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# WITHDRAWAL SHEET

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EMBASSY OF IRELAND

2234 MASSACHUSETTS AVE., N. W.

WASHINGTON, D. C. 20008

AMBASAÍD NA HÉIREANN

(202) 462-3939



PRESS SUMMARY 15/84

(This is a brief summary of some of the main stories in Irish newspapers for the dates under reference. It should ideally be supplemented by reference to the newspapers concerned).

MAIN HEADLINES: PERIOD MAY 4-MAY 11, 1984.

New Ireland Forum Report.....Irish Marketing Surveys Opinion Poll.....'Peace Camp' Planned During President Reagan's Visit.....Londonderry Drops Prefix from City Council..... Joint Authority.....Paisley Statement in Northern Ireland Assembly.....Part-time UDR Man Shot.....Belfast Trial Adjourned.....Economic Recovery.....Survey of Irish Attitudes.....IRA Bomb Attack in Newry.....SDLP Leader to Discuss Forum Report with British Ministers Soon.....Criminal Justice Bill Vote.....Mr John Hume Meets with Secretary of State for Northern Ireland in London.

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ALSO ENCLOSED:

Editorials and articles from the Irish and British media on the New Ireland Forum Report.

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PRESS SUMMARY 14/84

Friday, May 4, 1984:

New Ireland Forum Report

The New Ireland Forum Report continued to dominate the headlines. Irish Times reports Mr Haughey's (leader of Fianna Fail) radio interview in which he appealed to politicians and commentators in particular to concentrate on the broad areas of agreement achieved by the Forum. Report says Mr Haughey was anxious to play down his disagreement with other nationalist leaders about the status of the Forum's preference for a unitary state. Irish Times also quotes Government sources as saying they were encouraged by the 'positive' response so far from Britain as characterised by the tone of editorial comment in much of the British press and by the extent and depth of coverage on the British electronic media.

Second lead in the Irish Times quotes the Minister for Foreign Affairs, Mr Peter Barry, as saying in Washington that it would be five or six weeks before talks on the New Ireland Forum Report started between Britain and Ireland. The paper also reports that the Minister met officials of the U.S. Administration, and representatives of Congress and media in Washington.

Irish Press leads with report that, according to Government sources, an Anglo-Irish summit to discuss the Forum Report will not take place until next September. The same sources are quoted as pointing out that extensive preparations would be required at diplomatic level before a summit.

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Monday, May 7, 1984:

New Ireland Forum Report

All papers continue to lead with the aftermath of the publication of the New Ireland Forum Report with the remarks of the British Prime Minister being highlighted. Irish Times reports that Mrs Thatcher accepted the 'need for a new move' on Northern Ireland, and also highlights her rejection of the historical section of the Report as 'totally unacceptable', as well as her welcome for its condemnation of violence. Irish Times adds that although she twice repeated that Britain was bound by its guarantee to Northern Ireland unionists, some may take heart from her view that something must be done, and in her stated willingness to explore fresh approaches. Irish Press leads with her recognition of an 'Irish role', contained in the following passage: 'Of course, looking at that situation, any government is going to try to go on and come to some arrangement which will suit people. But you can't do it just being English or British alone. There is an Irish aspect to this.'

Irish Independent leads with report that the Taoiseach, Dr FitzGerald, yesterday made it clear that the unionist veto on a united Ireland should not block a new form of government for the North. Irish Times and Irish Independent also highlight concern within Fianna Fail over the manner in which the Forum Report was being interpreted, with Irish Times reporting Fianna Fail Senator Eoin Ryan's statement that the Report did not rule out the possibility

of a federal, confederal state or a joint authority solution. Irish Times adds that Senator Ryan was 'extremely cautious in his remarks and declined to contradict either Mr Haughey or Mr MacSharry, both of whom are reported to have expressed the view that 'agreement and consent' would not be required from the unionists for the formation of a unitary state but only for the kind of guarantees they would require within such an arrangement. All papers report the Rev Ian Paisley's statement at the Democratic Unionist Party Annual Conference yesterday that the Forum had 'a vested interest in IRA terrorism and is now using it to blackmail the British Administration.'

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Tuesday, May 8, 1984:

Irish Marketing Surveys Opinion Poll

All papers lead with the latest opinion poll, taken a month ago by Irish Marketing Surveys, which has indicated that Fianna Fail now maintain a 4% lead over the Coalition with 46% of those questioned supporting them as opposed to 33% for Fine Gael and 9% for Labour. All papers particularly highlight the poll's finding that for the first time in over a year Mr Haughey's personal popularity has overtaken that of the Taoiseach (40% and 38% respectively). Of those questioned 62% declared themselves to be dissatisfied with the way in which the Government was running the country, with 27% satisfied. All papers highlight the poll's finding that 46% approved of the extradition of Dominic McGlinchey, with 25% disapproving and 29% with no opinion. The poll also found that 84% of those questioned felt that Ireland should remain neutral with 13% in favour of joining NATO.

'Peace Camp' Planned During President Reagan's Visit

Irish Times reports the announcement yesterday that women peace campaigners from the U.S. and at least ten European countries have been invited to participate in a major 'peace camp' in Dublin during the weekend of President Reagan's visit. Irish Independent carries report that the Director General of the Confederation of Irish Industry warned last night that policy differences between Ireland and the U.S. should be dealt with through 'normal diplomatic channels' and that thousands of jobs could be lost if the 'investment climate' were seen as less favourable by American firms.

Londonderry Drops Prefix from City Council

All papers report that the prefix 'London' was finally dropped from Derry City Council yesterday.

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Wednesday, May 9, 1984:

Joint Authority

Irish Times leads with what it claims is the full text of an unpublished report on joint authority prepared by a Sub-committee of the Forum and agreed last February. The report details an 'executive joint authority' set up by binding treaty between the British and Irish Governments to run Northern Ireland: joint control of security policy: a new police force to replace the

RUC: a new criminal justice regime: joint citizenship: and the equal status of the Tricolour and Union Jack which it says comprise the major elements of the report. Irish Times continues to say that it is 'probable' that the idea will be raised by the Taoiseach with Mrs Thatcher at their next meeting, which the paper says is likely to take place in early autumn.

#### Paisley Statement in Northern Ireland Assembly

Irish Press highlights what it calls the 'grim threats' of the DUP (Democratic Unionist Party) leader Rev. Ian Paisley who said that loyalists would 'fight to the death' against a united Ireland. Mr Paisley was speaking in the Northern Ireland Assembly where a motion was carried declaring that its members were unalterably opposed to Irish unification and that progress could be made solely from within Northern Ireland. Irish Times reports that Mr Paisley yesterday claimed that those who sought a united Ireland through the Forum were 'riding on the backs' of IRA bombers and murderers.

#### Part-time UDR Man Shot

All papers report that a 28 year old part-time UDR man was shot dead by the IRA yesterday in County Tyrone.

#### Belfast Trial Adjourned

All papers report the adjournment until May 21st yesterday of the trial in Belfast in which 39 Derry people face a large number of charges on the evidence of IRA informer Raymond Gilmour. All papers report that the defence in the case claimed that Gilmour had been a paid police spy between 1978 and 1982.

#### President Reagan's Visit

All papers report the Taoiseach's statement in the Dail yesterday that he had requested that the National University of Ireland (NUI) consider granting an Honorary Degree to President Reagan. The Taoiseach said that he was pleased that the NUI 'had decided to mark this important occasion in such an appropriate fashion'. Irish Independent reports that protests against President Reagan's visit next month are to be co-ordinated in Dublin by the Dublin Council of Trade Unions.

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Thursday, May 10, 1984:

#### Economic Recovery

Irish Independent leads with a report that the Taoiseach yesterday said that a breakthrough in economic recovery is very close and that there were signs that the recession is ending, but that the key to recovery is wage moderation. Speaking at a CII luncheon, the Taoiseach is quoted as saying that 'worthwhile progress' could be made through pay restraint and that a 5 percent inflation rate could be achieved.

#### Survey of Irish Attitudes

Irish Times and Irish Independent highlight the publication of a 'major survey and report' on changing Irish attitudes and values' yesterday by the ESRI.

Irish Times reports that the study maintains that there are 'cracks appearing in the conservative fabric of Irish life', even though it adds that Irish culture differs from other European countries largely in a conservative direction. Irish Independent reports that the study has warned that the study has warned that the army of Ireland's unemployed now constitutes a 'social time bomb which could explode at any time'.

#### IRA Bomb Attack in Newry

All papers report the death of one member of the British territorial army and the injury of 2 others in an IRA bomb attack in Newry yesterday.

#### SDLP Leader to Discuss Forum Report with British Ministers Soon

Irish Times reports that John Hume said in Belfast yesterday that he hoped to have talks 'fairly soon' with the Northern Ireland Secretary of State, and that he welcomed the 'extremely positive' reaction to the report in Britain. Irish Times also reports that Secretary of State Prior held discussions about 'recent political developments' with Official Unionist Party (OUP) leader James Molyneux yesterday.

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Friday, May 11, 1984:

#### Forum Report

All papers lead with reports that Fianna Fail have accused the Government of 'walking away' from the Forum Report following the Cabinet decision earlier to seek dialogue with Britain on the basis of the 'realities' and 'requirements' contained in the document. Irish Times quotes a Fianna Fail spokesman as saying that 'the Government has no mandate from the Forum to drop the united Ireland concept' and that 'Fianna Fail could not support the Government if it adopts the negotiating position that specifically goes against the argument and conclusion of the Forum in favour of Irish unity and the unitary state'. A Government spokesman is quoted as saying that the 'realities' and 'requirements' were the building blocks on which the conclusions and models in the Report were based and they had been identified as the basis for negotiation because they constituted 'the most open negotiating position you could possibly get'.

#### Criminal Justice Bill Vote

Irish Times reports that a Dublin Fine Gael T.D. Mr Liam Skelly has indicated that he may defy the Whip and vote against sections of the Criminal Justice Bill on the grounds that amendments introduced by the Minister for Justice did not go far enough in some areas.

#### Mr John Hume Meets with Secretary of State for Northern Ireland in London

Irish Press reports that John Hume met Secretary of State Prior in London yesterday for discussions about the Forum Report, but would not comment afterwards on the scope and nature of the talks.

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# THE IRISH TIMES

FRIDAY, MAY 4, 1984

## THE GOOD NEWS

The Forum report is rolling. No immediately positive response from senior British politicians could have been expected. The more thoughtful among them will want to study it in detail before committing themselves; until then, cautious and defensive attitudes will be taken up.

Some of them will have been encouraged to dip into the report by the favourable trend of leading articles in the more serious British newspapers. The *Financial Times* opened by saying that the report deserves an unqualified welcome from all those who want a peaceful solution to the Irish question. The *Guardian* saw it as an offer to start again where Lloyd George and de Valera made their mistakes; "and that is an offer which should be gratefully accepted."

This should give some heart to the Forum members and Nationalists generally and will help to make up somewhat for the surge of frustration which so many here felt when Mr Haughey went on television and appeared to take a line of his own, in effect dissociating himself from his three colleagues. Partly this may have been due to the difficulty of reading Mr Haughey's mind, but he certainly gave every opportunity for misunderstanding.

\* \* \*

Now, however, he appears to have set the record straight. He stands by the report as the other three. For a time the sad joke of Brendan Behan that the first item on the agenda of every Irish organisation is the inevitable split seemed to be perfectly exemplified.

Favourable press comment on the other side of the water gives cause for gratification. The test, however, is the British political establishment. The sense of outrage expressed by the Forum members at the continuing slaughter in Northern Ireland is difficult to bring home to British politicians and public, even though they, too, see the action almost nightly on television.

It is not that the British are particularly cold-hearted. Perhaps it is indifference, or it may be that the memory of empire is strong and, even when no major war was raging, they have long been used to a steady casualty list from such places as the North-West Frontier.

No one in his senses believes that the remedy for the Northern slaughter is merely a question of increasing security. And while the Forum does not claim to step in and do Britain's work for her, it has made a sincere admission of Nationalist failings in the past, and has held out a hand in genuine friendship. In places the report echoed some of the plaintiveness of the anti-partition propaganda of the past. Overall it is a generous and sensitive document.

\* \* \*

The promotion of the message abroad requires techniques different from the approach of earlier days. There are no mass meetings any more. TV interviews are more important than hand-shaking. Distributing abroad press handouts which are appropriate for the home market, is not good enough. All parties will once more regret the killing of the Irish News Agency before it got into its stride.

The possibility of an early descent of the North into even more horrific violence was very much in the minds of the Forum. Unionists have sometimes shown a stoic attitude towards sporadic outbreaks against their establishment. It is assumed that in every generation some uprising against authority will take place.

The difference this time is that it could grow into a permanent state of armed response. It has rumbled on so far for fourteen years. The time may come when it is unstoppable.

That is one of the chief messages of the Forum report. It is an appalling prospect for the people who live on this island and it is a condemnation of the British Government that so little has been done to get to the root of the matter.



# Irish Independent

FRIDAY, MAY 4, 1984

## Aftermath

THE GOVERNMENT is now pushing the Forum Report into every capital city with some influence on the affairs of the world. Predictably the Unionists have gone over to the defensive, and have started their own propaganda campaign. This in itself must be a gesture towards the content of the Report. They would hardly take the trouble to fight a document they considered harmless.

So far the main English newspapers have revealed a keen appreciation of what the Forum's report is trying to do, even if some of the practical considerations appear to them to be too great to overcome.

But the general attitude, in these dailies at any rate, is that the Irish political parties have made a determined effort to get things moving again and that the onus is on the British to join in.

The Government has not, of course, officially announced any diplomatic offensive. To do so would be counter-productive because it would almost certainly be read as an official Irish request to the world to start interfering in what the British regard as an "internal affair". Nevertheless the pressure will be there.

If the rest of the interested world believes or comes to believe that the agenda outlined by the Forum is a positive, constructive one and says so aloud the British cannot plug their ears and refuse to listen.

In the North the official party spokesmen have all been quick to denigrate the work of the Forum. Yet even they must have doubts in the back of their minds about their ability to keep on saying "no" to every suggestion put forward. The realists among them, who have lived with violence for so long, will also be slow to turn their back on an approach which could bring peace to them and their children. The businessmen, too, can hardly afford to ignore what is being said in the South.

If even a small percentage of those people allowed the Report to settle in their minds perhaps we would see a move forward.

# THE IRISH TIMES

FRIDAY, MAY 4, 1984

## Wide coverage in US papers

From Sean Cronin,  
in Washington

LEADING American newspapers gave extensive coverage to the report of the New Ireland Forum. The *New York Times* allotted it a full column, the *Washington Post* had a reference to its inside story on page one, the *Wall Street Journal* carried it in its world news front-page column, the *Baltimore Sun*, the *Philadelphia Inquirer* and the *Washington Times* put it on page one.

"In today's report, the nationalist parties acknowledged for the first time since the Irish civil war of 1922-'23 that Unionists in Northern Ireland were British and had a right to remain so in a political framework that protected their cultural heritage," the *New York Times's* Jon Nordheimer wrote from Dublin.

The *Times* headline read: "Nationalists urge a new Irish State. Party chiefs in the North and South ask fresh political steps to end partition." As a tailpiece it ran two paragraphs of a Reuters report out of Washington that the recommendations were endorsed by Tip O'Neill, the Speaker of the House, and Sen. Edward Kennedy.

The *Wall Street Journal* said: "The New Ireland Forum called for reunifying the island, partitioned since 1921. Dublin a year ago set up the political group, which offered two other options aimed at ending British-ruled Ulster's sectarian and political violence: A federal setup with parliaments in Belfast and Dublin, or joint London-Dublin authority over the North."

The *Washington Post's* story by Kerry Dougherty noted: "The Forum in its 42-page report sharply assailed British policy in Northern Ireland, asserting that 'crisis management' is London's only policy in the province."

The *Philadelphia Inquirer's* Jan P. Shoemaker reported the Rev. Ian Paisley's "no surrender" defiance and his drive to Dublin to pin a poster on the door of the GPO saying "Ulster is British."

The *Baltimore Sun's* report from staff correspondent Hal Piper in Dublin said that Mr Prior did not specifically rule out the third model offered in the report, "joint authority" of the British and Irish Governments over Northern Ireland, but that Charles Haughey rejected it absolutely.

# THE IRISH TIMES

FRIDAY, MAY 4, 1984

## Papers in Paris praise report

From Anne Sington,  
in Paris

INITIAL reaction in France to the Forum's proposals was sympathetic but realistic. The majority of Paris newspapers failed to produce immediate comment but will probably do so within the next few days.

*Le Figaro* led its international coverage with a substantial report in which it described the tone of the Forum's conclusions as "moderate and constructive", and stressed that they were "in no way constraining". Despite "customary prudence and reserve" the paper considered the report had not been badly received in London. It said that the necessity for "a more searching dialogue" was recognised in the British as well as in the Irish capital.

On the question of the North's higher living standards, its correspondent commented: "This makes it easier to understand a little better why the Unionists are in no hurry to cut the umbilical cord joining them to the United Kingdom". However, he made the point that "in giving Catholics and

moderates the hope of a peaceful solution to the Irish problem, the participants in the Forum have also sought to limit the influence of Sinn Fein".

*Le Monde* devoted its front-page editorial to the report. Headlined "Hopes for a new Ireland", this made it clear such hopes were regarded as far from immediate. See-sawing between positive and negative reflections, the article raised at the outset the question of whether the Forum was really a major event. "Why give so much publicity to what is after all only a study document, emanating moreover from only one of the parties to the Irish conflict, the Catholic community".

It at once answered its own question. The event, it said, was of importance because "for the first time Irish people have made the effort to approach these matters with cool heads". This, it considered, was no mean achievement "in a region where mentalities are so strongly marked by the past that, for many people, history seems to have come to a halt in 1920".

# Irish Independent

THURSDAY, MAY 3, 1984

## Forum: over to London

HOW QUICKLY we all seemed to get bogged down over an apparent disagreement between Mr. Haughey and the other Party leaders when the Forum report was unveiled yesterday. Question after question was fired at him, and later at the other leaders all trying, it would seem, to show that even before it gained world-wide circulation the Report was a dead letter, because the Irish could not agree among themselves.

The lesson from that is — read the whole report, first, and then make comments and draw conclusions. If that is done then a different picture emerges.

In fact the Report is very clear on this question of options. Fundamentally every Irishman south of the Border and a substantial minority on the other side would like to see a unitary state on this island. No one can dispute that basic attitude of the nationalist (using the word in its widest sense) population. Mr. Haughey is right, therefore, in saying that it is THE solution which all Irish parties would like to see emerge.

But he has put his name to a document which has had to face up to political realities by including other options. Mr. Haughey believes they would not work. But they are included in the Forum's Report despite that and their inclusion means that there is a recognition by the Fianna Fail leader of the existence of those options. They are there to be explored, when the unitary option is rejected.

The British now have before them a document which lists the views of the main Irish nationalist groupings on possible solutions to the Northern problem. If they are wise they will refuse to issue an instantaneous comment on specific suggestions and conclusions and instead will take time assimilating the mass of information which has been gathered, and probing the guarantees offered to the Unionist population of the North. After that process has been completed diplomatic channels can be used to tease out various points before, eventually, a meeting takes place between the Taoiseach and the British Prime Minister.

What Britain, Ireland and the majority of the people in the North want is an end to violence. Security measures alone, while they may contain to some extent the violence experienced in the North, will not eradicate the causes of that violence. For that we must look to a political move, and that move can only come from London which has now been supplied with a number of formulae to choose from.

The Forum's Report emphatically rejects violence as a means of settling any problem. It admits, with no reservations whatsoever, that the majority population in the North has religious and political loyalties which in no circumstances must be tampered with, and it offers a change in our Constitution to ensure that everyone's rights are protected. There is no suggestion in the Report that the fears and apprehensions felt by Northern Unionists are imagined: they are real and must be treated as such.

But if their fears are real so is the violence in the North, and it is now time for the Northern Unionists to realise that violence will not go away by more policing or heavier security. If they want it to fade away they, too, will have to play their part in a political settlement.

So far initial reaction in the North to the Report has been hostile. But this is a superficial reflex action because it cannot have been brought on by a careful reading of the Report. The Northern majority, too, has to shift a little. It believes that the North can go on as it is, protected by an English guarantee, and sustained by massive inflows of cash from London. This is unrealistic.

The North's economy is on its knees. Large parts of it are obsolescent. The unemployment figure is the highest for any region administered by London. It depends for its markets to a large extent on Britain where growth is slow. And its chances of enticing foreign investment in amounts likely to make an impact on this industrial scene are small indeed while the violence continues.

Violence will continue and economic ills fester while a stalemate exists in the North. This is abundantly clear from the many documents associated with the Forum Report, and it must be clear to many people in the North as well. These are the people who must read the Forum Report and start asking themselves questions.

They cannot deny the honesty of purpose of the New Ireland Forum exercise. They cannot ignore the fact that the people of the South have completed a soul-searching attempt to come to grips with the reality of the Northern problem as it exists now and not as it was when partition was imposed. And they cannot ignore the benefits which would flow to this island as a whole if one of the options outlined in the Report, or any other that would work, were implemented.

# THE IRISH PRESS

THURSDAY, MAY 3, 1984

## HISTORIC REPORT

**T**HERE was something high-minded about the deliberations of the Forum. It was exhaustive in the welter of written submissions it took, in the economic analysis it provided and in the warning that shines out through every page of the document that the North could slide into a chasm of violence and economic stagnation if something is not done, and done quickly, by the party with the prime power and responsibility for the area — the British government.

The Forum will be seen as a mark on the seawall of history at which the constitutional nationalist tide swept up to a higher point than had hitherto been achieved since the present Northern troubles began.

It was a pity, therefore, that the Report has produced something of an Irish stew-type of reaction in the short term.

In Dublin, the initial reaction after Mr. Haughey's press conference was that he had gone for an emphasis of his own on the Report, as though he was displeased with the federal and joint sovereignty proposals. Ironically, in Belfast, the Unionists, in rejecting the Report, argued that it was too much a "Haughey document".

Later in the evening, the significance of the British government's speedy reply began to sink in. And the Forum leaders themselves, still later in the day, were at pains to emphasise that the document was the document, that everyone had signed it and that it spoke for itself.

The central point is that it will be for the Government to act on the Forum's Report. Normal politics are now resumed.

The Forum has done its work and it is for the Government of the Republic to make the best formulation it can on the basis of that work to the other sovereign government involved, that in London.

The main emphasis in the Forum's Report is, unquestionably, on the options of a unitary state. It said:

"The particular structure of political unity which the Forum will wish to see established is a unitary state, achieved by agreement and consent, embracing the whole island of Ireland and providing guarantees for the protection and preservation of the Unionist and Nationalist identities."

The Report subsequently went into the options of a federal/confederal state and of joint authority in some depth, but it is fairly clear which of the three options carried most favour. However, at this stage, obviously, nothing is ruled out.

As has been said before, the Forum was in effect a case where the Irish would propose and the British could dispose, and this still remains to be the case. It would be a pity if an impression that the parties to the Forum were not united could be viewed in London as a reason for disposing other than in a productive and positive fashion of the Forum's Report.

In fact, despite some critical notes, there were rather reassuring nuances in the London statement that this may not be the case, but we shall see.

Let it be said, in conclusion, as we said at the outset, that there was something high-minded about the Forum's deliberations. The chairman, Dr. Colm O hEocha, deserves some credit for this, as do the four party leaders. And the Forum, apart from whatever may come of it eventually, will always be remembered for having brought the bishops to testify before it.

Let us hope that all the hopes and the efforts that went into it will yield something positive. The work was good and deserves to be seen as such.

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# THE IRISH TIMES

13 D'OLIER STREET, DUBLIN 2  
THURSDAY, MAY 3, 1984

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## A FAIR CONTRIBUTION

The dead of Ulster deserve a better hearing than they are likely to get, even after the publication of the New Ireland Forum report.

Who, indeed, remembers them? Who remembers the Reverend Parker and his dead son? Who remembers Senator Paddy Wilson or the victims of the La Mon fire, or of McGurk's bar or any of the sudden or ritual slaughterings of the last fourteen years? All the dark and bloody days are soon forgotten — except by the families of the dead and the maimed.

And who will be left to mourn some of the people reading this very report, who will be dead in perhaps a few days or a few weeks? That is what the Forum is about in the first instance. To strive to put an end to the feuding and the hatred and the resort to arms, when what is needed is dialogue and understanding of each other, and perhaps, in the end, a real coming together.

It has been said plainly enough in the report and decently enough and with some generosity and — more — with a measure of humility.

\* \* \*

The Taoiseach went to some lengths yesterday to stress that this was not a plan, it was an agenda, and a necessarily incomplete agenda by its very nature. For it was the voice, only, of Nationalist Ireland hoping for a response from Britain and from Unionist Ireland. It would be well not to be too modest about it, for Nationalist Ireland comprises something like three-quarters of the people on the island.

For the first time, that Ireland has put its mind to the problem and perhaps for the first time has studied the Unionist dilemma thoroughly rather than arguing with it. It has even shown some understanding of the Unionist stance and has striven to see how it could be accommodated with the views of the rest of the people in the country.

For the first time, too, this is an Irish initiative and one which has been worked on for almost a year with complete devotion by the pick of the four mainstream Nationalist parties. It deserves serious consideration, though the first response of Mr Prior is hardly encouraging.

\* \* \*

No one believes that Ireland stands very high on the British list of priorities, but this document forecasts, soberly, convincingly, the possibly speedy decline of the North into complete anarchy if constitutional politics fails soon to bring peace. "Every act of murder and violence," says the report, "makes a just solution more difficult to achieve. The greatest threat to the paramilitary organisations would be determined constitutional action to reach and sustain a just and equitable solution and thus to break the vicious circle of the violence and repression."

Yet, the report says, crisis management is all that Britain seems capable of. More is needed.

The Forum has not taken up an aggressive attitude. It sets out several forms that a new Irish State might take, and it has been at pains to stress that the Ireland that is foreseen needs must have a radically new persona to accommodate those Northern people who are not of the Nationalist tradition.

There is more positive thinking in this document about the future relationship of Orange and Green than has been seen before. No one living in Ireland should feel less at home than another or less protected by law than his or her fellow citizen. And the sense of Britishness of the Northern Protestants is part of that.

\* \* \*

The Taoiseach said yesterday that the members of the Forum had lifted their eyes to new horizons. This is how the report puts it: "Society in Ireland as a whole comprises a wider diversity of cultural and political traditions than exists in the South, and the constitution and laws of a new Ireland must accommodate these social and political realities." In a unified Ireland "there would have to be a general and explicit acknowledgment of a broader and more comprehensive Irish identity than is visible today."

To some, this and other parts of the report may appear starry-eyed. But this line of thought is not new. Thomas Davis had it. Its general tendency is part of the separatist canon, though perhaps neglected or forgotten in the last decades.

But the main message of the Forum report is hope. Even with Mr Haughey's spanner thrown in the works yesterday, the Nationalist mind has presented a great deal of food for thought which the British Government cannot afford to overlook. Unionists reading it — if many do — will find a commendable earnestness which is not always shown by politicians.

This then is the contribution of Irish Nationalists towards the ending of the hatred and the killing and the waste and the sheer devilry of what is going on in the North. It is a submission made without pretentiousness and in all sincerity. Can Unionists match it? Or the British?

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# THE IRISH TIMES

3 MAY 1984

## A unique enterprise — Hume

THE following statement was made by Mr John Hume, MP, MEP, leader of the SDLP, to the closing session of the New Ireland Forum:

This is an extraordinary day in the history of our island. It marks the culmination of a unique enterprise. I believe it is no exaggeration to say that the terms of the debate on the future of this island have been completely transformed. Things cannot be the same again.

For the first time since 1920 the representatives of the nationalist tradition in Ireland have together worked out a common position and forged in common a powerful instrument for peace in Ireland.

The report of the Forum, which is now before the world, can, of course, be read from many perspectives. Some people will like parts of it more or less than other parts. So far as the men and women who worked out this set of insights are concerned, there is only one condition we ask of our readers: We ask them to see that the report of the Forum is, as it was intended to be a work of peace and reconciliation. Anyone who sees or who affects to see in this statement an intention to encourage or sustain division or hatred can only have misread our words. The report does not

attempt to wish away intractable or uncongenial problems: We have, I believe, attempted to face them squarely and honestly. Some of our readers may think we have been too hard on this or that protagonist. I think we can fairly answer that we have also been hard on ourselves.

To me personally the outstanding merit of the report is that it tries to do the most difficult thing of all in the case of Northern Ireland, which is to tell the truth about that very complex situation. In saying this, I do not pretend that all of our judgements are absolutely correct. I do say that our intentions and our efforts to tell the truth were sincere and rigorous.

In Northern Ireland, where I come from, people have been made dizzy with lies and half-truths, with the malignant big lie of those who destroy life while pretending to serve freedom, and the pusillanimous half-truths of those who cannot bring themselves to face the full dimensions of our problems.

This is a courageous, imaginative and generous document and Irish nationalists everywhere can take pride in its achievement. They should do so. The leaders of Irish nationalism have shown the way. We must all put our differences behind us and unite in a

single, powerful commitment to resolve this problem peacefully.

We now say to the British Government and to British politicians: You may not like everything in this report but you can no longer deny the sincerity and the good faith of our efforts. What we ask you to do is to examine your own situation as we have done ours. Irish nationalism has honestly examined its own position and is ready to talk with you. This report provides the basis for such discussion. The people of Northern Ireland and the people of our two islands cannot afford that you should miss this opportunity.

To the unionists of the North, with whom we share this piece of earth, Irish nationalism can today repeat De Gaulle's ringing affirmation of reconciliation to the Algerians: "Je vous ai compris." We understand your position. And we accept that before now we may not have fully understood. We ourselves can add both to the British and to those of the Unionist tradition: You too must understand *our* position. We too have an identity. We too have rights.

Coming from the North I would like, on behalf of those I represent, to pay the warmest possible tribute to Dr Garret FitzGerald, Mr Charles Haughey and Mr Dick Spring. We in the SDLP have been deeply moved by the sheer strength of their commitment and

their dedication to the tasks of this Forum. Together we have met on 97 occasions. We have otherwise worked in smaller working groups or in our own delegations. I relate that this has placed an unprecedented strain on the time of both Government and Opposition parties. From where I look out on Ireland — from the Bogside in Derry City — I believe I can say that no earlier generation of leaders in the South have shown any greater commitment than the three men sitting beside me today and their delegations.

Mr chairman, on behalf of my party, I thank you for your own immense contribution to this enterprise. You have throughout this last year demonstrated remarkable dedication and patience. Politicians are not, as even we ourselves are prepared to admit on occasions like this, always the easiest customers to deal with. And may I add our thanks to an imaginative and brilliant secretariat of the New Ireland Forum to which all of Ireland owes a considerable debt.

This has been a fundamental episode in the life of this island. It will be seen to have been so by future generations of the Irish and British people who, like those of this generation, will have reason to be for ever grateful to the men and women of the New Ireland Forum.

THURSDAY MORNING, MAY 3, 1984

The nation

## A document of hope and understanding

THE first thing to be said about the long-awaited report of the New Ireland Forum is that the type of consensus which has been reached must come as a relief to everyone who had feared, only a short time ago, that such agreement might not have been possible. Not only has this been achieved, but the document presented yesterday is a very powerful one, offering not only a firm recommendation, but several equally cogent alternatives, all of which, of course, must be given the most intense consideration. Bluntly, what has happened here is that, insofar as the Nationalist community is concerned, the rancours of history have been set aside in the interest of the whole island. For the first time since the foundation of the State, all the parties have come together to try to find a common solution to the most pressing problem of this century. What must now be asked is whether the Unionist community, for their part, can display such open-mindedness, such willingness to change, such readiness to look forward rather than back, so that reconciliation may be achieved.

Britain too, must recognise that she can no longer allow the Northern agony to continue without making the most intense efforts to bring it to an end. Bearing in mind the dismal failure of earlier initiatives, there may be an understandable reluctance in London to move too quickly. There may well be an inbuilt caution inspired by the thought that for too long the North has been seen as the graveyard of British politicians. But against this, there must also be open recognition of the fact that this initiative is both historic and unique: that the members of the Forum have made the most sustained and intensive effort to arrive not only at consensus about what should be done, but have adduced the sort of recommendations on which a final solution can be based, no matter what final option is chosen. In short, the vast majority of the people on this island, through their democratically chosen representatives, have now given their agreed opinion, and Britain cannot opt out.

The recommendations which have been presented do not in any sense comprise a patchwork solution; rather are they designed to create a framework for a genuinely new Ireland, a new society free from fear and bigotry, free from mutual suspicion and mistrust. They represent, of course, what Dr. FitzGerald frankly described as a Nationalist analysis. In the circumstances of Irish history and Irish reality, they could scarcely beotherwise. But having said this, they also represent, in the most unambiguous terms, a total recognition of the traditions, fears and difficulties of the Unionist community. People reading this report may well quibble about some of its contents; they may well point to the enormous problems to be overcome. But nobody reading it can truthfully

say that it is not a document of total honesty, of total commitment, of total dedication to the ideal of a peaceful solution to the grievous problem besetting this island.

What the Nationalist community is now saying to Ireland and to the world at large is that they, as a cohesive body, are ready to communicate with those of the other tradition which must and will be respected. There will, of course, be detractors; we have seen and heard some of them already, those people who are unwilling to accept any vestige of change which does not restore to them total domination of one section of the community by another. There will be those who will see in it a distinct threat to their own campaigns of violence and bloodshed, campaigns which have been proven absolutely futile over and over again. But there will also be those who will see in it the only alternative to the sort of chaos that has been wreaking havoc with life on both sides of the Border. Since this is above all, a document of hope, we can but hope that it will provide the necessary inspiration to all to realise that there must be change, that things simply cannot be permitted to continue as they are.

Ultimately, it all comes back to the people who can do most to ensure that the ideals and inspiration of this report are translated into action - the British Government. If they fail to be swayed, if they fail to move, if they fail to encourage progress, then not only will constitutional politics have taken a hammering, but the way will be open to the men with the bombs and the bullets and the greasy path to total anarchy will be even more slippery. It would be foolish to pretend that there are no problems. Even in terms of simple economics, the implementation of any of the suggested alternatives would, for instance, pose the gravest difficulties for the Republic, especially in this time of serious recession. But the point is that the problems have not been pushed aside; they are recorded for all to see. They can and must be tackled.

In the last analysis, the judgment on this historic document must be that it is honest, generous and realistic. Everywhere it encourages reconciliation, nowhere does it advocate even the remotest form of compulsion. Of its very nature, it demands from people on all sides of the divide the sort of generosity of heart and mind which the report itself epitomises. Without this, there can be no progress; with it, the possibilities are limitless. We can but hope and urge that everybody will read this report for themselves and form their own judgments, rather than allow themselves to be influenced by people who would wish to misrepresent it for their own ends. We are on the edge of a new era offering new and even exciting opportunities. These cannot be grasped if people choose the worst option of all - to do nothing.



MONDAY, MAY 7, 1984

## LEARNING

Many a time, after some spectacular British-induced disaster in the North, despairing Irish politicians have asked, "will they ever learn?" One of the most gratifying things about the British response to the report of the New Ireland Forum, over the last few days, has been the accumulation of evidence of British willingness to learn, to think afresh, to admit past mistakes.

It is the beginning of wisdom — just as the beginning of wisdom for Irish nationalists was to take a long, hard look at some of the intractable realities of life and death on this island.

The favourable reaction of the British media, with one or two regrettable and almost unforgivable exceptions, was striking. There has long been within the establishment press, as within the establishment generally, a body of well-informed and objective opinion which understands the immense difficulty and urgency of the situation and is ready to look with unblinkered eyes at proposals for new departures. But on this occasion it was noteworthy that the report also found favour in sections of the popular press, and indeed in some quite surprising quarters.

What then of the political response? Much is frequently made of Mrs Thatcher's obduracy and determination to cling to her own prejudices, but it would be a mistake to think that establishment opinion has no effect on her. The view of the *Financial Times*, for example, matters to any British Government.

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Whether because of this, or because British Ministers have read the Forum report carefully, or because of the sheer frightfulness of the current situation in Northern Ireland, British political reaction has been relatively favourable and open, and has seemed to become more so in the days since the publication of the report. Even to admit the alienation of Northern Catholics — something Mrs Thatcher vehemently and foolishly denied not long ago — is an advance of sorts. Initially the British Government, and some sections of the press, objected to the Forum's historical analysis criticising British rule in the North. That attitude has now changed, as it must change before there can be hope of serious progress.

The form that progress will take must be a matter for negotiation. Dr FitzGerald was right to call the Forum report "not a blueprint but an agenda." The four nationalist parties have drawn up the agenda: not just an agenda for themselves, but for the British — and the Unionists.

That much having been achieved, the Irish Government and the other parties in the Forum are entitled to ask any objector if he or she has a better idea.

"Ulster is British" will not serve as an answer, whether it comes from Mrs Thatcher or the Rev Ian Paisley. Some of the more moderate — or more frightened — Unionists have made conciliatory noises: too little, perhaps, and too late. But Mr Haughey's famous conference table has begun to look more like a possibility. If they have better, or any, ideas, let them come to the table with them. And let them, and the British, remember what the Forum emphasises, that the prospect it foresaw was one of civil war and chaos. The brink of the abyss is no place for prejudice and obstinacy.

# THE IRISH TIMES

FRIDAY, MAY 4, 1984

## Forum ushers in reality, says British press

By David McKittrick, London Editor

THE NEW Ireland Forum report received extensive coverage in the serious British newspaper and some of the "pop" papers yesterday, attracting a surprising amount of favourable comment.

Although almost all papers were critical of at least some aspects of the report, practically every one accepted its central argument that the situation in the North was desperate and could become even more dangerous unless a major initiative is taken.

In their news coverage the papers tended to give prominence to the critical reaction of the Northern Ireland Secretary, whose response was variously described as a rebuff, a snub and near hostility, and also to the perceived split between Fianna Fail and the other Forum parties.

But one of the most notable features was the sheer volume of space devoted to the report: *The Times* and *Guardian* both carried it as their main story, with the former also giving it almost a half-page inside the paper and the latter devoting a full page to its contents.

The *Daily Telegraph* ran the story on the front page and gave it half a page inside, while the *Financial Times* coverage was also considerable.

One particularly striking article could be

found in the right-wing *Daily Express*, whose featured columnist, George Gale, wrote: "It is Mrs Thatcher's duty — since it directly involves the governing of part of the United Kingdom, it could be said to be her paramount duty to address herself with all the considerable vigour of her mind and will to Ulster's condition and to its future state."

Mr Gale said that the rise of Sinn Fein meant that Mrs Thatcher could not neglect Ireland. He added: "the Protestants of the North, who could have joined the Forum but declined, will do their loudest and damndest to denounce the report."

"The most vehement unionists within the Tory Party, conveniently forgetting that Tory unionism is Scottish, not Irish, will shout about the integrity of the United Kingdom. Mr Enoch Powell, who wants fully to integrate Ulster — an essentially foreign body politic — into the British political body, will scathingly indict it."

"I beg Mrs Thatcher not to heed this clamour. I beg her instead to read, mark and learn from the report. I beg her to concentrate her mind and energies upon her Irish problem."

Mr Gale concluded that the federal option was the only one likely to survive — a unitary State was a recipe for civil war, and joint sovereignty would turn out to be a "dog's dinner."

The most pro-forum editorial of all came in *The Financial Times*. It said the report "deserves and unqualified welcome from all those who want a peaceful solution to the Irish question."

Describing it as a major departure from the nationalist thinking of the past, the paper said Irish unity, though still the goal, had become a distant aspiration rather than an immediate political aim — "reality has taken over."

The editorial said it was essential that there should be a positive British response, and concluded: "No British policy will get anywhere if it is half-hearted and low on the political agenda. Mrs Thatcher has an opportunity denied to almost all her predecessors. She should make an Irish settlement a priority for the next four years."

The *Daily Telegraph*, on the other hand, described a unitary State or federal arrangement as "wholly unacceptable," but then, in a major surprise, did not rule out the joint authority idea.

It concluded: "If joint authority could be reinterpreted to mean a great expansion of co-operation between London and Dublin (even to some extent institutionalised) but in no way menacing Ulster's place in the Kingdom, something might be achieved."

*The Times* carried the most critical

editorial, describing the Forum report as "the same essence in a new bottle," it declared: "It is an extraordinary proposition that is being suggested to the British Government. It is in effect being asked to tell close on a million of its citizens that they and the rest of the Kingdom would be better off if the province of which the constitute a substantial minority were ceded to the neighbouring State, and that they are to prepare themselves to agree to exchange an allegiance they are fierce to retain for one they have a loathing to assume."

Nonetheless, the editorial ends: "The (Forum's) case deserves examination before dismissal, and we shall return to it."

The *Guardian*, which has traditionally been sympathetic to Irish nationalism, describes the Forum report as a powerful, challenging and refreshingly frank critique of British crisis management in Northern Ireland. It said: "The Forum is courteous, if firm, in its disapproval of British actions past and present."

"Possibly Ireland's own failings need an equally courteous, if firm, exposure. The Forum's report is an offer, as we read it, to start again where Lloyd George and de Valera made their mistakes. And that is an offer which should be gratefully accepted."

FRIDAY, MAY 4, 1984

## Yankees v. the Irish

ONE OF the great worries which confronted all of those who took part in the work of the New Ireland Forum was the fear that after the work had been completed, either the whole process would be misunderstood, or the point of the entire exercise missed by those to whom the report was largely aimed — the British government and public.

For those of us involved in the Forum, our task was long-range, not instant. There was always the danger that the nature of what the Forum was about would not be fully understood.

What the Forum was doing was trying to provide a new framework, within which the problem of Northern Ireland could be examined afresh. Within that there would be certain key elements, including a nationalist analysis of the problem; an assessment of past policies; an attempt to understand the mind and fears of the Unionists; a hard-nosed assessment of the economic costs, both of division and of any possible solution; a series of ideas as to how the problems could best be tackled, and an examination of possible structures within which it could be tackled.

### Maurice Manning on the implications of the Forum report

We saw the Forum report as a package which was not a final answer, but which would provide a basis upon which serious dialogue could begin and which would fill the vacuum which has characterised Northern politics since Sunningdale.

Straight away it must be said that from the perspective of the British media, the work of the Forum has been understood, has been taken seriously, and for the most part, has received thoughtful and sympathetic analysis.

Indeed, it is a long time since the whole question of Anglo-Irish relations has been taken so seriously by the British media.

Not surprisingly perhaps, the most enthusiastic endorsement of the Forum's work came from *The Guardian*, which has always been sympathetic to the Southern predicament with regard to the North. For a start, that paper endorsed the Forum's overriding sense of urgency, and attacked a notion, apparently deeply entrenched in British politics, "that there is nothing one can do about Northern Ireland".

"It is", said *The Guardian*, "a dangerous and defeatist notion which came to full flower during Mr. Harold Wilson's

Prime Ministership, when he allowed the painfully built edifice of Sunningdale to collapse under the Protestant workers' strike. Now ought to be the time to get rid of this notion".

Significantly too, *The Guardian* differs from the official British response to the Forum's analysis of British policy in the North. That analysis had proved unacceptable to Mr. Prior, but according to *The Guardian*, what the Forum has produced is "a powerful critique of British crisis management in Northern Ireland and a challenging, if not exhaustive, series of ideas for ending the Province's distress. The analysis is in part familiar, in part refreshingly frank".

*The Guardian*, however, has little time for the Forum's preferred solution of a unitary state, and would have preferred to see us being a little more frank about our own failings in the past, but feels, however, on balance that the case made by the Forum "so cogently" requires to be taken totally seriously and sees no reason why serious dialogue must not begin.

Very encouraging too for the members of the Forum was the attitude taken by *The Financial Times*, which in recent times, had been advocating an adventurous

change of heart by the British in their attitude to both Anglo-Irish relations and to the problem of Northern Ireland.

Like *The Guardian*, *The Financial Times* is enthusiastic about what the Forum has achieved. Perhaps most importantly of all, from the long-term point of view, it shares the Forum's view of the responsibility and of the possibilities of the British government: "It is incomparable the most powerful presence on the stages if it chooses to use its power. The opportunity is now ripe. It is up to Britain to pick it up from there."

Nobody on the Forum could have asked for a more positive response than that, and coming from *The Financial Times*, it is certain to be listened to by many in Whitehall and Westminster.

This position is strengthened even further when that paper urges the British Government not to place Northern Ireland low on the political agenda, and even puts a timescale, and urges Mrs. Thatcher to make an Irish Settlement a priority for the next four years.

*The Times* is less enthusiastic and looks coldly at the practical reality of a united Ireland as contained in the Forum. It

sees little incentive for the British Government to embark on a radical change, but it does concede that the case made by the Forum deserves at the very least serious consideration.

It is on the extreme right that the surprises begin. In the past, *The Daily Telegraph* would limply have dismissed any ideas from the Republic, or any discussion of Northern Ireland from the Republic as impertinent and without any moral or political justification. But now, even *The Daily Telegraph* takes the Forum seriously, and sees a certain merit in the ideas on joint authority. That in itself is an enormous advance.

But perhaps most surprising of all is the reaction of *The Daily Express*, which has so often been mindlessly negative and dismissive of Dublin's role. It also sees some merit to the report, and urges the British government to re-think its own policy, while in that same paper the influential *George Gael* urges fundamental and radical re-thinking on the British government.

So all in all then, the members of the Forum cannot complain that they were ignored or their purpose misunderstood.

CORK EXAMINER

4 MAY 1984

"IN THE WAKE OF THE FORUM"

In a controversy which appears in part to have been orchestrated by some sections of the media, which seemed to place more emphasis on personalities than on the New Ireland Forum Report itself, Dr FitzGerald and Mr Haughey appear to be at loggerheads over the question of unification. We would today make the important point that in this instance, personalities do not matter; what does count is the document itself. This is the summation of all the work done by the Forum during its 97 meetings and its recommendations are the work of the whole body, not of any one individual. People are entitled to their personal opinions and so Mr Haughey must be entitled to his. But he is only one man. The consensus reached at the Forum, and written into the document, is what the world must take into account, indeed what the world will soon be taking into account as the document is distributed through our Embassies abroad.

In one sense, it is a pity that this should have to be done, but in the circumstances it is necessary. It is made so by intransigent Unionism and what appears to be coolness on the part of the British Government towards the Report and its contributions. It is necessary that the feelings of the majority of the people of this island should be promulgated worldwide, so that there can no longer be any misunderstanding or misrepresentation of our position with regard to the partition of our country. It is even more essential because of the recent promises given by Libya's Colonel Ghadaffi of aid for the Provisional IRA. Lest there be any doubt about the matter, the whole world must be made aware of our rejection of violence as a solution to the Northern problem, and this conciliatory stance is one of the keystones of the Forum Report.

What should now follow, of course, is that Britain too should make her position known. Indeed, international publication of the Forum document may well have the effect of encouraging this. It is no longer good enough, at this critical stage in the affairs of this island, for the London Government to trot out the old, tired cliché about maintaining the Unionist link. The diehard, not-an-inch stance of the Northern Unionists is only to be expected. It will not change unless the conditions which promote it change and only Britain can change them. As we said yesterday, caution on the part of the Thatcher government is understandable, but what is not acceptable is that the Forum Report should be brushed aside as Mr Prior seemed to be attempting to do.

Britain can no longer opt out of her responsibility for the Northern situation. If it is to be resolved, she will have to act positively and with statesmanship. If she does not, then constitutional politics will be seen to have failed, and because there can only be a constitutional solution, it follows that constitutional politics are on trial now. But what is now very interesting is that if Britain fails to act, her failure will be known to the whole world. Ireland has made its case openly, honestly and with absolute sincerity and generosity and that case is now about to go before the international forum. If Mrs Thatcher fails to respond, she will surely stand indicted by world opinion.

In saying this, we recognise that there are no instant solutions, that the grievous and bloody problem of Northern Ireland will not be resolved overnight. But unless Britain finally and very belatedly decides to grasp the nettle, it will not be solved at all. A reasonably early meeting between heads of state would go a long way towards encouraging the hope that, with goodwill on all sides, further progress may be possible. The alternative does not bear thinking about.

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IRISH NEWS

3 MAY 1984

"AGENDA FOR ACTION"

The extensive news coverage provided in our paper today is evidence of the degree of importance we believe our readers will attach to the publication of the new Ireland Forum Report.

It is the culmination and the beginning of the most significant political development that has happened in this island in the last 60 years. For the first time democratic nationalists in Ireland have examined in depth the whole range of issues in the conflict and violence now undermining the stability of society in the island as a whole.

In particular, they have identified for themselves how they would wish to see the realities of the two States in Ireland reconciled as between themselves and as between the two sovereign governments.

In the early stages of the Forum, critics commented cynically that it was an exercise to save the SDLP. As its work progressed and its interim reports of submission were published the critics were confounded.

Yesterday was a triumph in Ireland for the true longing for brotherhood and sisterhood that are the basis of human civilised democracy. Fitting it was and a well-merited reward for the participants that the publication was unveiled before such a global attendance of the world media.

Many disappointing and superficial responses have already been made by politicians in Northern Ireland. It is too early to predict what their considered reactions will be.

The preliminary comments of the Northern Ireland Secretary of State, James Prior, were guarded and in certain respects curiously premature. At the same time he welcomed the document and in particular its emphasis on the need for consent to constitutional change.

The really critical test for gauging whether this significant opportunity for progress is grasped will only emerge in the near future when the considered view of the British Prime Minister and her cabinet is revealed, if only partially, as prudence may require.

There are encouraging signs of a real desire on the part of the British government to continue and to increase the momentum of the London/Dublin axis. The Report provides ample scope for progress in this area without in any way exposing either government to a substantive accusation of coercion. In this respect, one would look particularly at a most significant statement in the Report. Under the heading: "Need for Accommodation of Both Identities in a New Approach," it states (4.15): "The solution to both the historic problem and the current crisis of Northern Ireland and the continuing problem

of relations between Ireland and Britain necessarily requires new structures that will accommodate together two sets of legitimate rights:

- the right of nationalists to effective political symbolic and administrative expression of their identity; and the right of unionists to effective political, symbolic and administrative expression of their identity, their ethos and their way of life.

So long as the legitimate rights of both unionists and nationalists are not accommodated together in new political structures acceptable to both, that situation will continue to give rise to conflict and instability. The starting point of genuine reconciliation and dialogue is mutual recognition and acceptance of the legitimate rights of both. The Forum is convinced that dialogue which fully respects both traditions can overcome the fears and divisions of the past and create an atmosphere in which peace and stability can be achieved."

The British government can emphasise to the unionists the historic opportunity that this statement of commitment provides, without any pre-conditions attached. Without unionist co-operation, the two governments can ultimately proceed quite legitimately in their absence.

The Taoiseach, Dr Garret FitzGerald, emphasised yesterday that the Report was not a blueprint but an agenda for action.

"There are" he suggested "three elements to the process started today. The first must be an immense effort of reflection and education about this problem within the nationalist tradition, continuing what has now been begun. The second should be a similar effort on the part of the other protagonists to the problem of Northern Ireland. This we must encourage in the days ahead. The third has to be action, this too we must work for, carefully, patiently and tirelessly."

The ardent prayer and wish of every citizen in these islands will be that the Taoiseach's appeal will be heeded and that no-one will feel excused from the obligation to reflect, to debate and to act.

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THE GUARDIAN

3 MAY 1984

"IF NOT THE FORUM WAY, THEN HOW?"

For all the travails which beset its final sittings the New Ireland Forum has now produced a powerful critique of British crisis management in Northern Ireland and a challenging, if not exhaustive, series of ideas for ending that province's distress. Both are far too serious to receive only the curmudgeonly nod. The analysis is in part familiar, in part refreshingly frank. That is to say, the arrangements which evolved between 1920 and 1925 destroyed the historic unity of Ireland, drove Irish nationalism to express itself in terms of separation from Britain, favoured the growth in Ulster of institutions from which Catholics were largely excluded, and ensured "that for two generations there has been no unionist participation in political structures at an all-Ireland level. Rather, the southern state has evolved without the benefit of unionist influence." It is because the four constitutional nationalist parties of Ireland have, for the first time, stated their case in agreed, reasoned, and sometimes self-critical terms that a serious British response will be required. For the Forum is right to say that the immediate outlook for the North is extremely dangerous and that "as sensibilities have become dulled and despair has deepened, there has been a progressive erosion of basic human values which is in danger of becoming irreversible."

Every Irish nationalist, and possibly some unionists too, will assent to the description of events which transpired after the Government of Ireland Act, 1920, led to partition. The Forum was not concerned to scrutinise the way the Republic developed, though it acknowledges in passing the imperfections of the state as seen through unionist eyes and offers a transformation in Irish politics if the unionists are interested in joining. What it does, however, is to argue the case for unity in one of three models, or for a condominium with Britain, in such direct terms that it may, in the absence of movement in any of those directions, provide more fuel for Sinn Fein. For if, once again, Britain is unable to find a means of meeting Catholic requirements in the North then Sinn Fein is left with the argument that the Forum has failed by constitutional methods and that the only way of securing the Forum's own objectives is through violence.

That this would be a highly dangerous outcome does not need stressing. It would also be a deeply ironical one. The Forum was the brainchild of Mr John Hume, Leader of the Social Democratic and Labour Party, and was seized upon by the parties in the Republic as the means of stopping the drift of northern voters into the Sinn Fein camp. As things stand it is not impossible that Sinn Fein will beat the SDLP at the local elections in a year's time (and may even poll undesirably well in the European elections in June). If that were to happen it would not necessarily mean that all Sinn Fein voters were committed to violence. It would mean that they see no way of influencing either British or the unionist majority through a constitutional party.

It is clearly because he too might be outflanked by Sinn Fein as the standard-bearer of republicanism that Mr Haughey has insisted at the Forum



that the case for a unitary state be given priority. Unfortunately, though, the whole argument here is in the subjunctive. There are two reasons why that should be. One is that Protestants will find a unitary state unthinkable at least for another generation. The other is that the Forum Report is at its weakest in the very exuberance with which it defers to Protestant views and promises to protect every unionist tradition. "It is clear that a new Ireland will require a new constitution which will ensure that the needs of all traditions are fully met." The unionists' "sense of Britishness" must be accommodated. "Lasting stability can be found only in the context of new structures in which no tradition will be allowed to dominate the other." And more of the same. Yet surely the essence of Britishness is the ability to vote for and be governed by a British parliament under British laws. Although the Forum avows that in a unitary state British citizens would continue to have such citizenship and pass it on to their children, it is not at all clear how that citizenship would express itself in practice. The argument here comes perilously close to acknowledging not only that partition was a mistake but that the severance between Britain and Ireland was a mistake also. If it was, and if the road back to a united Ireland leads also to a reunion of the two islands in some all-embracing confederation (not a novel idea, incidentally, for nationalist historians to contemplate) then the Forum should have said so. Certainly it speaks of a new "structure, relationships and associations with Britain...which would acknowledge the unique relationship." But one would like to hear more.

Secondly there is a distinct logical hiatus in the discussion of a unitary state. In this arrangement "provision could be made for weighted majorities in the Parliament in regard to legislation effecting changes in provisions on issues agreed to be fundamental at the establishment of the new state. In the Senate unionists could be guaranteed a minimum number of seats.... Mechanisms for ensuring full Northern participation in an integrated Irish civil service would have to be devised." It is precisely these and similar methods of protecting minority interests within a recreated Stormont that nationalists have found inadequate for Northern Ireland. There is no obvious reason why a unionist minority in Ireland as a whole should find them any more attractive.

It is possible that the unitary state was given the place of honour among the proposals for form's sake. If so, that is a dangerous way to proceed. It could well be that in the discussion which the Forum invites, its other options - a federal or confederal system, or joint authority over the North between Ireland and Britain - would yield a practicable method of ending the conflict. But that could only be so if it was accepted in full and final settlement of the Irish Republic's claims. If it were still open to republican parties, violent or non-violent, to continue the campaign by saying that Irish unity was still incomplete then a constitutional upheaval would have taken place for nothing.

The notion that there is nothing one can do about Northern Ireland has become central to British politics. It is a dangerous and defeatist notion which came to full flower during Mr Harold Wilson's prime ministership when he allowed the painfully built edifice of Sunningdale to collapse under the Protestant workers' strike. Now ought to be the time to get rid of it.

Labour draws a distinction between the British guarantee, under which constitutional changes will not take place without the consent of a majority, and the unionist veto which has been allowed to obstruct even the cosmetic introduction of an Irish dimension into the politics of the North. That distinction is valid. Dublin recognises as clearly as anyone that unity, in whatever form, achieved otherwise than by consent would be valueless. It is entitled to insist, however, that the record and results of partition be fully understood before it is enshrined as the only possible formula for administering the province. When the Irish parties jointly express their opinion as cogently as they have now done they merit an equally substantive, and if possible collective, reply. If the only solution is for Ireland to yield something as well in order to reshuffle the constitutional pack then that should be plainly stated. The Forum is courteous, if firm, in its disapproval of British actions past and present. Possibly Ireland's own failings need an equally courteous, if firm, exposure. The Forum's Report is an offer, as we read it, to start again where Lloyd George and de Valera made their mistakes. And that is an offer which should be gratefully accepted.

\* \* \* \* \*

FINANCIAL TIMES

3 MAY 1984

"THE WAY FROM THE FORUM"

The Report of the New Ireland Forum, published yesterday, deserves an unqualified welcome from all those who want a peaceful solution to the Irish question. The Report offers no set formula - not even the blueprint for one. But it is a major departure from the nationalist thinking of the past.

For the first time, the nationalist parties in Ireland which believe in democracy have come together to recognise a common problem: namely, the danger to the Republic, to Ulster and even to Britain, if the present situation is allowed to continue indefinitely. In so doing, they have visibly shed a great deal of their previous theology.

Here are some examples. The Report admits that Irish nationalist attitudes have hitherto "tended to underestimate the full dimension of the unionist identity and ethos." It acknowledges that the unionists' identity includes a "sense of Britishness" and a "set of values comprising a Protestant ethos which they believe to be under threat from a Catholic ethos." And it states frankly that the political arrangements for a new and sovereign Ireland would have to be "freely negotiated and agreed to by the people of the North and the people of the South."

The Report is as remarkable for what it omits as for what it says. There are no crude references to "troops out" and indeed not even the ghost of a timetable is suggested for a solution. What is clear, however, is that Irish unity, though still the goal, has become a distant aspiration rather than an immediate political aim. Reality has taken over.

In many ways, the Report is a plea for help. The Irish constitutional nationalists have put their act together and are now looking to Britain and to the unionists for a response. (The unionists, in fact, were invited to participate in the Forum, but chose not to).

It is essential that the response should be positive. With total accuracy, the Report describes British policy towards Northern Ireland over the last few years as one of "crisis management" and little else. Again to quote the Forum, the policy has not brought peace, nor stability, nor reconciliation between the two communities in Ulster. British policy, we would add, has reached a dead end where the best that can be looked forward to is a continuation of the unsatisfactory status quo. The Report of the Forum offers the beginnings of a way out.

Yet the British Government should not underestimate its own strength. It is incomparably the most powerful presence on the stage, if it chooses to use its power. The opportunity is now ripe. Here are the democratic parties of the Republic forsaking Irish unity for the foreseeable future, denouncing the IRA as never before and showing a new understanding of the unionist/Protestant tradition. It is up to Britain to pick it up from there.

/...

The first point is that there can be no unity between North and South until there has been some reconciliation between the communities in the North. That means a rigorous assault on political and religious prejudice wherever it may be manifest. It means standing up to Protestant and Conservative Party extremists who think that the union is sacrosanct whatever the unionists may do. There are some unionist leaders whose behaviour, for all their protestations of loyalty to the Crown, is scarcely British. They can no longer be allowed an excessive influence on British policy.

It probably also means making another attempt at putting life into the Ulster Assembly. If there is to be a reconciliation between the communities, they will have to show that they can work together in common institutions. The Assembly is as good a starting point as any, if only because it is there. The Catholic SDLP needs to be pressed to take up its seats in return for solid assurances that it will be allowed a greater say in its affairs. The democratic parties in the South, having come thus far, ought to be capable of adding their own urgings. For only when there is peace in the North can there be peace in Ireland.

The second and crucial point is simply this. No British policy will get anywhere if it is half-hearted and low on the political agenda. Mrs Thatcher has an opportunity denied to almost all her predecessors. She should make an Irish settlement a priority for the next four years.

\* \* \* \* \*

# WITHDRAWAL SHEET

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1 CASE FILE

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RE: HELP WITH IRISH GOVERNMENT

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Freedom of Information Act - [5 U.S.C. 552(b)]

B-1 National security classified information [(b)(1) of the FOIA]

B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]

B-3 Release would violate a Federal statute [(b)(3) of the FOIA]

B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]

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Status Date	2010-09-12
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MEMORANDUM

NATIONAL SECURITY COUNCIL

May 3, 1984

FE006-12J

ACTION

MEMORANDUM FOR ROBERT C. McFARLANE

FROM: PETER R. SOMMER *Peter*

SUBJECT: Report of the New Ireland Forum

In your absence, I had mentioned to John Poindexter the pending release of the long-awaited report of the New Ireland Forum. In the report the three mainstream parties in the Irish Republic and the major nationalist party in the North made specific recommendations on how to resolve the longstanding problem of Northern Ireland.

Thus, Ed Hickey's and Ambassador O'Sullivan's calls come as no surprise. Indeed, British Embassy Minister Derek Thomas personally delivered to me, yesterday afternoon, Britain's reaction to the Forum's report. As expected, the British see both negative and positive elements in the report, but underline that Northern Ireland shall not cease to be part of the U.K. without the consent of the majority of its people.

Leaders of the Forum's four parties signed the report in a public ceremony. While all support a united Ireland, former Prime Minister Haughey -- a staunch nationalist -- has already disassociated himself from the Forum's other options: a federal system or joint sovereignty with Britain. This, of course, plays into British hands who note that Unionist opposition to Irish unity is to the principle as much as the form.

Per your request, I spoke to O'Sullivan. He is on a fishing expedition in hopes of having Ireland's Foreign Minister Peter Barry deliver the Forum's report to either the President or you. State and I had earlier agreed that it would be inappropriate to draw the White House into the middle of this complex, historical problem. Moreover, we noted your schedules would be extremely tight, having just returned from China. Barry will be meeting with Ken Dam at 9:30 tomorrow morning and I see no reason to also schedule a meeting at the White House.

*agree*

O'Sullivan was candid in describing the Forum's report as the "first Irish offer" in the continuing negotiations with Britain over the future of Northern Ireland. As part of his sales pitch for White House involvement, he alleged that an expression of Presidential interest in the Forum's work would help tone down the expected demonstrations during the President's June Trip. I personally don't see a direct link between these two matters.

To be very frank, I don't think we should allow ourselves to

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be used by the Irish; particularly since the Irish have not been especially supportive of our interests on such issues as Central America and the Common Market.

There will, however, be continuing pressures for the Administration to comment on the Forum's report. Therefore, I have suggested to State that they issue a statement following Barry's meeting with Ken Dam. After making the usual caveat about needing more time to study the report, the statement would underscore our hope that the report will strengthen the Anglo-Irish dialogue and cooperation and lead to greater reconciliation among Ireland's two traditions.

For the record, here follows what the President said at this year's St. Patrick's Day luncheon: ... "We're especially heartened by your own efforts, as well as your colleagues', in the New Ireland Forum and the British government as they seek a democratic and peaceful reconciliation of Ireland's diverse traditions...."

#### RECOMMENDATIONS

1. That neither you nor the President meet with Prime Minister Barry.

Approve RCM Disapprove \_\_\_\_\_

2. That you endorse State making a statement along the lines outlined above.

Approve RCM Disapprove \_\_\_\_\_

cc: Jack Matlock



National Security Council  
The White House

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System # I

Package # 3542

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	SEQUENCE TO	HAS SEEN	DISPOSITION
Dep. Exec. Sec'y	<u>1</u>	<u>T</u>	
Bob Kimmitt	<u>2</u>	<u>K</u>	
John Poindexter	<u>3</u>	<u>J</u>	
Tom Shull			
Wilma Hall	<u>4</u>	<u>✓</u>	
Bud McFarlane	<u>5</u>	<u>M</u>	<u>A</u>
Bob Kimmitt			
NSC Secretariat			
Situation Room			

I = Information    **A = Action**    R = Retain    D = Dispatch    N = No further Action

cc: VP Meese Baker Deaver Other \_\_\_\_\_

COMMENTS                      Should be seen by: \_\_\_\_\_  
(Date/Time)

PI2: 4

RECEIVED 03 MAY 84 14

TO MCFARLANE

FROM SOMMER

DOCDATE 03 MAY 84

KEYWORDS IRELAND

SUBJECT: RPT OF NEW IRELAND FORUM

ACTION: FOR DECISION

DUE: 04 MAY 84 STATUS X FILES WH

FOR ACTION

FOR CONCURRENCE

FOR INFO

MCFARLANE

COMMENTS

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THE WHITE HOUSE

WASHINGTON

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ACTION

April 17, 1984

MEMORANDUM FOR THE PRESIDENT

FROM: ROBERT C. MCFARLANE

RMK  
for

SUBJECT: Treaty on Extradition between the United States and Ireland

Issue

To transmit to the Senate for advice and consent to ratification the Treaty on Extradition between the United States and Ireland.

Facts

The Treaty, signed at Washington on July 13, 1983, is the first law enforcement treaty directly negotiated between the United States and Ireland. It fills a gap resulting from a 1965 change in Irish law which precludes the implementation of any applicable extradition agreements between the United States and Great Britain. The Treaty follows the form and content of other extradition treaties we have recently concluded.

Discussion

This Treaty will make a significant contribution to international cooperation in law enforcement. We hope the Senate will give it early and favorable advice and consent.

Recommendation

OK                      No

SIGNED  
APR 18 1984

That you sign the letter to the Senate forwarding the Treaty on Extradition.

Attachments

- Tab A - Letter to the Senate
- Tab B - Treaty Document
- Tab C - Letter from George Shultz

Prepared by:  
Peter R. Sommer

NSC # 8402983

cc Vice President

## MEMORANDUM

## NATIONAL SECURITY COUNCIL

ACTION

April 17, 1984

MEMORANDUM FOR ROBERT C. McFARLANE

FROM: PETER R. SOMMER *PR* **SIGNED**

SUBJECT: Treaty on Extradition between the United States and Ireland

Attached at Tab I is a memorandum from you to the President, recommending that he transmit the Treaty on Extradition between the United States and Ireland to the Senate for its advice and consent to ratification.

Paul Thompson <sup>6</sup> concurs.

RECOMMENDATION

That you sign the memo to the President at Tab I.

Approve RMK Disapprove \_\_\_\_\_

## Attachments

- Tab I - Memo to the President
- Tab A - Letter to the Senate
- Tab B - Treaty Document
- Tab C - Letter from George Shultz

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DEPARTMENT OF STATE  
WASHINGTON

April 10, 1984

The President:

I have the honor to submit to you the Treaty on Extradition between the United States of America and Ireland, signed at Washington on July 13, 1983. I recommend that the Treaty be transmitted to the Senate for advice and consent to ratification.

Ireland regards any applicable Extradition Conventions between the United States and Great Britain as no longer being capable of implementation as a consequence of the enactment of its Extradition Act of 1965. This Treaty will, therefore, reestablish extradition relations between the United States and Ireland, thereby significantly enhancing their ability to bring fugitives to justice. The Treaty follows generally the form and content of extradition treaties recently concluded by this Government.

Article 1 obligates each State to extradite to the other, in accordance with the provisions of the Treaty, but subject to the law of the requested State, any persons, including its citizens or nationals, who are charged with, or have been convicted of, an extraditable offense. (Extradition shall also be granted, Article 2 explains, for attempts and conspiracies to commit extraditable offenses, as well as for aiding and abetting the commission of such offenses.)

The President,

The White House.

Article 2 permits extradition for any offense punishable under the laws of both States by imprisonment for more than one year. Instead of listing each offense for which extradition may be granted, as was United States practice until recently, this Treaty adopts the modern practice of permitting extradition for any crime punishable under the laws of both contracting Parties for a minimum period. This obviates the need to renegotiate or supplement the Treaty should both States pass laws covering new types of criminal activity, such as computer-related crimes.

Article 2 also follows the practice of recent United States extradition treaties in indicating that the dual criminality standard should be interpreted liberally in order to effectuate the intent of the Parties that fugitives be brought to justice. Article 2 further provides that, if extradition is granted for an extraditable offense, it may also be granted for offenses which are punishable by less than a year's imprisonment.

Article 3 provides that extradition shall not be refused on the ground that the offense for which extradition is requested was committed outside the requesting State. Article 3 further provides that the requested State may refuse extradition on the ground that the offense was committed in its territory, but if it does so, it must submit the case to its competent authorities for prosecution.

Article 4 states the mandatory grounds for refusal of extradition. It provides that extradition shall be denied when the person sought has been in jeopardy in the requested State for the same offense, when the offense for which extradition is requested is a political or military offense, or when there are substantial grounds for believing that the request has been made for the purpose of prosecuting or punishing the person sought on account of that person's race, religion, nationality or political opinion.

Article 5 states the discretionary grounds for refusal of extradition. It provides that extradition may be refused when the person sought has been in jeopardy in a third country for the offense, or when the requested State has decided not to prosecute.

Article 6 provides that extradition may be refused when the offense is punishable by death in the requesting, but not the requested, State, unless satisfactory assurances are received that the death penalty, if imposed, will not be carried out.

Article 7 provides that surrender may be deferred when the person whose extradition is sought is being proceeded against or has been convicted of a different offense in the requested State.

Articles 8-10 and 12-13 are procedural. The procedures provided therein are similar to those found in other modern United States extradition treaties, with minor differences due to requirements of the Irish



Extradition Act. For example, United States requests for extradition will have to contain a statement concerning any statute of limitations applicable to a requested offense.

Article 11 expressly incorporates into the Treaty the rule of specialty. This article provides, subject to specified exceptions, that a person extradited under the Treaty may not be tried, sentenced, punished or detained for an offense other than that for which extradition has been granted.

Article 14 provides for the seizure and surrender to the requesting State of all property which appears to have been acquired by the person sought as a result of the offense for which extradition is requested, or which may be required as evidence. This obligation is subject to the law of the requested State and to the rights of third parties.

Article 15 governs transit through the territory of one of the contracting Parties of a person being surrendered to the other Party by a third country.

Article 16 provides that the requested State shall represent the requesting State in any proceedings in the requested State arising out of a request for extradition.

Article 17 governs expenses in a manner similar to other recent United States extradition treaties.

Article 18, like the parallel provision of almost all recent United States extradition treaties, stipulates that the Treaty is retroactive, in the sense that it applies to

offenses committed before as well as after its entry into force, provided that the offenses were proscribed by the laws of both States when committed.

Article 19 provides that the Treaty will enter into force thirty days after the exchange of the instruments of ratification. This Article also provides for termination of the Treaty by either Party upon six months written notice to the other.

The Department of Justice joins the Department of State in favoring approval of this Treaty by the Senate at an early date.

Respectfully Submitted,

*George P. Shultz*

TO THE SENATE OF THE UNITED STATES:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty on Extradition between the United States of America and Ireland, signed at Washington on July 13, 1983.

I transmit also, for the information of the Senate, the Report of the Department of State with respect to the Treaty.

The Treaty is the first law enforcement treaty directly negotiated between the United States and Ireland. It fills a gap resulting from a 1965 change in Irish law which precludes the implementation of any applicable extradition agreements between the United States and Great Britain. The Treaty follows generally the form and content of extradition treaties recently concluded by this Government.

This Treaty will make a significant contribution to international cooperation in law enforcement. I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

THE WHITE HOUSE,

TREATY ON EXTRADITION BETWEEN  
THE UNITED STATES OF AMERICA AND IRELAND

The Government of the United States of America and the  
Government of Ireland, desiring to make more effective the  
cooperation of the two countries in the supression of crime,  
agree as follows:

ARTICLE I

Obligation to Extradite

Each Contracting Party agrees to extradite to the other, in accordance with the provisions of this Treaty, but subject to the law of the Requested State and to such exceptions as are therein provided, any persons, including its citizens or nationals, who are wanted for prosecution or the imposition or enforcement of a sentence in the Requesting State for an extraditable offense.

ARTICLE II

Extraditable Offenses

1. An offense shall be an extraditable offense only if it is punishable under the law of both Contracting Parties by imprisonment for a period of more than one year, or by a more severe penalty. When the request for extradition relates to a person who is wanted for the enforcement of a sentence of imprisonment, extradition shall be granted only if the duration of the sentence still to be served amounts to at least four months.
2. For the purpose of this Article, it shall not matter:
  - (a) whether the laws of the Contracting Parties place the offense within the same category of offense or denominate the offense by the same terminology; or
  - (b) whether the offense is one for which United States federal law requires proof of interstate transportation, or use of the mails or of other

facilities affecting interstate or foreign commerce, such matters being merely for the purpose of establishing jurisdiction in a United States federal court.

3. Subject to the conditions set forth in paragraph 1 of this Article, extradition shall also be granted for attempt and conspiracy to commit, aiding, abetting, counseling, procuring, inciting, or otherwise being an accessory to the commission of, an offense referred to in paragraph 1.

4. If extradition is granted for an extraditable offense, it may also be granted for any other offense for which extradition is requested that meets all the requirements for extradition other than the periods of imprisonment specified in paragraph 1 of this Article.

#### ARTICLE III

##### Place of Commission of Offense

1. Extradition shall not be refused on the ground that the offense for which extradition is requested was committed outside the Requesting State.

2. Extradition may be refused when the offense for which extradition is requested is regarded under the law of the Requested State as having been committed in its territory. If extradition is refused pursuant to this paragraph, the Requested State shall submit the case to its competent authorities for the purpose of prosecution.

ARTICLE IV

Exceptions to Extradition

Extradition shall not be granted in any of the following circumstances:

- (a) when the person whose surrender is sought has been convicted or acquitted, or a prosecution is pending against that person, in the Requested State, for the offense for which extradition is requested;
- (b) when the offense for which extradition is requested is a political offense. Reference to a political offense shall not include the taking or attempted taking of the life of a Head of State or a member of his or her family;
- (c) when there are substantial grounds for believing that a request for extradition for an ordinary criminal offense has been made for the purpose of prosecuting or punishing a person on account of that person's race, religion, nationality or political opinion. Unless the law of the Requested State otherwise provides, decisions under this paragraph shall be made by the executive authority; or
- (d) when the offense for which extradition is requested is a military offense which is not an offense under the ordinary criminal law of the Contracting Parties.

ARTICLE V

Discretionary Grounds for Refusal of Extradition

Extradition may be refused in any of the following circumstances:

- (a) when the person whose surrender is sought has been convicted or acquitted in a third State of the offense for which extradition is requested; or
- (b) when the competent authorities of the Requested State have decided to refrain from prosecuting the person whose surrender is sought for the offense for which extradition is requested, or to discontinue any criminal proceedings which have been initiated against that person for that offense.

#### ARTICLE VI

##### Capital Punishment

When the offense for which extradition is requested is punishable by death under the law of the Requesting State and is an offense which is not so punishable under the law of the Requested State, extradition may be refused unless the Requesting State provides such assurances as the competent authorities of the Requested State consider sufficient that the death penalty, if imposed, will not be carried out.

#### ARTICLE VII

##### Postponement of Surrender

When the person whose extradition is requested is being, or is about to be, proceeded against, or has been convicted, in the Requested State in respect of an offense other than that for which extradition has been requested, surrender may be postponed until the conclusion of the proceedings and the full execution of any punishment the person may be or may have been awarded.



ARTICLE VIII

Extradition Procedure and Required Documents

1. The request for extradition shall be made in writing and shall be communicated through the diplomatic channel.
2. The request for extradition shall contain:
  - (a) information which will help to establish the identity of the person sought;
  - (b) the location of the person if known or, if it is not known, a statement to that effect; and
  - (c) a brief statement of the facts of the case.
3. Every request for extradition shall be supported by documents which contain:
  - (a) as accurate a description as possible of the person sought, together with any other information which will assist in establishing the person's identity and nationality;
  - (b) a statement of the pertinent facts of the case, indicating as accurately as possible the time and place of commission of the offense; and
  - (c) the legal description of the offense and a statement of the maximum penalties therefor and the text of the law setting forth the offense or, where this is not possible, a statement of the relevant law.
4. When the request for extradition relates to a person who has not been convicted, it shall also be supported:
  - (a) by the original or an authenticated copy of the warrant of arrest, or equivalent order, issued by a competent authority of the Requesting State;

- (b) by the original or an authenticated copy of the complaint, information or indictment; and
- (c) in the case of a request emanating from Ireland, by a statement of facts, by way of affidavit or statutory declaration, setting forth reasonable grounds for believing that an offense has been committed and that the person sought committed it.

5. When the request for extradition relates to a convicted person, it shall also be supported:

- (a) by the original or an authenticated copy of the judgment of conviction; and
- (b) if a sentence has been imposed, by the original or an authenticated copy of the sentence and a statement of the extent to which it has been carried out and that it is immediately enforceable.

6. All documents transmitted by the Requesting State shall be in English or shall be translated into English by that State.

#### ARTICLE IX

##### Additional Evidence or Information

1. If the Requested State requires additional evidence or information to enable it to decide on the request for extradition, such evidence or information shall be submitted to it within such time as that State shall specify.

2. If the person sought is in custody and the additional evidence or information submitted as aforesaid is found insufficient or if such evidence or information is not received

within the period specified by the Requested State, the person shall be discharged from custody. Such discharge shall not preclude the Requesting State from submitting another request in respect of the same offense.

ARTICLE X

Provisional Arrest

1. In case of urgency, a Contracting Party may request the provisional arrest of a person sought. The request for provisional arrest shall be made through the diplomatic channel or directly between the United States Department of Justice and the Department of Justice in Ireland, in which case the facilities of INTERPOL may be used. The request may be transmitted by post or telegraph or by any other means affording evidence in writing.
2. The request shall contain:
  - (a) a description of the person sought;
  - (b) a statement of the nature of the offense and of the time at which and the place where it is alleged to have been committed;
  - (c) a statement of the existence of one of the documents referred to in paragraph 4(a) or 5 of Article VIII; and
  - (d) a statement that it is intended to send a request for extradition.
3. On receipt of such a request, the Requested State shall take the appropriate steps to secure the arrest of the person sought. The Requesting State shall be promptly notified of the result of its request.

4. Unless the law of the Requested State otherwise provides, a person arrested upon such a request shall be released upon the expiration of forty-five days from the date of that person's arrest if the request for extradition has not been duly received by the Requested State. This stipulation shall not prevent the institution of proceedings with a view to extraditing the person sought if a request for extradition is subsequently received.

ARTICLE XI

Rule of Speciality

1. A person extradited under this Treaty shall not be proceeded against, sentenced, punished, detained or otherwise restricted in his or her personal freedom in the Requesting State for an offense other than that for which extradition has been granted, or be extradited by that State to a third State, unless:
  - (a) the person has left the Requesting State after extradition and has voluntarily returned to it;
  - (b) the person, having had an opportunity to leave the Requesting State, has not done so within forty-five days of final discharge in respect of the offense for which that person was extradited; or
  - (c) the Requested State has consented.
2. Where the description of the offense charged in the Requesting State is altered in the course of proceedings, the person extradited shall not be proceeded against, sentenced,

punished, detained or otherwise restricted in his or her personal freedom except insofar as the offense under its new description is composed of the same constituent elements as the offense for which extradition was granted.

3. Unless the law of the Requesting State otherwise provides, the person extradited may be proceeded against, sentenced, punished, detained or otherwise restricted in his or her personal freedom for an offense for which that person could be convicted, under the law of that State, upon trial for the offense for which extradition was granted.

4. These stipulations shall not apply to offenses committed after the extradition.

#### ARTICLE XII

##### Multiple Requests

A Contracting Party upon receiving requests from the other Contracting Party and from a third State for the extradition of the same person, either for the same offense or for different offenses, shall determine to which of the States it will extradite the person sought, taking into consideration all the circumstances and, in particular, the relative seriousness of the offenses and where they were committed, the citizenship or nationality of the person sought, the dates upon which the requests were received, the possibility of a later extradition between the other Contracting Party and the third State, and the provisions of any extradition agreements between the States concerned.

ARTICLE XIII

Notification of Decision

1. The Requested State shall promptly communicate to the Requesting State through the diplomatic channel the decision on the request for extradition.

2. The Requested State shall provide reasons for any partial or complete rejection of the request for extradition. It shall also provide the Requesting State with a copy of each opinion issued by its courts in connection with a request for extradition under this Treaty.

3. If a warrant or order for the extradition of a person sought has been issued by the competent authority and the person is not removed from the territory of the Requested State within such time as may be prescribed by the law of that State, that person may be set at liberty and the Requested State may subsequently refuse to extradite that person for that offense.

ARTICLE XIV

Surrender of Property

1. To the extent permitted under the law of the Requested State and subject to the rights of third parties, which shall be duly respected, all property which appears to have been acquired as a result of the offense in question or which may be required as evidence shall, if found, be seized and surrendered to the Requesting State if the person sought is extradited or if extradition, having been granted, cannot be carried out by reason of the death or escape of that person.

2. The Requested State may make the surrender of the property conditional upon satisfactory assurances from the Requesting State that the property will be returned to the Requested State as soon as practicable, and may defer its surrender if it is needed as evidence in the Requested State.

ARTICLE XV

Transit

Transit through the territory of one of the Contracting Parties of a person surrendered to the other Contracting Party by a third State may be granted on request subject to the law of the State of transit and to such conditions as that State may impose. For the purpose of considering the request, the State of transit may require the submission of such information as it considers necessary.

ARTICLE XVI

Representation

1. The Department of Justice of the United States shall advise, assist and represent, or provide for the representation of, Ireland in any proceedings in the United States arising out of a request for extradition made by Ireland.

2. The Attorney General of Ireland shall advise and assist, and represent, or provide for the representation of, the interests of the United States in any proceedings in Ireland arising out of a request for extradition made by the United States.

3. The functions referred to in this Article may be assumed by any successor agency designated by the State concerned.

ARTICLE XVII

Expenses

1. The Requesting State shall bear all expenses arising out of the translation of documents and the transportation of the person sought from the place of the extradition proceedings to the Requesting State. Notwithstanding any law to the contrary, the Requested State shall bear all other expenses arising out of the request for extradition and the proceedings.

2. The Requested State shall make no pecuniary claim against the Requesting State arising out of the arrest, detention, extradition proceedings and surrender of a person sought under this Treaty.

ARTICLE XVIII

Scope of Application

This Treaty shall apply to offenses committed before or after the date this Treaty enters into force, provided that extradition shall not be granted for an offense committed before the date this Treaty enters into force which was not an offense under the law of both Contracting Parties at the time of its commission.

ARTICLE XIX

Ratification, Entry into Force and Termination

1. This Treaty shall be ratified and the instruments of ratification shall be exchanged in Dublin as soon as possible.

2. This Treaty shall enter into force thirty days after the exchange of the instruments of ratification.



3. This Treaty shall terminate and replace any bilateral extradition agreement in force between the United States and Ireland.

4. Either Contracting Party may terminate this Treaty by giving written notice to the other Contracting Party at any time, and the termination shall become effective six months after the date of receipt of such notice.

IN WITNESS WHEREOF, the respective plenipotentiaries have signed this Treaty.

DONE in duplicate at Washington this thirteenth day of July, 1983.

FOR THE GOVERNMENT OF THE  
UNITED STATES OF AMERICA:



FOR THE GOVERNMENT OF  
IRELAND:



National Security Council  
The White House

System # I ✓

Package # 2983

APR 17 11:17

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	SEQUENCE TO	HAS SEEN	DISPOSITION
Dep. Exec. Sec'y	<u>1</u>	<u>✓</u>	
Bob Kimmitt	<u>2</u>	<u>K</u>	
John Poindexter			
Tom Shull			
Wilma Hall			
Bud McFarlane			
Bob Kimmitt			
NSC Secretariat	<u>3</u>	<u>APR 17 1984</u>	<u>D</u>
Situation Room			

I = Information    A = Action    R = Retain    D = Dispatch    N = No further Action

cc: VP Meese Baker Deaver Other \_\_\_\_\_

COMMENTS

Should be seen by: \_\_\_\_\_  
(Date/Time)

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84 APR 17 12:00

RECEIVED 11 APR 84 09

TO PRESIDENT

FROM SHULTZ, G

DOCDATE 10 APR 84

KEYWORDS IRELAND

LEGAL ISSUES

TREATIES

CM

SUBJECT: TREATY ON EXTRADITION BTW US & IRELAND

ACTION. PREPARE MEMO FOR MCFARLANE DUE. 12 APR 84 STATUS S FILES

FOR ACTION

FOR CONCURRENCE

FOR INFO

SOMMER

THOMPSON

COBB

KIMMITT

LEHMAN, C

POINDEXTER

COMMENTS \*\*\* 2 PRINTERS & 6 CYS FWDED TO WH RECORDS OFC \*\*\*

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ACTION OFFICER (S)	ASSIGNED	ACTION REQUIRED	DUE	COPIES TO
<i>MCFarlane</i>	<i>x 4/17</i>	<i>Fwd Pres for sig</i>	<i>4/18</i>	
<i>Pres</i>	<i>P APR 17 1984</i>	<i>Signature</i>		<i>VP</i>
	<i>C APR 18 1984</i>	<i>Pres spl per WH executive</i>		<i>Clark</i> <i>PS, PT</i>

DISPATCH

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