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Title: Note by Con Cremin, Permanent Representative of Ireland at the United Nations, New York, of a conversation with P de Paor, Department of Foreign Affairs, regarding the Irish intention to bring the killing of civilians by British troops in Derry on 30 January 1972 to the attention of the United Nations Security Council.

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TELEPHONE 421-1370

*Mr. [unclear]
11/II/72*

Recd. 11/II/72

PERMANENT MISSION OF
IRELAND TO THE UNITED NATIONS
866 UNITED NATIONS PLAZA · SUITE 520-21
NEW YORK, N. Y. 10017

4th February, 1972

Dear Counsellor:

I enclose copy of a note I have done, for our records, of the conversation we had on Sunday last, 30th January, concerning the situation arising from events that afternoon in Derry.

Yours sincerely,

Con Cronin

P. de Paor, Uas.
Department of Foreign Affairs
Dublin

CCC:md

PS. I have since seen your note of 31st January on our talks: it reflects them accurately.

C. C.

31st January, 1972

NOTE

Mr. Power telephoned me at home at approximately 4:20 p.m. yesterday (Sunday) in connection with the killings in Derry. He said the Minister intended to examine this morning what action could be taken and in this connection he would naturally wish to know what action could be taken at the United Nations. Mr. Power was, of course, aware generally of the prospects and the limitations.

2. I told him that the Security Council (as he naturally knew) is at present meeting in Addis Ababa and that the schedule foresaw meetings there until 4th February. This would seem to mean that the Council will deal with no question other than the African items until it returns from Addis Ababa. The case for holding meetings there had never been strong and the disadvantages of the Council moving from New York were brought out in a concrete fashion by the fact that a few days earlier Pakistan had requested "an urgent meeting" of the Council to consider the situation caused by Indian violations of the cease-fire (document S/10525). Consequently, it did not seem probable that we could get an early meeting of the Council, if we decided to seek one, unless in Addis Ababa.

3. At the same time the Secretary-General is in Addis Ababa and would not return before the end of the week (after the Council

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meeting is concluded). Furthermore, there is no Under-Secretary-General here dealing with political affairs because Mr. Kutakov (Under-Secretary-General for Political and Security Council Affairs) is in Addis Ababa, Dr. Bunche has not been replaced, and Dr. Guyer, Under-Secretary-General for Special Political Affairs, who seems to have assumed, vis-à-vis the Secretary-General, the post of Dr. Bunche, had gone to Cyprus the previous day.

4. Consequently, on the 38th floor there are only Mr. Narasimhan, Chef de Cabinet and on a lower level Mr. Brian Urquhart.

5. As regards the question of bringing the matter before the Security Council it would, I suggested, be important that we decide what line we would take. We must assume that the British will oppose any request we make at all stages and if, in fact, the demonstration, which led to the killings, came within the scope of the ban on parades they would make what they could of this fact. It would be prudent to remember that we told the Council in August 1969 that we had urged on London that the Apprentice Boys Parade of 12th August that year be banned and that the British might exploit this argument against us.

6. I said that if any further points occurred to me I would call Mr. Power.

7. I telephoned him at approximately 5:45 p.m. and told him that I had, in the meantime, been looking at the possible lineup in the Council as regards a request of ours.

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8. We could, I thought, assume that many members, and in particular the African members, would be very ill-disposed towards Britain at the present time because of events in Rhodesia. Moreover, there might be a tendency for some members to take a less rigid view of Article 2.7 of the Charter because of the events in East Pakistan last year resulting in war between India and Pakistan, all of which underlined the point made by the Secretary-General about the grave consequences which have flowed in the past from the conflict between the principle of domestic jurisdiction and the principle of self-determination. Indeed this consideration might conceivably have some affect on Washington having regard to the sequence of events in the sub-continent.

9. Taking account of such factors it seemed to me that we could expect the three African states (Guinea, Somalia and Sudan) to vote for inscription and that we might reasonably expect India to do so. As regards the five permanent members we could probably count on China and the USSR but not on Britain and France, and hardly on a positive vote by the USA. We could also not expect to receive a positive vote from Belgium and Italy nor from Japan. The two Latin American members must be regarded as doubtful with the Argentine probably not voting "yes" and Panama taking a similar position but in her case a greater prospect of a "yes" vote. As regards the Argentine I had an impression that she had laid great stress, during the India/Pakistan debate, on Article 2.7. [this impression is correct. At the meeting of the Council on 6th December Argentina said, inter alia, "another principle - which not only is

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enshrined in the United Nations Charter and in the Declaration on the Strengthening of International Security but is also one of the fundamental pillars of international law and of relations among States - that is, non-interference in the internal affairs of other States" (A/PV.1608, page 87).^I It is impossible to say what line Yugoslavia will take. We could certainly not assume that she would vote in the same way as the USSR, like most of the other EEs, and (as Mr. Power pointed out himself) Belgrade is at present facing an internal crisis because of developments in Croatia, which might make her hesitant to vote for inscription and thus cut across Article 2.7.

10. An aspect of the matter which should be borne in mind is that an abstention in this case is equivalent to a "no" vote but looks better and could be made to appear to public opinion as an attitude of neutrality.

11. The foregoing considerations suggest that we could possibly count on seven positive votes i.e. China, USSR; India; Guinea, Somalia, Sudan; and Yugoslavia with a question mark. Perhaps we could secure a positive vote from Panama but this involves a big question mark. In any case and in the best circumstances (i.e. Yugoslavia and Panama voting "yes") we would have only 8 votes, whereas 9 are required, and the "yes" votes might in fact be only 6.

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12. I also suggested that by the time a meeting of the Council could be held, that is to say by sometime after 6th February, the impact of the events in Derry would naturally be less than if a Council meeting were held on the following day (31st).

13. I concluded by saying that if we were to speak to somebody in the Secretariat we should, in my opinion, opt for Mr. Narasimhan and not Mr. Urquhart. The latter, although in my opinion objective, would hardly be as sympathetic as Narasimhan in connection with the matter concerned.

C. C. C.
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