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*W. Gelling*  
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BRITISH EMBASSY,  
DUBLIN.

26 November 1987

Mr Dermot Nally  
Secretary to the Government  
Government Buildings  
Dublin 2

*See by Teareach: 9 a.m. 27*  
*by phone to sub.*  
*E. of House here*  
*1.12.87*  
*1.12.87*  
*M. M. (copying)*

Dear Dermot,

EUROPEAN CONVENTION ON THE SUPPRESSION OF TERRORISM

You should see at once the attached statement which, I understand, is to be issued either at Downing Street or at the Northern Ireland Office following this morning's Cabinet meeting in London. I hope I am in time to get this text to you before you read it on the tapes.

As you would expect, it expresses concern and regret. I am authorised to add that spokesmen will be making clear, in reply to supplementary questions, both that Irish legislation is a matter for the Dail, and that we have no wish to interfere with it; and that the statement does not say - and is not intended to imply - that we will not do our best to make the system work.

*Yours ever,*

N M Fenn

cc

Mr Noel Dorr  
Secretary  
Department of Foreign Affairs

Mr Des Matthews  
Secretary  
Department of Justice

Mr Matt Russell  
Senior Legal Assistant  
Attorney General's Office





BRITISH GOVERNMENT STATEMENT

EUROPEAN CONVENTION ON THE SUPPRESSION OF TERRORISM

We welcome the Irish Government's decision to ratify the European Convention on the Suppression of Terrorism and to stand with other European countries in the fight against international terrorism.

Under our existing arrangements no application is made to a judicial authority for a warrant without there being a firm intention to prosecute based on a sufficiency of evidence. We are therefore surprised that a need is perceived for any further procedural step.

We regret that, notwithstanding our representations, it is proposed to give a role to the Irish Attorney General, whereby he must satisfy himself as to the intention to prosecute the fugitive and as to the sufficiency of the evidence. We are naturally concerned about the compatibility of this with the continuation of the viable extradition arrangements within the two countries. It is essential that we maintain effective extradition arrangements so that there is no hiding place for terrorists.