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BRIEF

VISIT OF AN TAOISEACH TO NEW YORK AND BOSTON

20-24 APRIL 1988

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 - text of Mayor Flynn's letter to Mrs. Thatcher

Anglo-Irish Division,
Department of Foreign Affairs.
15 April 1988.

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Current Irish-American Attitudes and Issues

The various issues affecting Anglo-Irish relations in recent months have also had a resonance in the U.S. The effects are visible at two levels. Extremists - NORAIID in particular - have received a psychological boost, although it is too early to say whether this will be reflected in increased financial contributions to NORAIID. Perhaps more significant in the longer term, moderate Irish-American opinion has become notably more critical of British Government policy in Northern Ireland and sceptical as to British Government intentions. This is reflected, for example, in the much sharper tone than usual of this year's St. Patrick's Day statement by the Friends of Ireland and in the initiative being undertaken by Congressman Donnelly in the fair employment area.

While the Taoiseach will no doubt hear concerns expressed on the full range of issues - Stalker/Sampson report, Birmingham Six, release of Private Thain, killing of Aidan McAnespie, shootings in Gibraltar and at the subsequent funerals, it is likely that attention will focus largely on the following matters of principal concern in Irish-America:

- extradition
- fair employment/MacBride Principles/Donnelly Bill
- Birmingham Six and Guildford Four cases
- International Fund for Ireland
- Joe Doherty

1. Extradition Arrangements between Britain and Ireland

A separate note on the current position on extradition is included on the brief. Reaction among a number of Irish American groups to the 1987 Extradition (Amendment) Act was sharply negative, with the Irish American media reporting sustained criticism of the Irish Government among the

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leadership of the Ancient Order of Hibernians and the Irish American Unity Conference (Mr. Nick Murphy and Mr. James Delaney respectively) as well of course as on the part of NORAID. The March issue of the Hibernian Digest, the AOH newspaper, carried Mr. Murphy's message as President of the AOH which inter alia accused the Government of introducing extradition legislation as a reaction to the Enniskillen bombing, and of throwing away the opportunity to seek reform of the administration of justice in Northern Ireland. In any discussion on the issue, the Taoiseach will no doubt wish to point out that the 1987 Act did not introduce extradition between Ireland and Britain which has been in existence for some decades, and that in extending the scope of offences which become extraditable, great care has been taken to provide effective safeguards (the safeguard provisions in the Bill are provided on the brief).

2. Fair Employment/MacBride Principles/Donnelly Bill

(a) MacBride Campaign

The campaign continues in the U.S. for the adoption of State level of legislation which incorporates or is based on the MacBride Principles. To date, such legislation has been adopted in five U.S. States, including New York and Massachusetts, and Bills are pending in a large number of other States. The campaign has attracted very broadly based support among the Irish American community in recent years. The Government's position, as outlined by the Tánaiste in the Dáil, and by the Taoiseach in an interview in the September 1987 issue of "Irish America" (texts attached), is that we find the Principles totally acceptable. For our part we are seeking to advance the same objective - ending employment discrimination in Northern Ireland - through our discussions with the British authorities in the context of the Anglo-Irish Agreement.

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(b) New Fair Employment legislation

Proposals for new legislation on fair employment were recently put forward by Secretary of State King, following detailed discussion in the Intergovernmental Conference. A White Paper will be published around the end of May and legislation will be put through the Westminster Parliament during the '88/'89 Parliamentary session. While the Tánaiste has welcomed the intention to legislate, his reaction to the substance of the proposals has been cautious until such time as the detail becomes clear (text of Tánaiste's statement attached).

Reaction of MacBride campaigners in the U.S. to the British proposals has been mixed. Some (Fr. McManus of the INC, for example) have dismissed the proposals outright as 'too little, too late', while the response of others (including Pat Doherty of Harrison Goldin's office) has been much closer to that of the Irish Government.

(c) Donnelly Bill

A recent development of significance has been the proposal of Massachusetts Congressman Brian Donnelly to introduce a Bill entitled "The Northern Ireland Fair Employment, Anti-Discrimination and Employment Incentives Act, 1988". The Bill is to be put forward next week by Congressman Donnelly in the Ways and Means Committee of the House of Representatives (Wednesday 20th is the date presently scheduled for Donnelly's introductory speech). The issue can therefore be expected to be a very live one during the Taoiseach's visit.

A brief summary of the Donnelly Bill is attached. The British reaction has been unprecedentedly strong, with assertions that they "may as well shut up shop" as regards attracting U.S. investment to Northern Ireland if the Bill is introduced. The British Embassy in Washington has

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sought our assistance, and that of John Hume, in seeking to dissuade Congressman Donnelly. Our response has essentially been that Congressman Donnelly is an independent agent, who has reached his decision in full knowledge of recent developments in the fair employment area. From our discussions with Congressman Donnelly, however, it seems clear that as of now he sees his Bill as serving largely the tactical purpose of strengthening the British commitment to new legislation and he does not foresee action in the immediate future in Congress to bring the legislation out of the Committee stage.

The Taoiseach might wish to consider responding to queries on our attitude to the Donnelly Bill along the following lines:

- Congressman Donnelly has always shown a constructive concern on issues relating to Ireland, North and South. His views and proposals will therefore always receive our serious attention.
- We entirely share Congressman Donnelly's objective of seeking to ensure that employment discrimination in Northern Ireland is brought to an end, urgently and definitively. We understand and appreciate the deeply felt concern in Irish America on this issue.
- We are giving the fair employment issue our priority attention in the context of the Anglo-Irish Agreement. We are currently engaged in detailed discussions with the British authorities on the content of their proposed new legislation. We want to see strengthened legislation enacted as quickly as possible, and effectively implemented.

3. Birmingham Six/Guildford Four cases

In view of the Taoiseach's meeting with Mrs. Paul Hill, a separate note on the Guildford Four is included on the brief.

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There is widespread concern in the U.S. about the position of the Birmingham Six and the Guildford Four. While criticism is of course directed primarily at the British Government, the issue is frequently raised in the context of discussions on extradition, and is seen as an example of continuing anti-Irish prejudice in Britain which should make the Irish Government wary of entering any extradition arrangements with Britain. The Taoiseach might wish to emphasise the very active approach the Irish Government has adopted on these cases, backing up public expressions of concern with forthright discussions in private with the British authorities.

The House of Lords decision on 14 April means that the Birmingham Six case is particularly topical. The legal avenues have now been exhausted and the only hope of release or amelioration in the conditions of the Six lies in the possible exercise of clemency by the Home Secretary. All the indications, however, are that Mr. Hurd will not exercise the Royal Prerogative of Mercy. The Tánaiste is writing to the Home Secretary shortly to seek an early meeting to discuss both the Birmingham Six and the Guildford Four cases (copy of Tánaiste's statement of 14 April is on the brief).

4. International Fund for Ireland

While the Fund has been criticised by some Irish-American organisations, it is important that the Taoiseach not endorse criticisms as this could seriously jeopardise our efforts to obtain future American funding. The best approach might be (a) to accept that it could be argued that the Fund was slow to get off the ground (b) that the reality now is that its programmes are well under way (with over fifty per cent of funds committed), (c) that we are pleased at the priority which the Board is prepared to give to disadvantaged areas such as West Belfast, (d) that we expect the Board will follow-up its West Belfast initiative (where it has set up a Special Task Force) and focus in particular in the future on the needs of deprived areas, as well as on developing some imaginative cross-border

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projects and (e) that we greatly welcome American support for the Fund and very much hope that this will be continued in future years.

(If asked about a European contribution, the Taoiseach could say that the question of a joint approach by both Governments to the EEC is under the most active consideration at the moment).

4. Joe Doherty

A note on the Joe Doherty case is on the brief. This has become a very well known case in the U.S., with concern about Doherty's position being expressed by individuals such as Cardinal O'Connor as well as by groups like the AOH. Doherty has sought and was granted voluntary deportation to Ireland; however the deportation order was unsuccessfully contested by the Immigration and Naturalisation Service (INS) and the matter now rests with the US Attorney General.

It is possible that the question may be raised with the Taoiseach as to what Doherty's position would be, if he succeeded in being deported to Ireland, and a British warrant were subsequently issued for his extradition. Obviously any such discussion - resting on two hypotheses - would be highly speculative and the Taoiseach could quite reasonably refuse to enter into any discussion of this nature.

Anglo-Irish Division,
Department of Foreign Affairs.

15 April 1988.

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Current Situation in Northern Ireland

Public attention is focussed on the search for a formula by which talks can begin between the constitutional parties in the North. The need to find a settlement was given added impetus by the violence of the attack on 16 March in Milltown cemetery on the funerals of those shot in Gibraltar and, some days later, the horrific murder of two British soldiers in Andersonstown.

SDLP, Sinn Fein Meetings

The SDLP has had two meetings with representatives of Sinn Fein, most recently on 2 March. Another meeting is envisaged but neither side will be drawn as to the future course of the talks. The object of the meetings for the SDLP is to secure a lasting end to violence and military activity in the North.

SDLP talks with Secretary of State

On 29 March last, the Secretary of State met a delegation from the SDLP consisting of John Hume, Seamus Mallon, Eddie McGrady, Joe Hendron, Austin Currie and Sean Farren. According to the brief statement issued after the two hour talks, the meeting had been arranged to consider the possibility of moving to a wider dialogue involving the other political parties, and to explore the SDLP's current thinking on devolution.

Mr. Hume said afterwards that he hoped "that the British Government will consider steps to create a wider dialogue". Privately, however, the SDLP felt that the meeting was fruitless. Indeed the SDLP do not have any plans for a second such meeting with the Secretary of State.

Talks about Talks

At the last meeting in this series, the Unionist leadership presented an "outline" of their proposals on an alternative to the Agreement to the Secretary of State. Speculation that the Unionist political leaders are prepared to begin inter-party talks was strengthened by a recent speech by OUP leader James Molyneaux in which he said that he and the OUP "are prepared to shoulder our responsibility to render assistance to the British and Irish Governments in a determined and sustained effort to end the ancient quarrel

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between the two nations." It is understood from departmental contacts that Mr. Molyneaux is keen to respond to feeling both within the OUP and within the Unionist community that efforts should be made to begin political progress soon.

Peter Robinson, deputy leader of the DUP, has called for "a major Unionist convention" if the proposals put to the Secretary of State are not acted on. Robinson's speech, delivered to DUP members in Glengormley on 14 April, is his first major statement on the North since the publication of the Task Force report. Robinson argued in his speech that because the proposals put to the Secretary of State were "so reasonable and flexible", to ignore them would confirm his thesis that the British Government now shared the Irish Government's aim of Irish "integration". This policy, he said, was evident from the steady erosion of the British commitment to the union, so much so that Britain was now committed to Irish unity through the formula of the "reconciliation of the people of the two parts of Ireland".

His speech is also seen as a veiled criticism of the Unionist leadership's approach to the Anglo-Irish Agreement. "Opposition felt but not expressed", he said, "opposition held with sincerity but without protest, is tantamount to acquiescence. And acquiescence is the brother of surrender".

Alliance Party Conference

At the Alliance Party's annual conference of 9 and 10 April, the party leader, Dr. John Alderdice spoke of his and his party's commitment to devolution and he called on the Unionist leadership to use the opportunity of the review of the workings of the Anglo-Irish Conference to put forward their views. He also asked them to accede to his request for a meeting.

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Taoiseach's Meeting with Marian Hill,

21 April 1988

This meeting was sought by Mrs. Hill. She has indicated that she intends to come to the meeting alone. She has also mentioned that she intends to consult with Paul O'Dwyer inter alia in advance of the meeting.

Marian Serravalli, an American citizen, married Paul Hill in Long Lartin prison on 12 February 1988. Her relationship with Hill developed after his imprisonment through correspondence and occasional meetings.

At the meeting Mrs. Hill is likely to raise the following issues:

(1) Recent developments in the case

The police investigation ordered by the Home Secretary under Mr. Sharples of the Avon and Somerset police into new evidence provided by Cardinal Hume and Mrs. Yvonne Fox has now been completed. It was handed to the Home Secretary on 13 April. The Embassy in London has been informed by the Home Office that the Home Secretary will decide "in a matter of weeks" what action to take on the report. Latest indications are that a decision can be anticipated around the end of May. We have no firm indication yet of the contents of the police report; lawyers for the Guildford Four however appear to feel that the report is negative.

(2) Paul Hill's Prison conditions

Mrs. Hill is likely to raise the conditions under which Hill is being held in Britain. He has been moved on a number of occasions to different prisons throughout Britain at short notice. During his imprisonment he has spent a large amount of time in solitary confinement (Mrs. Hill claims up to 1,623 days) and is currently in solitary confinement. Mrs. Hill has also stated that he needs medical attention for a throat problem.

The Embassy in London has visited Hill on a number of occasions and a further visit is planned shortly.

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In 1987 the Embassy requested that Hill's category A status be changed in order to improve his conditions. The Home Office refused - the indications at the time were that the reason for the refusal was because Hill was regarded as a particularly difficult prisoner. Only Carole Richardson of the Guildford Four is not regarded as a category A prisoner.

Bombings at Guildford and Woolwich in October and November 1974

(3) Further Irish Government representations on the case

As will be seen from the attached note, the Irish Government has been very active on the Guildford Four case. The most recent representation to the British Government was when the Tánaiste met with Douglas Hurd, the Home Secretary, on 17 October concerning the case.

Since the initiation of the Police inquiry we have refrained from public statements on the issue. However, the Tánaiste will write very shortly to the Home Secretary seeking an early meeting at which this case, as well as that of the Birmingham Six, will be discussed.

We understand that Mrs. Hill will also request the Taoiseach to ensure that an Irish diplomatic representative be present at a retrial of the Guildford Four, if held. The Taoiseach may wish to convey a positive response to such a request.

DFA.

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An ITV programme was presented on 1 March 1987 in which Cardinal Hume and Lord Justice Goff were among those who argued the innocence of the Guildford Four. Mrs. Justice Goff, who had not been called as a witness at the original trial, gave evidence that she had been in the shop house at Paul Hill on the night of the Woolwich bombing. The Tánaiste issued a statement the following day urging deep cuts that the case be referred to the Court of Appeal and he also wrote on 4 March to this effect to the Home Secretary.

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The Home Secretary wrote to the Tanaiste on 31 March indicating that he would be GUILDFORD AND WOOLWICH BOMBINGS by the statement made by Mrs. Fox. The Tanaiste responded on 9 April calling once more for a referral of the case to the Court of Bombings at Guildford and Woolwich in October and November 1974 killed 7 people.

The Tanaiste wrote again to the Home Secretary on 01 July and Paul Hill, Patrick Armstrong, Gerard Conlon and Carole Richardson were convicted and sentenced to life imprisonment. The three men are from Northern Ireland but Carole Richardson is English.

In December 1975 the Balcombe Street siege took place. The "Balcombe Street Four" (Hugh Doherty, Eddie Butler, Martin O'Connell and Harry Duggan) claimed responsibility for the Guildford and Woolwich bombings. When they came to trial they were charged with 25 bombings and shooting incidents, but not with those at Woolwich or Guildford. In October 1977, the Court of Appeal heard an appeal by Conlon and the others on the grounds of the Balcombe Street confessions. The prosecution accepted the "Balcombe Street Four" could also possibly have been involved in the Guildford and Woolwich bombings but in addition to the four convicted for them. The judges concluded that the evidence of the "Balcombe Street Four" was a "cunning and skillful attempt by the latter to bring about the release of their confederates".

An ITV programme was presented on 3 March 1987 in which Cardinal Hume and Lord Devlin were among those who argued the innocence of the Guildford Four. Mrs. Yvonne Fox, who had not been called as a witness at the original trial, gave evidence that she had been in the same house as Paul Hill on the night of the Woolwich bombing. The Tanaiste issued a statement the following day urging once more that the case be referred to the Court of Appeal and he also wrote on 6 March to this effect to the Home Secretary.

15 April 1988.

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The Home Secretary wrote to the Tanaiste on 31 March indicating that he would be willing to consider very carefully the statement made by Mrs. Fox. The Tanaiste responded on 9 April calling once more for a referral of the case to the Court of Appeal.

The Tanaiste wrote again to the Home Secretary on 31 July and received a reply on 7 August to the effect that a police investigation would be set up to undertake inquiries into the statements provided by the delegation including, amongst others, Cardinal Hume, which met the Home Secretary on 23 July. There continues to be strong criticism, however, that the case has not yet been referred to the Court of Appeal.

The Tanaiste met with the Home Secretary in London on 17 October to discuss the Birmingham Six, the Guildford Four and the Maguire case.

An all-Party delegation (D. Andrews, P. Barry, E. Stagg, G. Kennedy and D. Roche) called on the Home Secretary, the Guildford Four, their solicitors, British politicians involved in this case on 19 October 1987.

Paul Hill was married in Long Lartin prison on 12 February this year to Marion Serravalli, an American citizen.

The Police investigation was undertaken by the Deputy Chief Constable of Avon and Somerset, Mr. Sharples. The report is now complete and was handed over to the Home Secretary on 13 April 1988. The Home Secretary is expected to decide in a matter of weeks what action he will take on the report.

Anglo-Irish Section

15 April 1988.

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