**[unanswered]**

**To Jorg Schindler**

**Der Spiegel**

Dear Jorg,

I read your article of 3 August 2021 on the Northern Ireland amnesty proposals with interest. It was well written and translated.

I notice you do not attempt to provide an alternate voice and view from lawyers and academics like ourselves who have published widely on the legal aspects of the Northern Ireland legacy proposals and the matter of ECHR rulings. We are a recognised NGO at the Council of Europe.

Attached please therefore find an introduction to the Malone House Group which I convene. We favour the NIO’s direction of travel on legacy. Also attached is a recent article I wrote on the government’s proposals. And more recently, an article I wrote for the Belfast News Letter on 13 August concerning your news story and the simultaneous appearance in print of a UN rapporteurs’ report and a piece in Forbes Magazine by a former Obama staffer, Michael Posner, the last two being described as human rights experts.

You take no account of the cost of legacy investigations. If we follow the Saville (Bloody Sunday) inquiry precedent into 14 deaths (and costing £200 m.) supposedly necessitated by the ECHR’s Article 2, the billion pounds already spent on inquiries would reach a trillion pounds. Cost matters, especially with our economy lacerated by Covid.

You also imply that the rule of law and judicial decisions, as with the Soldier A and C acquittals were somehow improper when the very same legacy practitioners you admire have argued for decades that the security forces must comply with the law. Putting people in jail requires a fair hearing and trial, as Strasbourg’s Article 6 necessitates.

There are also some key prominent people in the field who have agreed with the government in different ways - Rev John Dunlop (Presbyterian Church Moderator), Dennis Bradley co-author of the Eames-Bradley report, the Irish Times columnist Newton Emerson, Senator Michael McDowell, a former Irish party leader, Brian Rowan, the best known legacy journalist here, John Larkin, former Northern Ireland Attorney General who early favoured drawing a line with a stay on prosecutions, and Sir Hugh Orde former PSNI Chief Constable. Orde created the Strasbourg Article 2-compliant HET that was casually destroyed by legacy ‘practitioners’. He remains very angry.

The main political parties, mine included, the UUP, are opposed to the proposals but that is as far as it goes. They are far from united on what should happen otherwise and left the matter for London to legislate. (The UUP opposed the Stormont House Agreement.)

The context of a two-sided terrorist campaign lasting thirty years is hardly mentioned in the article nor the fact that the security forces will have saved many many lives.

You wrote: “The law would have dramatic consequences: Overnight, the Northern Irish police would suspend investigations into around 1,200 killings. Of those, 585 are thought to have been committed by the IRA or other Republican paramilitary groups with 291 cases attributed to loyalist paramilitary fighters. British soldiers are suspects in 289 cases and another 51 killings are thought to have been carried out by Northern Irish police officers. All of them would be able to breathe a sigh of relief if the amnesty law was passed.”

The numbers you quote are revealing. Pretty well every police and army death case (340) is being re-investigated but only a fraction of terrorist ones. And the security forces managed only 10% of the 3,500 killings, most of which were legitimate and Article2-compliant. It is important to note that 300 police officers were murdered and over 1,000 soldiers. I think if those figures were multiplied out for Germany (e.g. 15,000 murdered policemen) there might have been calls for stern responses, even from Der Spiegel.

Best wishes

Jeffrey Dudgeon (MHG Convenor)

079 2125 1874

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