

488/97.

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SEC - 1 OCT 1997
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FROM: JOANNE MAXWELL
ANGLO IRISH SECRETARIAT
1 OCTOBER 1997

- cc PS/Secretary of State (B&L)
- PS/Mr Ingram (B&L)
- PS/Mr Murphy (B&L)
- PS/PUS (B&L)
- PS/Mr Semple
- Mr Thomas
- Mr Steele
- Mr Bell
- Mr Leach
- Mr Shannon
- Mr Stephens
- Mr Watkins
- Mr Woods (B&L)
- Mr Beeton
- Mr Brooker
- Mr Hill
- Mrs Brown
- Mr Collins
- Mr D Ferguson
- Mr Maccabe
- Mr Smyth
- Mr Perry
- Mr White
- Miss Bharucha
- Mr Warner
- HMA, Dublin
- Mr Tebbit, via RID
- Mr Fergusson, RID

Mr H.A. Don
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PS/Secretary of State (B&L)

DAIL QUESTIONS FOR ORAL REPLY BY THE MINISTER FOR FOREIGN AFFAIRS, MR RAY BURKE TD

Please find attached, for your information, a number of questions for oral reply by the Minister for Foreign Affairs, Mr Ray Burke in the Dail on Tuesday 30 September 1997.

Signed

JOANNE MAXWELL

To ask the Minister for Foreign Affairs if his attention has been drawn to British plans to transfer Republican prisoners from British to Irish prisons in the near future ; and if he will make a statement on the matter.

- Gay Mitchell.

For PRIORITY answer on Tuesday, 30th September, 1997.

Ref No: 14859/97

REPLY

I assume that the Deputy is referring to the transfer of Republican prisoners in Britain to this jurisdiction under the terms of the European Convention on the Transfer of Sentenced Persons, which both Britain and Ireland have ratified.

I have pursued the question of the transfer of Republican prisoners within the framework of the Anglo-Irish Intergovernmental Conference both on humanitarian grounds and as a confidence-building measure which would underpin the peace process in Northern Ireland. The Government has consistently supported the principle that, wherever possible, prisoners should be permitted to serve their sentences close to their families and this view has been made clear to the British authorities. We have repeatedly made clear that we stand ready to receive Republican prisoners transferred under the provisions of the Convention.

Since the Convention came into force for Ireland on 1 November 1995 six Republican prisoners have been transferred to this jurisdiction.

There are currently twenty one convicted Republican prisoners serving sentences in British prisons. I am informed that twenty of them have made transfer applications to date.

The Transfer of Sentenced Persons' Act 1995 gives effect to the provisions of the European Convention in this jurisdiction. It prescribes the steps that must be followed to enable a person serving a prison sentence in another jurisdiction to transfer here lawfully to complete the remainder of the sentence. The Deputy will be aware that implementation of the Act is a responsibility of my colleague the Minister for Justice, Equality and Law Reform.

Transfers from Britain to this jurisdiction require the consent of the person concerned, of the Home Office in Britain, and of the Minister for Justice, Equality and Law Reform. Each case is considered separately. Applications for transfer are first considered by the British Home Office and are then forwarded to the Minister for Justice, Equality and Law Reform. The processing of the applications inevitably takes some time. However, I can assure the Deputy that every effort is being made by the Minister for Justice, Equality and Law Reform to expedite the consideration of applications once they are received in this jurisdiction.

I am informed that the applications which twenty Republican prisoners have made are at different stages in the procedure set out in the Act. I am further informed that in the case of three Republican prisoners currently serving sentences in Britain, only the decision of the Home Secretary is now outstanding and this is expected shortly. I would be hopeful that a number of other transfers at present under consideration will take place soon.

I can assure the Deputy that the Government will continue to urge the expeditious processing of these applications and those made by the other Republican prisoners in Britain.

Question No. 67

To ask the Minister for Foreign Affairs if he will give details of the bilateral talks he held in the United States last week; and if he will make a statement on the matter.

-Ruairi Quinn.

For ORAL answer on Tuesday, 30 September, 1997

Ref No. 14736/97

Reply

I assume that the Deputy's question refers to the meetings which I had with U.S. political leaders during the course of my visit to New York and Washington last week.

In the course of a reception hosted by President Clinton on the evening of Sunday, 21 September 1997, for visiting Heads of Delegation to the U.N. General Assembly, I had the opportunity to convey to the President the Government's deep appreciation of his strong and continuing support for the peace process. The President re-iterated his dedicated commitment to the process and his determination to support the all-party talks in every way possible. He said he attached high priority to achieving a lasting settlement to the Northern Ireland problem. In a subsequent address to the assembled Heads of Delegation, the President spoke of the importance of finding a solution to the troubles "in the land of my ancestors". I thanked the President for his encouragement of, and support for, the restoration of the IRA ceasefire and for continuing to act as a friend to all sides in Northern Ireland.

I also had an opportunity at the reception to have discussions with the Secretary of State, Madeleine Albright, and the National Security Adviser, Sandy Berger. I invited the Secretary of State to visit Ireland at a convenient time, an invitation which she was very pleased to accept.

In the course of my visit to Washington, I had separate meetings with Senators Edward Kennedy and Connie Mack; with Congressman Harold Rogers, Chairman of the Appropriations Committee on Justice and State, and Congressman Charles Schumer. The latter two meetings were specifically concerned with visa issues. In addition, I met with the Friends of Ireland and the Ad Hoc Committee on Irish Affairs, chaired by Congressman Ben Gilman, the Chairman of the House International Relations Committee and Co-Chairman of the Ad Hoc Committee.

I also had a meeting at the White House with the National Security Adviser, in which we reviewed the recent encouraging developments in the peace process and discussed how best to achieve further progress. We also discussed the appointment of Mr James M Lyons as Special Adviser to the President for Economic Initiatives on Ireland, an appointment which I warmly welcomed.

The Ambassador also hosted a dinner in Washington at which I had the opportunity to brief some leading Members of Congress, including Senators Dodd and Leahy, and members of the media, including the Executive Editor of the Washington Post, on current issues, in particular in relation to Northern Ireland.

In New York I hosted a dinner for some senior friends of Ireland in the community, and met with the Immigration Liaison Committee. I also had discussions in their offices with both Mayor Giuliani and Governor Pataki.

To ask the Minister for Foreign Affairs if he will give details of his recent contacts with the British authorities in relation to the ongoing extradition proceedings facing Róisín McAliskey.

- Jack Wall.

For ORAL answer on Tuesday, 30th September, 1997.

Ref No: 14735/97

REPLY

I have made the Government's humanitarian concerns regarding Róisín McAliskey's case known to the British authorities within the framework of the Anglo-Irish Intergovernmental Conference. I have emphasised that it is important that it be handled with the utmost sensitivity. I raised the case personally with the Secretary of State, Dr. Mo Mowlan, at the meeting of the Conference held in London on 18 July 1997.

I will continue to raise our concerns on all appropriate occasions and have instructed our Embassy in London to monitor the case very closely on an on-going basis.

I am concerned to ensure that Ms. McAliskey is treated in a humane fashion, that she continues to receive any medical attention she requires, and that the needs of her daughter are fully taken into account.

Ms. McAliskey is at present on bail and her situation was due to be reviewed at a court hearing today which is being attended by an official of our Embassy on my instructions.

I am conscious that what she is facing is an extradition request and that she has not had the opportunity to defend herself against any charges. A decision on the extradition request is, of course, a matter for the relevant British authorities.

Question No. 41

To ask the Minister for Foreign Affairs the contact, if any, he has had with the Secretary of State for Northern Ireland over the decision by his colleague, the Minister for Tourism, Sport and Recreation to abandon the logo being used by both tourism bodies.

- Thomas P. Broughan

For ORAL answer on Tuesday, 30 September 1997

Ref No: 14728/97

REPLY

I have not had an opportunity myself to discuss this matter with the Secretary of State. However, I understand that my colleague, the Minister for Tourism, Sport and Recreation has written to Minister of State Ingram at the Department of Economic Development outlining in full our position on the subject of the tourism logo and the detailed consultations which have already taken place between the Northern and Southern authorities on the subject. The correspondence has been copied to the Secretary of State.

I understand that Minister McDaid reaffirmed to Minister Ingram our policy of strong support for partnership based cross border campaigns in tourism marketing, and his confidence in the ability of the two tourist boards to continue to develop the excellent working relationship underlining their very effective joint marketing initiatives with the industry to date.

I am absolutely confident that any confusion or misunderstandings in this matter will be resolved to the satisfaction of all concerned, North and South.

Question No. 42

To ask the Minister for Foreign Affairs the plans, if any, the Government has for raising the level of North-South cooperation; and if so the amount of Government support proposed for this purpose.

Jim O'Keeffe TD

For ORAL answer on Tuesday 30 September, 1997.

Ref No: 14725/97

Reply

The Government attach the greatest importance to developing North-South cooperation. I intend to actively pursue this policy at every opportunity, in particular through the Anglo-Irish Intergovernmental Conference and in the context of the three-stranded negotiations on which we are now embarking.

Since taking up office, I have discussed the importance of North-South economic and social cooperation with the Secretary of State for Northern Ireland and with the Minister of State, Adam Ingram MP, who has special responsibility for this area. At a meeting of the Anglo-Irish Intergovernmental Conference on 18 July, while noting the significant cooperation already taking place, we affirmed our intention to look at ways in which this could be further built on. Discussions are continuing at official level with a view to identifying areas which could be considered in more detail within the framework of the Anglo-Irish Conference.

There are significant financial resources available to assist the further development of North-South economic cooperation. Should additional resources be required to meet new opportunities or changing circumstances, the Government will look positively at any proposals.

In the longer term, of course, the launch of the substantive three-stranded negotiations opens up the prospect of a strong North-South Body invested with the necessary powers to

maximise the potential for mutual cooperation between the two parts of the island. We are a small island with relatively few natural resources. It makes no sense not to do all we can to harness our collective energies and resources in the service of the common good. There is also the point that a strong North-South Body will allow Northern nationalists the chance to share with unionists the sense that their aspirations and identity are reflected in the governance and administration of their home place.

To ask the Minister for Foreign Affairs if he has raised in his discussions with representatives of the British Government the issue of Irish political prisoners in English jails, the deterioration in their conditions despite the peace process, and in particular the delay in transfer of prisoners from England, only five of whom have been transferred to this jurisdiction since the enactment of the Transfer of Sentenced Prisoners Act, 1995.

- Caoimhghín Ó Caoláin.

For ORAL answer on Tuesday, 30th September, 1997.

Ref No: 14723/97

REPLY

I have taken a close interest in the humanitarian concerns of the Republican prisoners in Britain. I have pursued these within the framework of the Anglo-Irish Intergovernmental Conference both on a humanitarian basis and because of the importance of prison issues in the context of the confidence building which is crucial to the peace process.

At meetings on 18 July and 26 August 1997 I raised these concerns personally with the Secretary of State, Dr. Mo Mowlan. On my instructions the Republican prisoners received consular visits from an official of our Embassy in London between 21 and 25 July 1997. The Deputy will be aware that there have been some recent improvements in the situation of prisoners who were previously classified as Exceptional Risk and held in the Special Secure Units. Their classification has been revised downward and they are now entitled to receive open family visits.

However, I am aware of continuing concerns expressed by the prisoners and their relatives particularly with regard to the situation of those on remand who remain in a Special Secure Unit at Belmarsh prison. For this reason, an Embassy official visited Belmarsh, Whitemoor and Full Sutton prisons at the end of last week. On the basis of his report,

these concerns will be pursued as appropriate with the relevant British authorities. A further round of consular visits to all Republican prisoners will take place in the next few weeks.

The question of the transfer of Republican prisoners to this jurisdiction is one which is accorded high priority by the Government and which I have also raised in the Anglo-Irish Intergovernmental Conference. The Government have consistently supported the principle that, wherever possible, prisoners should be permitted to serve their sentences close to their families and this view has been made clear to the British authorities. We have repeatedly made clear to the British authorities that we stand ready to receive Republican prisoners transferred under the provisions of the European Convention on the Transfer of Sentenced Persons.

Since the coming into effect of this Convention in Ireland on 1 November 1995 six Republican prisoners have been transferred to this jurisdiction. Under its terms transfers from Britain to this jurisdiction involve the consent of the person concerned, of the Home Office in Britain, and of the Minister for Justice, Equality and Law Reform. We have emphasised our view that transfer applications ought to be processed as quickly as possible. I would hope that a number of transfers, which are currently awaiting the consent of the Home Secretary, can take place in the near future. The Deputy will appreciate that, under the Transfer of Sentenced Persons Act, responsibility for the implementation of the Convention lies with the Department of Justice, Equality and Law Reform in this jurisdiction.

I can assure the Deputy that I will continue to monitor the status of individual prisoners' requests for transfer and their other humanitarian concerns.

To ask the Minister for Foreign Affairs the new material, if any, which has emerged over the past 18 months in relation to Bloody Sunday; the discussions, if any, which have taken place with the British Government in this regard ; and if he will make a statement on the matter.

- Ivor Callely.

For ORAL answer on Tuesday, 30th September, 1997.

Ref No: 14710/97

REPLY

A substantial volume of material has emerged recently which has cast the events of Bloody Sunday in a new light. Much attention has focussed on the civilian eyewitness statements which were recorded shortly after the events and which were published earlier this year by Mr. Don Mullan in *Eyewitness Bloody Sunday, the Truth*. The account of events as described in great detail and with compelling clarity by civilian eyewitnesses is dramatically at variance with that presented in the British Government's official version, presented by Lord Widgery in April 1972 in his report on the Tribunal of Inquiry. Additionally, other information, some of which has been available for some time and some of which has only recently emerged, combined to support the version of events offered by the civilian eyewitnesses.

It should be noted that care must be exercised in the use of the term 'new' material. In many crucial instances, it is the fact of the material being 'old' which gives it its devastating force as a critique of the Widgery Report. Much of this material was in fact available at the time of the Widgery Tribunal, but was not considered properly by it.

The material in question includes eyewitness accounts from 1972 and, more recently, the

emergence of very significant archival material, fresh insights into the role and activity of the British Army at the time and new ballistics and medical evidence. All of this, combined with a re-examination of the contents of the Widgery Report itself, was considered in detail in the course of the Government's Assessment of the new material prepared earlier this year.

As the Deputy is aware, this Assessment was handed over to the British authorities on 24 June last. Since then, there has been ongoing contact between both sides through the framework of the Anglo-Irish Intergovernmental Conference. I discussed the issue both at the Anglo-Irish Summit meeting of 3 July 1997 and at the meeting of the Anglo-Irish Intergovernmental Conference of 18 July last with the Secretary of State and was assured that there would be no undue delay by the British Government in giving their response to the emergence of the new material and our Assessment of its significance.

I can assure the Deputy that I will continue to pursue this matter within the framework of the Anglo-Irish Intergovernmental Conference and that the Government will stay in contact with the relatives of the Bloody Sunday victims and others who have been involved in bringing the new material to light.

Chun an Aire Gnóthaí Eachtracha: To the Minister for Foreign Affairs

To ask the Minister for Foreign Affairs the current state of the All-Party Talks in Belfast; and his views on the programme for such talks for the coming months.

- Dick Spring

For PRIORITY answer on Tuesday, 30th September, 1997.

REPLY

I welcome this opportunity to bring the House up to date on the recent significant progress in the all-party negotiations in Belfast.

A major breakthrough was achieved on 24 September, when, after sixteen months of deadlock, the participants adopted a procedural motion completing the work of the opening plenary and launching the substantive political negotiations in the three strands. This follows quickly on the entry of Sinn Féin to the negotiations confirmed by their acceptance of the Mitchell Principles of democracy and non-violence on 9 September.

I am sure deputies on both sides of the House will agree with me that these are historic developments. The British and Irish Governments are now sitting around the same table with representatives of elements of all traditions on these islands - nationalists and republicans, unionists and loyalists - for the purpose of bringing about a negotiated settlement covering relationships within Northern Ireland; on the island of Ireland and between the peoples of Britain and Ireland.

Last week's breakthrough required considerable effort and understanding from all those involved. The momentum was provided by the two Governments - there had been continuous contact either between the Taoiseach and the Prime Minister, the Secretary of State and myself or officials in the lead up to last Wednesday. But each and every one of the parties also played their own part.

This is especially true of the Ulster Unionist Party, which, in the face of constant attack from other elements within unionism, was prepared to overcome its reservations about sitting down with Sinn Féin and to modify its stance on decommissioning in order to allow the negotiations to proceed. I would like to acknowledge David Trimble's courage in leading his party through these difficult decisions.

I would also like to say, without revealing the details of last week's negotiations, that it was no surprise to learn that it was John Hume, whose selfless commitment to the peace process has done much to bring us where we are today, who brokered the final breakthrough last Wednesday evening.

Similarly, I would like to applaud the efforts of those within the Republican Movement who brought about the restoration of the IRA ceasefire of 20 July which opened the way for Sinn Féin's entry to the negotiations.

The Business Committee of the talks is meeting today, under the independent chairmanship of General de Chastelain, to discuss the precise arrangements for the substantive negotiations which I expect will begin next week.

The negotiations, which will be based on an outline agenda adopted by the

participants last Tuesday, will take place within three separate strands which will proceed in parallel.

Strand One negotiations, involving the British Government and the political parties, will cover the relationships within Northern Ireland, including the relationship between any new institutions there and the Westminster Parliament. Meetings will take place in Belfast and will be chaired by the British Government.

Strand Two negotiations, involving the two Governments and the political parties, will address the relationships within the island of Ireland. Meetings will take place in Belfast, Dublin and London under the joint independent chairmanship of the Senator George Mitchell, Prime Minister Harri Holkeri and General John de Chastelain.

Strand Three negotiations on the wider British-Irish relationship will take place between the two Governments, who will consult with the parties.

The Plenary will reconvene every two months, or so, under the independent chairmanship of Senator Mitchell, to review progress across the entire spectrum of the negotiations and to consider whether the necessary confidence and momentum towards agreement is being sustained.

Two sub-committees of the Plenary have been established to assist, as appropriate, with the implementation of all aspects of the Report of the International Body on decommissioning. One sub-committee will deal with the issue of decommissioning and will liaise with the Independent Commission

formally established by the Governments last Wednesday to facilitate the decommissioning of paramilitary weapons. The Commission is made up of General de Chastelain of Canada, who will act as chairman, Brigadier Tauno Nieminen of Finland and Mr. Donald Johnson of the USA.

The other sub-committee of the Plenary will deal with the other confidence-building measures identified in the report of the International Body and any others which might be referred by agreement to the Plenary.

The launch of substantive negotiations gives the representatives of the main political parties in Northern Ireland and the two Governments a unique opportunity to achieve a lasting agreement, addressing the totality of relationships, which commands the consent of both unionists and nationalists.

Fully inclusive talks do provide the best chance to achieve such an outcome. Of those parties eligible to participate in the negotiations, only the DUP and the UKUP are now refusing to take their seats. I would appeal to these parties to reconsider their position. No outcome to the negotiation is excluded or predetermined. Whatever the aspirations of any party, the present negotiations offer the only means by which they can realistically hope to attain them.

I do not wish to underestimate the challenge that faces all the talks participants. Over the coming months it will be necessary to find acceptable political structures which can command sufficient consensus among the political representatives of both communities, and both Governments. Once that agreement has been reached, the proposals will be put to the people in referendums, North and South, before being placed before the respective

parliaments for ratification.

I will keep the House informed of the state of progress in the negotiations through questions put to me on the matter, and through any other appropriate opportunity which arises..

The present negotiating framework has been carefully constructed and has many substantial assets, including international goodwill and the involvement of authoritative and skilled independent chairmen. Balanced safeguards protecting the interests of all parties and the people they represent are in place. As the Taoiseach said last week, it is vital that all of the participants continue to work together constructively and in good faith to reach an agreed settlement as quickly as possible, in the interests of all the peoples of these islands.

Questions No. 77, 87, 90

To ask the Minister for Foreign Affairs the proposals, if any, he has to keep Dáil Éireann informed on the Northern Ireland talks process.

- Jim Mitchell.

For **ORAL** answer on Tuesday, 30th September, 1997.

To ask the Minister for Foreign Affairs his views on the progress which has been made towards a political settlement in the North of Ireland towards a United Ireland; and if he will make a statement on the matter.

- Ivor Callely

For **ORAL** answer on Tuesday, 30th September, 1997.

To ask the Minister for Foreign Affairs if he will make a statement on the progress to date of the Northern Ireland talks; when it is expected that the procedures on decommissioning agreed by the two Governments on 26 August, 1997 and approved by Dáil Éireann on 10 September, 1997, will be in place; and if agreement has been reached with the British Government on the appropriate personnel.

- Proinsias De Rossa

For **ORAL** answer on Tuesday, 30th September, 1997.

REPLY

I propose to take Questions 77, 87 and 90 together, and I refer the Deputies to my reply to Priority Question No.30 today, in which I addressed the issues raised by the Deputies.