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IRELAND



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~~Mr Swift~~ P.S.M
P.S.S

47/4/10

cc Mr. W. White
Mr. O. Nelligan
Mr. Swift
Mr. Swift

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COULD MESSAGE
IMMEDIATE URGENT
CONFIDENTIAL
DATE 25/10/79 TIME 2166
INITIALS Greyrough

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URGENT

C.318

~~Mr. Nelligan~~ 26/10

TO HQ FROM WASHINGTON
FOR ASST SECY NELIGAN FROM AMBASSADOR

cc'd Mr. Nally
~~Paul Kennedy~~

MMMEKMCL

I ATTACH COPY OF LETTER DATED OCTOBER 17 FROM ASSISTANT SECY J BRIAN ATWOOD, DEPARTMENT OF STATE, TO CONGRESSMAN CLEMENT J ZABLOCKI REGARDING ZABLOCKI'S LETTER ON THE SALE OF ARMS TO THE RUC (COPY ALSO ENCLOSED). THERE WAS MEDIA SPECULATION YESTERDAY, ESPECIALLY FOLLOWING REPRESENTATIONS BY REV MCMANUS THAT THE DEPARTMENT OF STATE HAD MADE A PERMANENT BAN ON SALES TO THE RUC. AS YOU CAN SEE, STATE DEPARTMENT'S LETTER COULD NOT BE CONSTRUED IN THIS WAY AND WHAT IT DOES SAY IS THAT THE REVIEW ON ARMS SALE IS CONTINUING. THIS POSITION WAS CONFIRMED LAST NIGHT BY ROBERT FUNSETH, DIRECTOR, OFFICE OF NORTHERN EUROPEAN AFFAIRS, AT A MEETING OF THE CARNEGIE ENDOWMENT WHICH I ADDRESSED ON THE SUBJECT OF ANGLO-IRISH RELATIONS. I UNDERSTAND THAT CONGRESSMAN ZABLOCKI CIRCULATED THE STATE DEPARTMENT LETTER TO AMONGST OTHERS CONGRESSMAN BIAGGI AND THAT THIS COVERING LETTER MAY HAVE ATTRIBUTED MORE CONTENT TO ATWOOD'S LETTER THEN WAS WARRANTED.

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OCTOBER 17, 1979

DEAR MR CHAIRMAN:

I AM REPLYING FURTHER TO YOUR LETTER OF AUGUST 2 ADDRESSED TO SECRETARY VANCE REGARDING THE SALE OF ARMS TO THE ROYAL ULSTER CONSTABULARY, FOLLOWING UPON MY INTERIM RESPONSE OF AUGUST 17.

THE DEPARTMENT OF STATE IS GLAD TO ADDRESS THE QUESTIONS YOU RAISE AND TO COOPERATE WITH YOU AND THE COMMITTEE ON FOREIGN AFFAIRS IN CONSIDERING THIS QUESTION. AS YOU KNOW, IN LIGHT OF THE CONCERN THAT YOU AND OTHERS IN CONGRESS HAVE EXPRESSED, WE ARE REVIEWING OUR POLICY ON SUCH SALES, AND FOR THE TIME BEING WE ARE TAKING NO ACTION ON EXPORT LICENSE APPLICATIONS FOR ARMS SALES FOR THE RUC. THIS REVIEW SHOULD FURTHER CLARIFY VARIOUS ASPECTS OF THIS MATTER. IN THE MEANTIME THE FOLLOWING RESPONSES TO YOUR QUESTIONS HAVE BEEN PREPARED.

“(1) WHAT IS THE PRESENT US ARMS TRANSFER POLICY WITH RESPECT TO GREAT BRITAIN FOR USE BY THE ROYAL ULSTER CONSTABULARY (RUC) IN NORTHERN IRELAND?”

DECISIONS ON APPLICATIONS FOR ARMS SALES ARE MADE ON A CASE-BY-CASE BASIS. AS A GENERAL RULE WE WOULD APPROVE SUCH REQUESTS FROM A FRIENDLY AND DEMOCRATIC ALLY. IN ADDITION, ARMS SALES FOR THE RUC ARE CONSIDERED WITHIN THE FRAMEWORK OF THE FOLLOWING FACTORS:

- (1) OUR GENERAL POSITION ON NORTHERN IRELAND OF IMPARTIALITY, OPPOSITION TO VIOLENCE AND SUPPORT FOR A PEACEFUL SETTLEMENT AS STATED BY PRESIDENT CARTER IN AUGUST, 1977 (A COPY OF THIS STATEMENT IS ATTACHED):
- (2) US GOVERNMENT POLICY AND LEGISLATION WITH REGARD TO HUMAN RIGHTS, WHICH CALL FOR CAREFUL CONSIDERATION OF THIS ASPECT OF ANY ARMS SALE:
- (3) OUR POLICY OF OPPOSITION TO INTERNATIONAL TERRORISM: AND
- (4) THE APPROPRIATENESS OF THE WEAPONS IN QUESTION FOR USE IN NORTHERN IRELAND.

“(2) DOES THE JANUARY 31, 1979 APPROVAL BY THE OFFICE OF MUNITION CONTROL OF THE DEPARTMENT OF STATE OF A COMMERCIAL LICENSE, TO SELL 3,000 .357 MAGNUM HAND-GUNS AND 500 .223 RIFLES TO THE RUC, CONTRADICT THIS US ARMS TRANSFER POLICY?”

NO. THE RATIONALE FOR THIS APPROVAL WAS CONTAINED IN THE PAPER PROVIDED YOU BY COUNSELOR NIMETZ ON JULY 31, A COPY OF WHICH IS ATTACHED FOR YOUR CONVENIENCE.

“(3) TO WHAT EXTENT HAS US POLICY ON THIS ISSUE BEEN INFLUENCED BY OTHER CONSIDERATIONS IN US RELATIONS WITH GREAT BRITAIN?”

WE OF COURSE DESIRE TO MAINTAIN GOOD RELATIONS WITH GREAT BRITAIN, WITH WHOM WE COOPERATE CLOSELY IN DEALING WITH MAJOR ISSUES ALL OVER THE GLOBE. ALSO, IN ACCORDANCE WITH OUR GENERAL POLICY OF OPPOSITION TO TERRORISM, WE STRONGLY SUPPORT THE BRITISH GOVERNMENT'S EFFORTS TO COMBAT TERRORISM. HOWEVER, OUR MAIN CONCERN IS FOR A SOLUTION TO THE NORTHERN IRELAND PROBLEM WHICH IS ACCEPTABLE TO BOTH THE CATHOLIC AND THE PROTESTANT PARTS OF THE COMMUNITY.

“(4) WHY HAVE THE PARTICULAR TYPES OF ARMS, DESCRIBED ABOVE, BEEN PROVIDED TO THE RUC?”

IT IS OUR UNDERSTANDING THAT THE .357 CALIBER REVOLVER IS A STANDARD POLICE ITEM USED BY MANY POLICE FORCES THROUGHOUT THE WORLD. THIS REVOLVER IS CARRIED BY MANY US GOVERNMENT SECURITY PERSONNEL IN PERFORMING PERSONAL PROTECTION DUTIES. WE ARE INFORMED THAT THE NEW YORK CITY AND WASHINGTON POLICE FORCES HAVE RIFLES SIMILAR TO THAT SOLD TO THE RUC, AND THAT SIMILAR RIFLES ARE ALSO USED BY MAJOR POLICE FORCES CONFRONTED WITH TERRORIST ACTIVITIES AND THREATS SUCH AS FACE THE POLICE IN NORTHERN IRELAND.

“(5) HOW DO THEY COMPLEMENT THE RUC'S ROLE AS NORTHERN IRELAND'S CONSTITUTED POLICE FORCE?”

WE HAVE NOTHING ON THIS POINT TO ADD TO THE STATEMENTS IN THE PAPER TRANSMITTED BY COUNSELOR NIMETZ ON JULY 31, SPECIFICALLY THE FIRST THREE PARAGRAPHS ON PAGE 2 (SEE ATTACHMENT 2 TO THIS LETTER).

“(6) WERE ALTERNATIVE TYPES OF WEAPONS CONSIDERED? IF NO ALTERNATIVES WERE CONSIDERED, PLEASE EXPOUND ON THE DEPARTMENT'S DECISION NOT TO EXPLORE ANY ALTERNATIVES.”

OUR RESPONSES TO QUESTIONS 4 AND 5 ABOVE INDICATE THAT WE DECIDED THE TYPES OF WEAPONS LISTED IN THE APPLICATION FROM AN AMERICAN EXPORTER WERE APPROPRIATE AND NEEDED BY THE RUC. - THERE WAS THEREFORE NO NEED TO CONSIDER ALTERNATIVES.

“(7) WERE THE CITED ALLEGATIONS OF HUMAN RIGHTS VIOLATIONS IN NORTHERN IRELAND BY SEVERAL INTERNATIONAL ORGANIZATIONS, INCLUDING AMNESTY INTERNATIONAL, THE EUROPEAN COMMISSION AND COURT OF HUMAN RIGHTS, AS WELL AS THE BENNETT COMMISSION IN GREAT BRITAIN ITSELF, TAKEN INTO ACCOUNT BEFORE THE COMMERCIAL LICENSE WAS APPROVED?”

YES. WE FOLLOW THE HUMAN RIGHTS SITUATION IN NORTHERN IRELAND VERY CLOSELY. WE REPORT ON THIS QUESTION EACH YEAR IN THE ANNUAL COUNTRY HUMAN RIGHTS REPORT TO THE UNITED KINGDOM. A COPY OF THE REPORT SUBMITTED TO CONGRESS LAST JANUARY IS ATTACHED FOR YOUR INFORMATION. IN CONSIDERING THIS SALE WE CONCLUDED THAT THE BRITISH ARE TRYING TO MEET THE PROBLEM OF ALLEGED MALTREATMENT DURING INTERROGATION OF PERSONS SUSPECTED OF TERRORIST ACTS, AND THERE WAS NOT SUFFICIENT CAUSE TO DISAPPROVE THE APPLICATION.

“(8) IS THIS ARMS SALE TO GREAT BRITAIN CONSISTENT WITH, OR IN VIOLATION OF, SECTION 502B OF THE FOREIGN ASSISTANCE ACT OF 1961 AS AMENDED?”

THIS LEGAL PROVISION CALLS FOR DISAPPROVAL OF ARMS SALES TO “A COUNTRY THE GOVERNMENT OF WHICH ENGAGES IN A CONSISTENT PATTERN OF GROSS VIOLATIONS OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS.” AS NOTED ABOVE, THE BRITISH GOVERNMENT IS FORTHRIGHTLY TRYING TO DEAL WITH ANY PROBLEM OF MALTREATMENT OF SUSPECTS IN NORTHERN IRELAND, AND THE ALLEGATIONS INVOLVED INDIVIDUALS RATHER THAN GOVERNMENT POLICY. WE BELIEVE APPROVAL OF THIS ARMS SALE WAS IN ACCORDANCE WITH THE LAW.

“(9) IS THERE ANY EVIDENCE OF PAST OR ONGOING DIVERSIONS OF US ARMS BY THE RUC TO PARAMILITARY OR OTHER EXTRA-LEGAL GROUPS IN NORTHERN IRELAND?”

WE HAVE NO SUCH EVIDENCE.

I HOPE THIS INFORMATION IS RESPONSIVE TO THE QUESTIONS YOU HAVE
RAISED.

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440026 HIBERNIA

DUBLIN WE WERE APPARENTLY CUT OFF. HEREUNDER CONTINUATION OF C318.

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MMMBKMDT

SINCERELY

(SIGNED)

J BRIAN ATWOOD

ASSISTANT SECRETARY

FOR CONGRESSIONAL RELATIONS

ATTACHMENTS

+ + + +

DEAR MR CHAIRMAN,

THANK YOU FOR YOUR LETTER OF AUGUST 2 TO SECRETARY VANCE RE-
GARDING THE SALE OF ARMS TO THE ROYAL ULSTER CONSTABULARY.

AS YOU KNOW, WE DESIRE TO COOPERATE CLOSELY WITH YOU AND THE
COMMITTEE ON FOREIGN AFFAIRS IN CONSIDERING THIS QUESTION.
YOUR LETTER IS BEING GIVEN CAREFUL STUDY AND YOU WILL RECEIVE
OUR REPLIES TO YOUR QUESTIONS IN THE NEAR FUTURE.

SINCERELY

J BRIAN ATWOOD

ASST SECY

FOR CONGRESSIONAL RELATIONS

LETTER ADDRESSED TO: THE HONORABLE CLEMENT J ZABLOCKI
CHAIRMAN

AUGUST 2, 1979

THE HONORABLE CYRUS R VANCE
SECRETARY
US DEPARTMENT OF STATE

DEAR MR SECRETARY

I AM WRITING WITH REFERENCE TO OUR EARLIER CORRESPONDENCE REGARDING THE RECENT SALE OF ARMS TO THE UNITED KINGDOM WHICH WERE TRANSFERRED TO THE ROYAL ULSTER CONSTABULARY (RUC).

AS YOU MAY KNOW, ON JULY 12, 1979, DURING CONSIDERATION OF H.R. 4392 THE STATE-JUSTICE APPROPRIATIONS BILL FOR FY 1980, CONGRESSMAN BIAGGI OFFERED AN AMENDMENT TO PROHIBIT THE USE OF STATE DEPARTMENT FUNDS TO APPROVE ANY SALES, EXPORT, OR TRANSFER OF ANY DEFENSE ARTICLES TO THE RUC IN NORTHERN IRELAND. CONGRESSMAN BIAGGI WITHDREW HIS AMENDMENT WITH THE UNDERSTANDING THAT THE COMMITTEE ON FOREIGN AFFAIRS WOULD CONDUCT A THOROUGH INVESTIGATION OF THE MATTER OF U.S. POLICY WITH RESPECT TO ARMS TRANSFERS TO THE UNITED KINGDOM GOVERNMENT WHICH WERE TRANSFERRED FOR USE IN NORTHERN IRELAND.

ALSO ON JULY 12, 1979, DURING THE HEARING CONDUCTED BY THE SUBCOMMITTEE ON EUROPE AND THE MIDDLE EAST, CONGRESSMAN ROSENTHAL ADDRESSED SEVERAL QUESTIONS TO THE STATE DEPARTMENT WITNESS ON THE ISSUE FOR A RESPONSE FOR THE RECORD. IN ADDITION TO THE ANSWERS TO THE QUESTIONS POSED BY CONGRESSMAN ROSENTHAL, RESPONSES TO THE FOLLOWING QUESTIONS WOULD BE HELPFUL:

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(QUESTIONS LISTED IN MR ATWOOD'S LETTER TO CHAIRMAN  
ZABLOCKI - FIRST LETTER IN ANNEX)

END OF MESSAGE  
25 OCTOBER 1979  
TIME SENT:::1525HRS#  
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440026 HIBERNIA



**CODED MESSAGE**  
**IMMEDIATE/URGENT**  
**CONFIDENTIAL**  
 DATE 25/10/79 TIME 2146  
 INITIALS Greg Brought

5300G ESTR EI  
 5300G ESTR EI  
 440026 HIBERNIA

QQQ~~~~~QQQ

URGENT

C.318

TO HQ FROM WASHINGTON  
 FOR ASST SECY NELIGAN FROM AMBASSADOR

MMMEKMCL

*9/11 [unclear]*  
*47/4/10*

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