

NATIONAL ARCHIVES

IRELAND



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Council of Europe Convention on Suppression
of Terrorism

1. On 27 January last the above Convention was opened for signature and all the member States of the Council of Europe except Ireland and Malta signed it. No State has yet ratified. The Convention provides that a wide range of offences, including offences involving the use of firearms, shall not be regarded as political offences for extradition purposes. This would mean in effect that the States which become parties to the Convention would agree to extradite persons charged with such offences to other States parties to the Convention on request - even though the persons concerned established that the offences were politically motivated.
2. We argued throughout the negotiations concerning the Convention that we would be unable to sign a text in its present form for constitutional reasons. The Minister for Foreign Affairs set out our position in this respect in letters he sent in October last to the Foreign Ministers of the other Council of Europe countries to enlist their aid. A copy of the letter sent to the British Foreign Minister and of the latter's reply is attached.
3. At their meeting in Brussels in July, 1976, the Heads of Government of the Nine made a declaration inviting their Ministers for Justice to draw up a Convention under which the Nine member States would undertake to prosecute or to extradite those who take hostages. The principle of aut dedere aut judicare, which Ireland had proposed should be incorporated in the Council of Europe Convention, was thus accepted by our E. E. C. partners at the Brussels meeting. Their attention was drawn to the constitutional difficulties created for Ireland by a commitment to extradite for political offences as distinct from prosecuting such offences in the country where those concerned are arrested. In consequence, the declaration was framed to meet Ireland's problems.

[Expressed in connection with terrorist activities at European Council meeting Rome 25-26 March 1977]

March, 1977.