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① Sir Ennally
② POL 28/9

PS/SECRETARY OF STATE (L)

cc PS/Secretary of State (B)
PS/Ministers (L&B)
PS/Mr Woodfield (L&B)
PS/Sir E Bell
Mr Bourn
Mr Brennan
Mr Wyatt
Mr Buxton
Mr Angel
Mr Blatherwick
Mr Coulson
Mr ShepherdHAROLD McCUSKER: PETITION TO THE UN

1 The Secretary of State will wish to be aware of the outcome of Mr Harold McCusker's recent petition to the UN. The petition alleged breaches of the Universal Declaration on Human Rights and the UN Genocide Convention arising from the failure of the UK and Irish Governments to defeat the IRA terror campaign. It argued that the UK Government had done too little to protect human life against terrorism. The Irish were accused of legitimising the PIRA by maintaining their claims on Northern Ireland; of failing to take adequate measures to prevent terrorism; and of failing to extradite terrorists to Northern Ireland. The full background is set out in Mr Harrington's submission of 5 July.

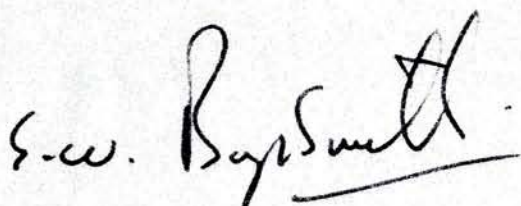
2 Mr McCusker's petition fell at the first hurdle, being rejected by the Communications Working Group of the Sub-Commission for the Protection of Minorities and Prevention of Discrimination. While we are not privy to the discussions in the Working Group or to the nature of their reply to Mr McCusker, our Mission in Geneva gather informally that the petition was given short shrift and that the reply will hold out little hope of the petition ever reaching the Sub-Commission (the next stage in a complex UN procedure.)

3 This is probably the last we will hear of this particular petition, unless Mr McCusker raises the issue with Ministers (which seems unlikely). But the UUP "Human Rights Unit" which produced it is probably still at work. Press reports earlier this year suggested that a 90 page document detailing the cases of 32 victims of terrorism was lodged with the European Commission on Human Rights on 2 June. We have heard nothing of it since and I think we would be safe in assuming that, like the UN petition, this ECHR submission is intended

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less to make real progress in the ECHR machinery than to draw attention to the plight of the victims of terrorism, to exert pressure on the British and/or Irish Governments to toughen up their security policies, and to bolster the firm position Mr McCusker has adopted on security matters. We shall try to keep in touch with whatever progress it makes in the ECHR machinery, but there is no call for action at present from us.

4 In the meantime Ministers may simply care to note the demise of the McCusker petition at the UN.

A handwritten signature in cursive script, reading "S.W. Boys Smith", with a horizontal line underneath the name.

S W BOYS SMITH

27 September 1982