

Blair uses Omagh bombing to sanction erosion of democratic rights

Chris Marsden
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On his visit to Omagh Northern Ireland on Tuesday August 24, British Prime Minister Tony Blair announced that parliament would be recalled next week to implement a raft of legislation that poses a major threat to democratic rights.

Blair said the changes, proposed by the government in the name of 'combating terrorism', were of a 'draconian and fundamental nature'. Primary legislation requiring a parliamentary recall was the only way to make the proposed changes legally watertight and foolproof, he added. The proposals will be rubber-stamped by MPs on Wednesday and the House of Lords will then be asked to endorse them the following day.

The law will be changed to allow the conviction of someone belonging to a proscribed organisation on the evidence of a senior police officer. In a major breach of the right to silence, refusal by a suspect to mention something later relied on as part of their defence, refusal to answer a 'relevant question' or to co-operate with any 'relevant inquiry' at any time will be regarded as corroboration of the police officer's evidence.

Irish premier Bertie Ahern announced similar legislation last week, as well as some equivalent to that already contained in Britain's Prevention of Terrorism Act and the 1996 PTA (Additional Powers Act). Ahern also said anyone found to have planned or abetted terrorists or terrorist activity could have their property confiscated. The Irish Republic also maintains the power of internment without trial, which was removed from Britain's statute books in the run-up to the Northern Ireland Agreement. There have been calls for its reinstatement, but many have pointed out that the legislation proposed is internment in all but name.

The legislation being introduced by the Labour government establishes legal precedents that over-ride the democratic rights of millions of people.

Blair is considering adopting the Irish proposal making

it an offence to 'direct' an illegal organisation. This would make it possible to prosecute those against whom there is no evidence of participation in terrorist activity. Both governments are considering making evidence gathered through phone taps and bugs admissible as evidence in court.

The measures proposed by Blair also include unprecedented powers to convict people on the basis of conspiring within Britain to commit terrorist offences anywhere in the world, proposals that the previous Conservative government could not get onto the statute books partly because of opposition from within the Labour Party. In 1996/7 Conservative MP Nigel Waterson had moved a private member's bill to enact a global anti-terrorist law, which was blocked. He welcomed the Blair government's move as 'not before time'.

Tying these provisions to changes ostensibly dealing with Northern Ireland again refutes the claim that the current security clampdown can be either explained or justified by the bombing of Omagh by the Real IRA. Far more is at stake. The measures come in the wake of Britain's endorsement of the US bombing of Sudan and Afghanistan. Defence Secretary George Robertson said Britain would act in a similar fashion if its interests were threatened in any part of the world. There was, he warned, 'a price to be paid'.

The 1978 Suppression of Terrorism Act only recognises the offence of conspiracy to commit murder abroad in specific countries, mostly in Europe. The vague character of the new provisions would make the activities of groups opposed to repressive regimes across the globe subject to political persecution. Lord Lloyd, a former Law Lord, was charged with drawing up the proposals for the new legislation. He defined terrorism as, 'the use of serious violence against persons or property, or the threat to use such violence to intimidate or coerce a government, the public or any section of the public, in order to promote

political, social or ideological objectives'. Under this definition, everyone from Nelson Mandela to Karl Marx could have faced imprisonment for up to 10 years. It will give the British government the right to decide which political groups are, or are not, permitted to fight for their views. Opponents of Britain's allies, like the dictatorships in Saudi Arabia or Nigeria, will be targeted, while largely right wing groupings sponsored by MI6 or the CIA will continue to operate unhindered.

The legislation proposed by Blair and Ahern has been widely condemned by civil rights groups. A spokesman for *Liberty* said, 'The Government seems to have learnt nothing from the history of anti-terrorism laws which have rarely been effective and have often led to the wrong people being accused and convicted.'

Roy Munoven of *Amnesty International* said the plan to ensure easier convictions for membership of proscribed organisations would, 'undermine the presumption of innocence and impermissibly shift the burden of proof onto the accused.'

Julia Hall of the international *Human Rights Watch* said, 'We believe the new policing commission in the North was established in part based on a series of human rights violations by the RUC (Royal Ulster Constabulary) over the past 30 years. To now give them additional extraordinary powers to arrest persons suspected of political violence when we know in the past that these types of laws have had a disproportionate impact on nationalists, seriously undermines the [Northern Ireland] agreement.'

The measures enacted by the British and Irish governments reveal far more about the true character of the Northern Ireland Agreement than the supposed threat to it posed by tiny dissident republican terrorist groups. The IRA and the unionist paramilitaries have all declared a permanent cease-fire. The RIRA announced its own within days of the Omagh bombing, in the face of almost universal public hostility and warnings from the Sinn Fein leadership that it would suffer the wrath of the 'republican movement' if it did not. Now the Irish National Liberation Army and its political wing, the Irish Republican Socialist Party, have followed suit. Yet in the face of this, the British and Irish governments have pressed on with the imposition of ever more repressive legislation.

All normal legal standards are being swept away on the most flimsy of pretexts. No one has explained why this is necessary. Blair told the *Observer* last Sunday that, 'The group behind this bombing are small in number and the names of many are known to us. In a world dominated by

terror, yes, we could, to use the parlance 'take them out'. But our country is built on values of democracy... we must win the battle on the security front through democratic means'. Thus the choice is presented as whether to send in SAS hit-squads or utilise means that, contrary to Mr Blair, are 'legal' given that they gain the backing of parliament, but are far from 'democratic'.

Britain has an appalling record on civil rights at home and abroad. It was the systematic denial of the democratic rights of Irish Catholics by the British government that provoked the civil unrest of the past three decades. The repressive powers accrued since then on the pretext of fighting terrorism have been used not only to continue the victimisation of Catholics by the RUC, but have also led to notorious frame-ups like those perpetrated against the Guildford Four and the Birmingham Six. Ireland has acted as a training ground and test-bed for the armed forces, the police and security services in techniques that have been employed again and again against working people in Britain fighting to defend their social and political interests. The Northern Ireland Agreement was supposed to lay the basis for a 'normalisation' of security arrangements, instead what has been normalised, in Ireland and Britain, is the most repressive legislation, which can be directed against anyone who challenges the present order.

See Also:

Omagh bombing used to push through draconian security measures

[20 August 1998]

The Omagh bombing and the dead-end of nationalism

[18 August 1998]



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