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Title: Copy confidential letter to Sean Donlon, Assistant Secretary, Department of Foreign Affairs, signed PC [PJ Colwell, Department of Justice] concerning discussions between British and Irish authorities on the subject of co-operation between the RUC [Royal Ulster Constabulary] and An Garda Síochána in prevention of terrorist activities, including list of terrorist incidents

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CONFIDENTIAL

28 January, 1975.

Dear Donlen,

You wrote on 20th December enclosing a copy of a document that was given to your Minister by the Secretary of State for Northern Ireland at their meeting in London on 19th December.

The Minister for Justice considers that the response to the British authorities should be that the agreement that was reached at his meeting with the Northern Ireland Secretary of State at Baldonnell on 18th September, 1974, provided for technical discussions between the Garda Síochána and the RUC at appropriate levels with a view to improving co-operation in the prevention of terrorist activities, particularly in Border areas, that this dialogue between the two police forces is an on-going one and that the various matters that have been raised in the document could appropriately be discussed at these police meetings with a view to resolving any misunderstandings of problems that may exist. The Minister is informed that useful progress has already been achieved as a result of the meetings that have been held, at different levels, between the Garda Síochána and the RUC since the Baldonnell meeting and that the development of these exchanges between the two forces will lead to a better understanding of their joint problems and enable them to devise the best methods of dealing with them.

As regards the particular matters that have been raised by the British, the Garda Síochána accept that there was an increase in the level of IRA activity in Border areas during the six-week period mentioned, particularly in areas adjoining Counties Louth, Monaghan and Cavan. The Gardai say that the incidents listed in Annex B of the British document represent only a proportion of all incidents known to them over the period, but they reject the assertion that all of the incidents listed are incidents when the terrorists definitely use the Republic as a base for their operations". They say, that, while the facts about many of these incidents as given in Annex B are not disputed, allegations made concerning certain incidents are false. Examples of the latter are as follows:-

| <u>Date</u> | <u>Location</u> | <u>Comment</u> |
|---------------|-----------------|---|
| 6th November | Near Roslea | The brief account of the incident in Annex B is almost entirely inaccurate. The explosion occurred in Co. Fermanagh about 2 mile from the Border. The Gardai have no evidence that the command wires led back into the Republic as alleged and if such wires were found they would have expected to be so notified on the occasion. |
| 16th November | Aughmacloy | The account as given is not in dispute except where it alleges that a Garda confirmed that a terrorist was hit. The Garda Síochána have no evidence or information that a terrorist was hit despite extensive enquiries made by them. They say it is |

| <u>Date</u> | <u>Location</u> | <u>Comment</u> |
|--------------|-----------------|--|
| 1st December | Aughnacloy | Inconceivable that there could be any basis for the allegation The account given in Annex B is at variance with the facts as established by the presence of Gardai at the s&s&s who heard no shots from the Southern side of the Border. |
| 5 December | Middletown | The entire incident occurred on the Northern side of the Border and the hi-jackers were seen to approach from the North. The Gardai say that they have established that the lorry was parked cross-ways on the bridge which is North of the Border. |

The Gardai do not deny that, in many of the incidents that have occurred on the South Armagh Border in the period, the IRA were operating from positions within the State. Garda/Army searches on this side have located arms, ammunition and explosives but the Gardai are satisfied that the persons responsible for most of the incidents do not seek or find refuge in the State and are in fact persons residing in and operating from the Crossmaglen area. They point out that on many occasions on which vehicles have been stopped and hi-jacked by persons operating "checkpoints" in the North on the Concession road between Dundalk and Castleblaney, there is ample evidence that these unlawful activities were carried on for continuous periods extending over one half hour and the Garda view is that they cannot be described as 'hit-and-run' activities.

The statement at page 2 of the document that all explosive which is not coloured pink must have come from outside Northern Ireland is not disputed. However, the conclusion that it must, therefore originate in the State is not valid. It would be idle to pretend that some explosive used in bombings in the North did not originate in the State but it is an outrageous allegation for the British to say "we have clear evidence that almost all the bomb incidents in the North are caused by explosives and detonators which originate in the South". No such evidence has ever been communicated by the RUC to the Gardai nor has such evidence ever been produced by anyone else to the authorities here. Control on explosives within the State are stringent and these controls are rigidly enforced.

It is accepted that the IRA use the Border for their own ends. Persons engaged in subversive activities have used the Border for violent activity and to escape apprehension and they have done so in both directions. The arrangements that were made at the Baldonnal meeting for police co-operation to deal with the problem of IRA Border activity were designed to improve the capacity of both sides to take effective security measures to combat such activity. The appropriate methods of doing this are being worked out at the meetings that are taking place between the two police forces but it was not envisaged that progress reports of their exchanges would be sought or that they would make known the methods they were adopting to deal with particular aspects.

Yours sincerely,



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