there were approximately 4 times as many as there were casualties from republican attacks) were concentrated in Belfast and County Down, as they were before. There were more Districts in County Antrim free of casualties than in the earlier period, although Ballymena District experienced an increase;
- The distribution of casualties from republican attacks is narrower and the heavy concentrations in the Districts of Belfast, Derry and Strabane in the previous 12 month period are considerably reduced;
- In Belfast the distribution of casualties is considerably narrower than in the previous period and a number of wards in the North of the City which had had between 3 and 4 in 2004-05 had none in 2005-06. The two largest changes were in Glencairn and Island Wards, in which there were previously 5 or more and more recently none.

Casualties as a result of paramilitary-style attacks in Northern Ireland by Local Government District: September 2005-August 2006



Total number of attacks with valid postcode = 109

Casualties as a result of paramilitary-style attacks in Northern Ireland where attribution is perceived as Loyalist: September 2005-August 2006



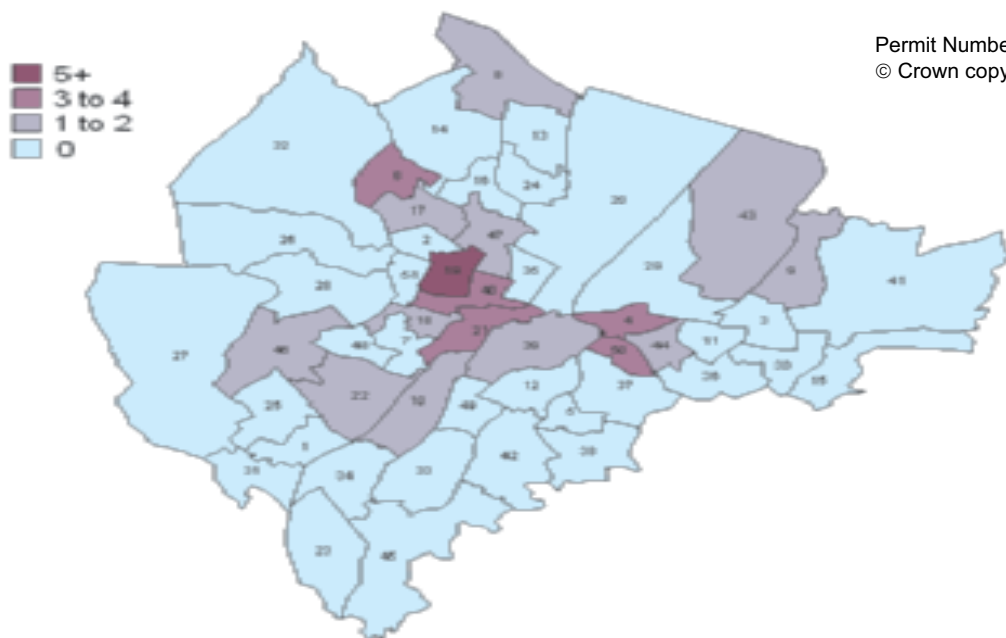
Total number of attacks with valid postcode = 88

Casualties as a result of paramilitary-style attacks in Northern Ireland where attribution is perceived as Republican: September 2005-August 2006



Total number of attacks with valid postcode = 21

Casualties as a result of paramilitary-style attacks in the Belfast Local Government District by Ward: September 2005-August 2006



Total number of attacks with valid postcode = 34

Exiling

- 3.19 Exiling has been an important issue for us since we first reported, for two main reasons. It can have a devastating impact on the lives of the victims, both immediately and in the long term. And it is a particularly arrogant manifestation of people taking the law into their own hands, whether they are paramilitaries or not. We have repeatedly said that only when a paramilitary group has both ended the practice of exiling and has allowed those previously exiled freely to return if they want to do so, can it be said fully to have given up illegal activity in this regard.
- 3.20 It has never been possible to give an accurate picture of exiling, mainly because so much of it is unreported. Often it is not possible to attribute even the known instances to a particular group. However, as we indicate in Section 2 above, members of paramilitary groups have been involved in exiling, though we cannot always say whether this was sanctioned.
- 3.21 So far as loyalist paramilitaries are concerned, the changes and tensions in North Belfast in the summer of 2006 led to the exiling from that area of several UDA members associated with those ousted from their positions. A former senior UDA member was refused permission to return to Northern Ireland. We believe that senior UDA leadership sanctioned all these instances. There have been other cases of the UDA expelling people from the area in which they lived. The UVF as an organisation has we believe been associated with the expulsion of at least 13 people from their homes because of alleged anti-social behaviour, though we cannot say how many were forced to leave Northern Ireland as well. In some instances the UVF expulsions may have been as an alternative to assaults. We are not aware of any instances of exiling involving the LVF.
- 3.22 Dissident republicans were involved in exiling: we are aware of 1 victim of CIRA members and of several victims of INLA members. All were related to alleged anti-social behaviour. We believe there were 4 instances when individuals who were members of PIRA were involved in the forced removal from their homes of people allegedly engaged in

anti-social behaviour. We have no evidence that this was sanctioned by the leadership.

3.23 We note that in August 2006 in the Preparation for Government Committee of the Northern Ireland Assembly the representatives unanimously condemned the practice of exiling¹⁷.

Conclusions

3.24 We draw the following conclusions:

- **There were no sanctioned paramilitary murders in the 6 month period;**
- **Overall, the number of casualties of both shootings and assaults for all groups combined has fallen significantly compared with the preceding six month period (from 64 to 45 – by 30%) and also compared with the same six month period in 2005 (from 95 to 45 – by 53%). The combined figure is by a long margin the lowest for any such period on which we have reported;**
- **The combined number of shooting and assault victims of loyalist attacks was, at 32, the lowest for any six month period on which we have reported. It compares with 56 in the preceding six month period (a reduction of 43%). Compared with other earlier six month periods we have analysed this figure represents a 52% reduction on the lowest of these, and a 75% reduction on the highest;**
- **The combined figure of shooting and assault victims of republican attacks was higher than in the previous six month period (13 as compared with 8 – an increase of 63%). It is nevertheless the second lowest such figure for any six month period we have analysed;**

¹⁷ Northern Ireland Assembly, Committee on the Preparation for Government, 30 August 2006 (www.niassembly.gov.uk).

- Averaged out for all paramilitary groups, there was less than 1 victim of shooting a week (about half the rate of the preceding six months) and 1 victim of assault a week (the same as the preceding six months);
- Loyalists caused 78% of the casualties of shootings and 67% of the casualties of assaults in the period under review;
- The changes may be summarised as follows:

Loyalist Groups

- Shooting casualties were down by 61% from 36 to 14 compared both with the preceding six months and with the same period in 2005;
- Assault casualties were down by 10% from 20 to 18 compared with the preceding six months and were down by 54% from 39 to 18 compared with the same period in 2005;

Republican Groups

- Shooting casualties were up by 100% from 2 to 4 compared with the preceding six months and were the same as in the same period in 2005;
- Assault casualties were up by 50% from 6 to 9 compared with the preceding six months and were down by 44% from 16 to 9 compared with the same period in 2005;

Geographical Variations

- There was a considerable reduction in the number of areas in both Northern Ireland as a whole and in Belfast in which there were casualties of paramilitary attacks;

Exiling

- **Exiling continues, mainly in response to alleged anti-social behaviour.**

4. LEADERSHIP

- 4.1 Article 4 of the International Agreement requires us to assess whether the leadership of paramilitary groups is directing paramilitary activities or seeking to prevent them.
- 4.2 We believe that the leadership of political parties and groupings associated with paramilitary groups, and those in a position to influence them, should observe the standards we first set out in our Fifth Report in May 2005¹⁸. This means that in our view they should articulate their opposition to all forms of illegality, should exert their influence against members of paramilitary groups who are still engaged in crime, and should give clear support to the criminal justice system.
- 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 We have reported at some length before on the successive moves made by Sinn Féin and PIRA over the last two and a half years. The statement made by the Sinn Féin President Mr Gerry Adams in April 2005 was a particular watershed in this regard; we said in our subsequent report that if he were able to deliver what he seemed to have suggested he would have demonstrated leadership of a high order¹⁹. This statement was followed by the PIRA statement on 28 July that year and the decommissioning reported by the IICD on 26 September. We said in our last report six months ago that we had seen further evidence of positive leadership on the part of Sinn Féin and that the statement by Mr Adams continued to be built upon.

¹⁸ IMC Fifth Report, May 2005, paragraphs 8.9-8.10.

¹⁹ IMC Fifth Report, May 2005, paragraph 8.13.

4.5 We describe at some length in Section 2 above the position taken by the PIRA leadership²⁰. We say that we are firmly of the view that PIRA is set on the political path and that we believe the leadership is implementing the strategy. It is now a year and a half since Mr Gerry Adams's April 2005 statement and in the intervening period the Sinn Féin leadership has delivered on the intent set out in it. It has shown clear leadership on ending criminality. It has taken a strong line, including expulsions, with party members who threaten or use violence. It accordingly remains our view that the path indicated by Mr Adams in April 2005 continues to be built upon.

The PUP and the UVF

4.6 In our previous report we referred to and welcomed the efforts of the PUP to move the UVF away from violence and other crime. We hoped there would be significant progress before the present report.

4.7 As we indicated above²¹, the efforts of senior people in and associated with the UVF have borne some fruit even though they have not prevented members of the organisation from committing a significant level of violence. The consultation leading to a new code of conduct appears to be a positive move. Emphasis has been placed on community development. It is therefore unfortunate that the UVF statement in April that it would not make any announcement about its future until after the deadline for political developments in the Northern Ireland Assembly on 24 November led some to see an implied threat. We conclude therefore that there has been some progress over the 6 months under review, and welcome it. As with the UDA and UPRG, there is much to be done. We recognise that changes of this kind will be difficult and complicated and events will prove whether it can be not merely sustained but developed.

²⁰ See paragraph 2.15-22 above.

²¹ See paragraph 2.37 above.

The UPRG and the UDA

- 4.8 We refer in Section 2 above to the way in which the leadership of the UDA is starting to have some, but so far still only a limited, impact on the illegal activities of the organisation's members²². Although we have previously mentioned the wish of some amongst the leadership to steer the organisation away from criminality, this is the first occasion on which we have been able to identify such an effect, limited though it is as yet. We greatly welcome what seems to have been happening and hope that the efforts will bear increasing fruit.
- 4.9 We are also aware of the work by the UPRG to direct efforts towards community development and of the initiatives it has pursued to that end. The UPRG appears readily to acknowledge that criminality and paramilitary activity is harming the people of the very communities from which the UDA has traditionally drawn its support, and that these communities must now turn in another direction if they are to prosper and if the young are to be able to have their fair share of opportunities for the future. The UPRG also articulates the view that inter-communal conflict must stop. All of this is greatly to be welcomed and will take time, as has been the case with PIRA. We know that changes of this kind are bound to be difficult and drawn out, and we commend those who are giving the lead. The test will be whether these welcome beginnings can not only be sustained but can grow and bear down on the very substantial, including violent, criminality of the UDA.

Conclusion

- 4.10 This is thus the first occasion since we started reporting in the spring of 2004 that we have been able to identify worthwhile, albeit still very limited, progress resulting from the leadership of or people associated with loyalist paramilitary groups. The moves made in the UDA and UPRG, and by the UVF and PUP, are in no way comparable with the transformation that has taken place in respect of PIRA and Sinn Féin. While such developments as have occurred are welcome it cannot yet be said that these senior loyalist figures have brought their respective

²² See paragraph 2.33.

organisations very far along the road. We will very closely monitor events over the coming months.

5. PARAMILITARY ACTIVITIES 2003 AND 2006: A COMPARISON

- 5.1 The IMC met in shadow form from the autumn of 2003 and was officially established in January 2004. We presented our first assessment of paramilitary activities in April of that year. This is our ninth such report, of which 7 have been comprehensive assessments and 2 dealt with particular events²³. Much has happened over these 3 years and we recognise that it may now be difficult to have a clear picture of what has and has not changed during the period. We therefore thought it would be both useful and timely to give a comparison of autumn 2003 and the same period this year. We do not do so as a substitute either for our earlier judgments or for those we make above in this report, and we realise that any summary is bound to miss out details and subtleties. But we think the point has been reached when it would be useful for us to give an overview of change.
- 5.2 In each of our full reports we have made as rounded an assessment as we were able of the various kinds of paramilitary activity. We have done so in two ways: by examining the individual groups, and thematically by examining activities such as organised crime and the use of violence. For the purposes of this conspectus we take a thematic approach.

Violence

- 5.3 The full figures on paramilitary violence since 2003 are above²⁴. They show that there are considerable fluctuations in the levels of all forms of violence from one month to another. In most of the months we have examined there have been no paramilitary murders and as regards murder it is difficult to make a meaningful comparison between three years ago and now. But we do note that in the first twelve months on which we reported there were 7 murders and in the last twelve months there were 2. We also note that in the period since 1 March 2003 of the

²³ A list of our reports is in footnote 4 attached to paragraph 1.3 above.

²⁴ See paragraphs 3.4-3.5 and the associated table on murder; paragraphs 3.8-3.13 and the associated tables and graphs on shooting and assault; and the conclusions on the figures for 1 March-31 August 2006 set out in paragraph 3.24 above.

18 paramilitary murders all but 2 of the 15 we are able to attribute were committed by the UDA and UVF²⁵ and none by PIRA.

5.4 Paramilitary shootings:

- **Three years ago** there were between about 10 and 15 casualties each month, with those caused by loyalists usually several times higher than those caused by republicans. All paramilitary groups were involved;
- **Now** the number is between 1 and 3 each month and republicans are seldom responsible. The UDA and UVF are mainly involved. PIRA has not undertaken any shootings in the 12 months to 31 August 2006.

5.5 Paramilitary assaults:

- **Three years ago** the monthly number of casualties fluctuated between about 10 and nearly 20 and loyalists were generally responsible for twice as many as republicans. All paramilitary groups were involved;
- **Now** the number is around 5 or 6 a month, of which republicans are not generally responsible for more than 1 (save in August 2006), and in some months for none at all. Both the UDA and UVF are involved. The PIRA leadership has instructed its members not to undertake violence.

Organised Crime

5.6 **Three years ago** we emphasised the seriousness of the threat posed by the involvement of paramilitary groups in organised crime, calling it the “biggest long-term threat to the rule of law in Northern Ireland”²⁶. We demonstrated the range of offences involved: the large scale smuggling of drugs, tobacco and fuel; the violent robbery of bank and

²⁵ See table in paragraph 3.4 above.

²⁶ IMC First Report, April 2004, paragraph 6.13.

other premises; the large scale counterfeiting of goods. Many of these activities had sophisticated international links. We showed how many of these crimes were built not only on the expertise, networks and readiness to resort to violence which paramilitaries brought to their crime but also on the muscle they exerted in some local communities and their resulting ability to retail the proceeds of their smuggling and other large scale activities. All paramilitary groups were involved in organised crime of this kind, although not all of them in every kind. Generally speaking, for example, the major players in drugs were loyalist, whereas republicans were more heavily involved in the smuggling and laundering of fuel.

5.7 **Now** the picture has changed significantly. The pattern of dissident republican involvement is much as it was, though the extent of the activity fluctuates in line with their capabilities and may reflect the nature of the attrition they suffer from law enforcement agencies North and South. Likewise, despite the efforts of some loyalist leaders, the nature of the involvement of loyalist paramilitary groups is broadly as it was. But in the case of PIRA things have materially changed. The leadership now seeks to stop criminal activity by members. This does not mean that all past or present members have eschewed organised crime, but where they have continued to commit these offences they do so without the sanction of the leadership. However all paramilitaries face more vigorous challenges because of the development of the Organised Crime Task Force strategy in Northern Ireland and through law enforcement and the growing use of assets recovery in both parts of the island.

Weapons

5.8 **Three years ago**, although there had been some earlier limited decommissioning, no paramilitary group had given up any very significant part of its arsenal either of weapons or of explosives and other bomb-making equipment. The nature of those arsenals differed from one group to another. PIRA's was far and away the most extensive and sophisticated, whereas those of the loyalist groups were more heavily weighted towards handguns. All groups at this stage

were, at least from time to time, engaged in some form of activity to develop their weaponry or to acquire more.

5.9 **Now** the position has changed in one significant respect, but in one only. We have referred above to the PIRA decommissioning reported by the IICD in September 2005. This was a very major development. But PIRA's decommissioning has not so far been matched by either dissident republican or loyalist groups. The present position is therefore lopsided, with the arsenals of the others, though differing in size, composition and the extent to which they have been replenished, remaining broadly intact. Dissident republicans have recently sought to procure weapons, as to a limited extent has the UDA, but without any significant success. Neither dissident republicans nor any of the loyalist groups are presently known to be contemplating decommissioning.

Other Preparatory Activity

5.10 Apart from weapons and other munitions, to which we refer immediately above, paramilitary groups may engage in a variety of other preparatory activities intended to support their role. These include the gathering of intelligence, the targeting of people or places, the development of equipment, and the recruitment and training of members. Individual groups may engage in all or some of these activities, not necessarily all at the same time. The activities may differ in their nature: for example, the kind of training, the extent of recruitment or the nature of the people or places targeted. It is difficult to give a concise but comprehensive view of what is happening in all these respects across all paramilitary groups, and it may not always be certain whether a group is engaged in a particular activity at a given moment. We nevertheless think it is useful to assess in the round whether there has been any change.

5.11 **Three years ago** we believe the position was as follows:

- Dissident republicans were generally engaged in activities of these kinds;
- PIRA was also engaged in activities of these kinds;

- Loyalist paramilitary groups were generally less sophisticated, and the range of their preparatory activities may have been rather narrower than those of republican groups. That said, they too were engaged in them.

5.12 **Now** we believe the position is as follows:

- Dissident republicans remain engaged in these activities;
- PIRA is not engaged in them;
- There is more limited involvement than previously by the UDA and UVF, mainly as regards recruitment.

Involvement in Public Disorder

5.13 The involvement of a paramilitary group in public disorder is likely to be spasmodic. It may also take different forms, for example in connection with the parades season or with instances of inter-community or sectarian disturbances (as distinct from violent sectarian attacks on individuals). It is therefore more difficult to pin things down to a particular period than it is with some other kinds of activities. In broad terms however we think that **three years ago** the focus of dissident republicans was mainly on the terrorist campaign. PIRA, with some exceptions, no longer judged inter-community disorder to be fruitful or desirable, while amongst loyalists there was a greater readiness for confrontation, particularly in relation to parades.

5.14 **Now** the position has substantially changed for the better. This is evidenced by the peaceful nature of the 2006 parades season, in contrast to the previous year, and by the fact, for example, that for the first time since the start of the troubles the 12 July parades were policed without the support of the Army. We are satisfied that paramilitary groups (with the exception of dissident republicans) wanted to avoid confrontation between communities and with the security forces in the summer and early autumn of 2006, and that they also co-operated with

the PSNI and each other to that end. The fact that PIRA, the UDA and the UVF worked with such success to secure the absence of confrontation was significant so far as paramilitarism is concerned, just as the peaceful parades season was for Northern Ireland as a whole.

Leadership

5.15 In each of our full reports on paramilitary activity we have examined leadership in the sense of both the paramilitary organisations and the associated political parties or groupings. We do the same below.

5.16 **Three years ago** the picture was as follows:

- The leadership of the dissident republicans varied in its structure and the level of control it exerted from one group to another; for example in the case of CIRA there was only a limited authority over individual units, and within RIRA there were two factions. But all the leaders were committed to terrorism and were determined to undertake acts of violence or other crime when they believed it to be in their interests and were able to do so. There were no indications of any readiness to contemplate decommissioning, ceasefires or the voluntary scaling back of criminal activity. The limitations on the leadership were either imposed by successful law enforcement or necessitated by lack of capability;

- Three years ago the PIRA leadership was in close control of the organisation and highly organised. As such it was responsible for the absence of attacks on the security forces and of engagement in public disorder. However it was also responsible for the wide range of criminal activities, including violence and robbery, in which the organisation was then involved. Because of the close association between the leadership of PIRA and that of Sinn Féin, including at a senior level, in our view the party had at that stage to bear its responsibility for this, as it could also for those areas in which restraint was being exercised;

- Three years ago the leadership of the UDA was responsible for the continuing involvement of the organisation in serious crime, including drugs, as well as violence (including murder), arson and sectarian attacks. It was associated with feuds within the organisation. The UPRG had recently announced an extension of the UDA's self-imposed "cessation of military activity" but there were no signs that it was exercising any significant restraint on the criminal activities of the organisation or was directing efforts towards political or community engagement, and there was no apparent impact on the level or nature of UDA crime;
- We said in our First Report that the UVF/RHC was a ruthless and reasonably well controlled organisation deeply engaged in violence (including murder) as well as in other crime. The leadership was involved in all these activities, as it was with the organisations' efforts to enhance their capabilities. The PUP did not determine these activities but through its links was associated with them, particularly in our view because of its failure to exert a sufficiently positive influence to prevent them;
- Despite its declaration of a ceasefire in 1998 and its limited earlier decommissioning the leadership of the LVF was closely associated with the violent and other criminal activities of the organisation. At that time these included murder and shootings as well as a heavy engagement in the illegal drugs trade.

5.17 **Now** the picture is as follows:

- Dissident republican leaders are in essentially the same position as before and the nature of the control they exert and the factionalism are broadly the same. Their determination and commitment are unchanged, as is the absence of any sign that they will contemplate decommissioning, ceasefires or any form of voluntary reduction in crime. In some respects the

notable law enforcement successes against the groups in the intervening period have been a further inhibiting factor, but given opportunity and capacity they would be as violent as ever;

- The PIRA leaders remain in control of the organisation and PIRA continues to be associated with Sinn Féin. But the direction in which leadership is being exercised has changed profoundly. We believe there is a clear strategy to follow a political path and that this is being firmly and effectively implemented. The issue of policing remains to be resolved;

- In the UDA and the associated UPRG there are now signs of not only some in the leadership wanting to steer the organisation away from crime and towards community development but also, for the first time that we have been able to report, of at least a limited impact on the level of illegal activity. These efforts and the fact that they appear to be having some effect are to be welcomed. But it remains the case that UDA members are still deeply involved in serious crime and constructive leadership has a difficult task in front of it;

- In the UVF and PUP there are similar indications of leaders wanting to redirect people towards lawful activities and away from crime. They have embarked on an extensive consultation, resulting in a new code of conduct, and their efforts have borne some fruit. But the level of crime – including violence – remains high and as with the UDA the task of these leaders will be difficult;

- As we say in Section 2 above²⁷, despite statements about the LVF ceasing to function we believe that it does still exist as a paramilitary organisation, though it is primarily a criminal concern without any coherent political purpose. The

²⁷ See paragraph 2.14.

emergence of the Ulster Community Network and the engagement of some associated with the organisation in community development and the removal of paramilitary murals is welcome. But at this stage we cannot say that such leadership as there is has directed the LVF to a political path.

Conclusion

5.18 Drawing the threads together, and looking at things from the point of view of the groups rather than thematically, we think the following points stand out:

- PIRA has undergone the largest and most substantial change. It is not the same organisation that it was three years ago. Three years ago it was the most sophisticated and potentially the most dangerous of the groups, possessed of the largest arsenal of guns and other material. It is now firmly set on a political strategy, eschewing terrorism and other forms of crime. In this process there has been a loss of paramilitary capability. The leadership has taken a firm stance against the involvement of members in criminality, both through public statements and internal directions. No other group has yet undergone this transformation. The issue of policing remains to be resolved;
- The dissident republican groups are the least changed. The commitment of the leaders to terrorism and their aspirations are as unswerving now as they were before. Although the groups are unable to fulfil all these ambitions in a sustained way, partly because they have suffered attrition from law enforcement agencies North and South, they remain dangerous and ruthless, willing to commit extreme terrorist violence. In all the essentials the groups are as they were three years ago, and they show no signs of considering a change of strategy, let alone carrying one out;

- Amongst the loyalist groups the picture is more mixed. Their level of violence is now very much less than it was, but they remain involved in the same range of crimes, though it differs from group to group. They show no signs of decommissioning weapons, although there is now less activity to sustain paramilitary capacity than there was. In contrast to three years ago, there are some encouraging signs of leadership now developing plans to bring an end to paramilitary and criminal activity and to direct efforts towards community work. So far this has had only a limited but worthwhile impact on the ground.

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 legislation.

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

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

The maps following paragraph 3.18 showing the geographical distribution of paramilitary violence over the 12 months from 1 September 2005 to 31 August 2006, are based on local government District 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 Notes

Maps of this kind can be produced only if a valid postcode is associated with the incident. Of the 109 paramilitary-style attacks (which include both shootings and assaults) during the period 1 September 2005 to 31 August 2006, all had a valid postcode (as verified against the 2006 Central Postcode Directory), for the location of the attack, and are included in this analysis. The maps use 1993 Local Government District and Ward boundaries.

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.

Tables 1 and 2 of the Annex include a community background breakdown of the population of each Northern Ireland Local Government District and for the Belfast wards. Community Background is based on 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.

Outline map of Northern Ireland by Local Government District



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Table 1

| Local Government District | Map reference number | Population by Community Background (%) Protestant / Catholic | Local Government District | Map reference number | Population by Community Background (%) Protestant / Catholic |
|----------------------------------|-----------------------------|---|----------------------------------|-----------------------------|---|
| Antrim | 1 | 57/39 | Down | 14 | 35/62 |
| Ards | 2 | 83/13 | Dungannon | 15 | 38/61 |
| Armagh | 3 | 50/49 | Fermanagh | 16 | 40/59 |
| Ballymena | 4 | 76/21 | Larne | 17 | 72/25 |
| Ballymoney | 5 | 66/32 | Limavady | 18 | 42/57 |
| Banbridge | 6 | 66/31 | Lisburn | 19 | 63/33 |
| Belfast | 7 | 49/47 | Magherafelt | 20 | 35/64 |
| Carrickfergus | 8 | 85/9 | Moyle | 21 | 38/60 |
| Castlereagh | 9 | 77/18 | Newry and Mourne | 22 | 18/81 |
| Coleraine | 10 | 69/27 | Newtownabbey | 23 | 76/19 |
| Cookstown | 11 | 41/58 | North Down | 24 | 80/13 |
| Craigavon | 12 | 53/45 | Omagh | 25 | 30/69 |
| Derry | 13 | 23/75 | Strabane | 26 | 33/66 |

Outline map of Belfast Local Government District by Ward

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Table 2

| Ward | Map reference number | Population by Community Background (%) Protestant / Catholic | Ward | Map reference number | Population by Community Background (%) Protestant / Catholic |
|-----------------|-----------------------------|---|--------------|-----------------------------|---|
| 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 | Upper Malone | 45 | 69 / 25 |

| | | | | | |
|-------------|----|---------|----------------------|----|---------|
| Duncairn | 20 | 90 / 6 | Upper 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 | | | |



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