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Misc  
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# ROINN AN TAOISIGH

Subject to Verification

Uimhir.....

SECRET

Meeting between the Taoiseach, Mr Charles J Haughey and  
the British Prime Minister, Mrs Thatcher,  
at the European Council, Rhodes, 3 December 1988

The meeting took place in the British delegation room in the Knights Palace, Rhodes, where the European Council had been held. It lasted just under 55 minutes. Apart from the Taoiseach and the Prime Minister, it was attended by Mr Charles Powell, Private Secretary to the Prime Minister and the undersigned.

After the usual preliminary remarks, the discussion was broadly as follows.

Prime  
Minister

I will go straight to the point. We are at the receiving end of a vicious campaign of terrorism. Not so long ago a soldier was murdered in Ostend. The IRA are not letting up on their campaign. You have heard what I said about the Ryan case. The Belgian courts, the Belgian police and security services worked splendidly but the decision of two courts was overturned by the Belgian Cabinet. That is a political body and it took a thoroughly bad decision. They say that the decision has a legal basis. I do not believe that. I was pretty cross indeed when I heard what they had done - especially when I think of the trouble we went to deal with the Heysel case. We found a lot of the evidence for them to help them with that. They certainly landed you with a problem.

Ryan is a really bad egg.

[The Prime Minister then began to abstract from a paper which she had before her.]

He is largely responsible for the Libyan money. Very large sums have been traced to his account from the Libyans - money like £700,000 and £150,000. He has also been caught with bombing devices of the sort that were nearly used on 11 of our seaside towns. We stopped that. That was one of our successes.

When you were bringing in your Act we said that we had reservations. One reason it doesn't work is that your Attorney General does not accept what our Attorney General does - as I would have thought would be normal as between two professional people.

In the present case we had drawn up certain documents on a contingency basis. Wording previously accepted by your side is not, we find, acceptable now. There are quibbles over commas and duplicates. I know that the Bow Street clerk didn't put the date in and there were other things like that.

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But the important point is that, yes, we are worried about Ryan. You had three days to take out a provisional warrant and back ours. That should have been enough time for you to have been able to decide. But you didn't. Your Attorney General wouldn't take a request from ours. We are at the receiving end of this terrorism. Ryan is a very dangerous man.

We faxed everything to your Attorney's office. There was no effective co-operation there. We sent it across very quickly. If your judgement is that three days is enough for a provisional warrant then why do your people not act within that time. You committed yourself in a letter to me at the time the 1987 arrangements were going through that if the arrangements were not satisfactory you would assess them again. The present case shows they are not satisfactory. Your people had Saturday, Sunday and Monday - three days - and did nothing.

I and my soldiers - we are at the receiving end. I will never forget receiving the bodies of those two soldiers murdered in Belfast before the television cameras. Those films were seen by their relatives; that was a terrible experience. I have ensured that these people will not be allowed to appear on T.V. in future. I have been criticised for this decision. I am asked where is the freedom of the press? My reply is the words of the mother of one of these murdered boys: she said "Where is my son?"

You make all the right statements; and so did the Pope. I wish that people would listen but what we need is effective action.

Ryan is a very dangerous man. Both the Belgians and our services know this. He is at liberty still. What Martens did was unforgivable. Why do you not take him, either under your legislation or back our warrant? Maybe this is not possible for those who are not the targets of terrorism and therefore are not responsible to the relatives of those who are murdered. I do not know what will happen in Knightsbridge or Oxford Street at Christmas. People like Ryan with contacts with Libya, with expert knowledge of bombing - they can skip - I feel so strongly on this and feel so badly let down.

I have said my say. What do you think?

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Taoiseach: First, we cannot, under our law, issue a warrant in anticipation of a person's arrival in this State. We must wait until the person comes into the country.

There was time for the preparation and perfection of warrants. This time was not used - and it was not our fault.

It is a pity that every time you and I meet we have one of these difficult issues on something that is marginal between us. We can never get to the major questions which we should be discussing - like the possibility of progress with the North, how Northern Ireland is to be governed, relations with the Unionists and such like matters.

Last time it was the Gardai and different intelligence. I don't know how we can get away from this constant bickering, attacking each other after each incident.

At the moment, Fr Ryan is the villain of the piece. When he came we had no knowledge of any reason as to why he should have been extradited. We got a phone call late on Friday afternoon to tell us that a plane would be on the way. The Gardai know where he is and he can be found if the case goes that way.

Every extradition case seems to involve complexities. It goes from the District Court to the High Court and then to the Supreme Court. The whole process just is not working. I asked Brian Lenihan to talk to Tom King and suggest that we should go back to the old system under the Criminal Law Jurisdiction Act. Under that legislation, something like 14 out of the 15 cases have succeeded. In cases like this we could be caught on technicalities about extradition. There could well be no particular difficulty in putting him away under the Criminal Law Jurisdiction legislation and, I believe, that our courts impose longer sentences than yours. If we did this, we could avoid these constant rows.

I think Tom King was not unfavourable to this view. He seemed to be saying that he would give it a try in cases like the Fr Ryan case.

Prime Minister: In some cases we can use the Criminal Law Jurisdiction; this is not one of them.

Taoiseach: I believe you can.

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Prime  
Minister:

I have checked it out.

No matter what we send your people object. Our forms were settled by eminent Counsel in England and derived from forms previously accepted by your people in actual cases. Even forms put together after all this effort were not accepted by your people. They just won't accept what comes to them. We get 20 little requests for more information or more detail. If that is how a warrant is treated how is a person going to be treated?

[The Prime Minister appeared to be referring to persons coming to give evidence in Irish courts.]

We would be exposing our policemen and our witnesses to even more dangers.

You accept that there should be a proper process for extradition. Why do we not put it together?

What we are complaining about now is not the extradition but that you did not detain the man. He came home and may well now have disappeared to the United States.

Taoiseach: We have sent a few back to you.

Prime  
Minister:

- [reading from Attorney Mayhew's Parliamentary statement] What is needed are more effective procedures.

[The Prime Minister then read again from the Taoiseach's letter about proposals for improving the procedures if they were found not to work satisfactorily.]

We keep getting warrants sent back for correction. On the date, we were told that did not matter. Our Attorney tried to contact yours. He did not phone back until Monday morning. If your law mentions three days I assume that you must think that the three days is sufficient. But the process doesn't work. There is hostility all the time.

Taoiseach: I don't think that is the problem. Fourteen out of fifteen of the Criminal Law Jurisdiction Act cases were successful. I really think that this is what we should try. It may be the way out.

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Prime  
Minister:

I don't think anyone in our country would - [agree with you].

Taoiseach:

We never heard of this man until he appeared in Belgium. Your police asked the Belgians that he be kept under observation and then at the end of June he was arrested. I don't think your people asked for that arrest. Certainly we didn't hear that they had.

Prime  
Minister:

You amaze me. From 1973 to 1984 he was the main channel of contact with the Libyans. He has had meetings with at least two prominent Libyan Ministers. Between 1973 and 1976 he was connected with two sterling sub machine guns. He has links with the Oxford Street, Brighton and Dulwich bombs. He is also known to the Belgian police. He has had money in his accounts from the Libyans amounting to over £740,000.....

Taoiseach:

You complain that there is no co-operation from us and I think you complimented the Belgians the last time.....

Prime  
Minister:

The Belgian security services are excellent and their prosecuting services are excellent. I am not complaining about them. What I am complaining about is the political interference with the court and prosecuting services. Their Minister for Justice brought the court decisions to extradite Ryan to the Cabinet and the Cabinet interfered with those decisions. That would not happen in the U.K. The Cabinet would never seek to interfere with a decision by a court or by the Home Secretary. Their Cabinet took the decision. The previous Minister for Justice, who was of a centre right party, has a stinging article in the Belgian papers criticising the decision most severely. We simply must get the extradition arrangements to work.

Powell:

I think that only two of the charges could be carried under the Criminal Law Jurisdiction Act.

Taoiseach:

That is all we want.

Prime  
Minister:

What about the charge of conspiracy to murder? If that is not covered we won't get anywhere. All that you would be able to get him under is the fourth of the charges - that is possession of explosives without lawful authority. This is the least of the things he is accused of.

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Taoiseach: We could get him on that certainly.

Prime Minister: But that is not the most serious of the charges. We must have extradition. There is no substitute.....

Taoiseach: We have succeeded in handing back Maze escapees. That involved a major military exercise.

Prime Minister: Yes - and it avoided more dead bodies.

Taoiseach: To sum up, you are saying that when the new legislation went through I wrote saying that I would review it if the procedures did not work satisfactorily. You are calling in that cheque.

Prime Minister: Exactly.

Taoiseach: If we had a straightforward case like the Harrods or Enniskillen bombs we would have no difficulty; but every damn case now has some twist to it. Ryan is an extraordinary case. You have a mad priest careering around Europe, arrested in Belgium and then flown to us in a military plane, avoiding British airspace!

Prime Minister: Yes, he avoided our airspace. There is the conspiracy case. But he was also the source of Libyan money to the IRA and was involved in arms and bombs. These people are very hard to catch. They move from country to country and they are very careful.

There are one or two other things that we have still to talk about. For example, there will be 60,000 who could not vote under the old arrangements who will now be getting the vote. On Fair Employment, we are introducing in Northern Ireland legislation of a sort that I would never, never, introduce in Britain. I am totally against the sort of principle involved. I believe that people should be allowed work where they want and to select who is to work for them, without interference from the State. We are creating the wrong environment. We are building up a huge bureaucracy.

Taoiseach: I was surprised that you did not come in on the environment debate at the Council.

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Prime  
Minister:

You have to decide what you fight on. I am going to make an issue of the tax proposals. Harmonisation of taxation is not necessary at all.

Taoiseach: You were just putting down markers.

Prime  
Minister:

Harmonisation of taxation is not necessary. Different rates of VAT will bring their own results. Your people swarm over into Northern Ireland. Our people swarm over into France; and then the French swarm into England for the food because we do not have VAT on it. These are all the natural consequences of decisions Governments make. I am not going to have my taxation system upended.

There was some interesting discussion on islands.

On Northern Ireland, we are changing the system of remission.

Taoiseach: We can't complain about that. You give a remission of 50%. With us it is only 25%, at most.

Prime  
Minister:

On the Review of the Anglo-Irish Agreement, let me tell you of my experience. I was in Derry recently in Marks and Spencers. There is fantastic prosperity there. I was also in a place called Desmonds, dealing with the technology of mapping. We must get away from this old idea of "the two sides of industry". That is marxist nonsense. Technology is getting rid of that whole concept.

I was in Lisburn also. That is a Unionist hotbed but they all turned out. They lined all sides of the marketplace. There were 5 or 6 people there with placards saying "Ulster says no". But the crowd dealt with them. The Mayor who is a stalwart Unionist said he had nothing to do with them. I was very pleased. They realised that we are the first line in defence against terrorism. The Review is not a review of the Agreement. It is a review of the working of the Agreement, not of its existence. We cannot leave the Agreement now because without it, we would have nowhere to go.

I know there are talks about devolution but John Hume is not very keen. Neither are the Unionists. He is not performing as well as we would have expected of him.

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Behind the scenes I must have other consultations with the Unionists. There were flowers everywhere for my visits to the North recently. I can't give them another grievance. I must take counsel with some of my own people on all this. Just when they are coming to accept it I cannot again get them all worked up. So we will try that course.

Incidentally, there is still a lot of explosive around. We haven't yet found the SAMs. There is plenty of Semtex and heavy machine guns which we haven't yet got.

Taoiseach: We keep turning up stuff, not in great quantities but continuously.

Prime  
Minister:

They move fast. If only we could get rid of terrorism there would be an extraordinarily life for everyone in Northern Ireland. That is what really struck me about my visit there recently. Without the terrorism, there could be great prosperity for everybody in Ireland.

Taoiseach: I owe you a letter [referring to the letter from the Prime Minister on certain security issues].

Prime  
Minister:

On the day the election was declared in 1979 they murdered Airey Neave. Their viciousness, their savagery is unbelievable. And they torture people dreadfully .....

Taoiseach: Let me write to you.

Prime  
Minister:

There is no substitute for worthwhile extradition arrangements.

Taoiseach: We are improving security arrangements steadily on Garda training, on intelligence and on other issues. Incidentally, the Commissioner will be retiring soon.

The meeting then broke up. While the Prime Minister spoke with considerable warmth on many subjects her general attitude, in the end, was cordial. She spoke a great deal of the time more in sorrow than in anger.

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Dermot Nally  
5 December 1988.