

L.R.  
DRAFT

PS/SECRETARY OF STATE (L&B)

cc PS/Mr Alison (L&B)  
PS/PUS (L&B)  
Mr Hannigan  
Mr Moriarty  
Mr Wyatt  
Mr Corbett  
Mr Buxton  
Mr Jackson  
Mr Gilliland

EUROPEAN COMMISSION ON HUMAN RIGHTS: THE MAZE CASE

The Secretary of State has asked for advice on the proposal put to me by Mr Brynmor John that as soon as the Commission's decision is known, there should be a Parliamentary statement about it.

Timing

The Secretary of State has impressed on us that we must not allow the applicants to pre-empt the publicity for the decision, by getting in first with comments stressing any criticism of the Government which the Commission may make in its hundred page opinion. We had expected that we should have to respond to the opinion with a public (press) statement during the Parliamentary recess. But its arrival has been delayed, and it should now be possible, subject to any Parliamentary constraints, to arrange for a statement to be made in Parliament early enough to anticipate any comment from the applicants' side.

It would not be satisfactory to follow an immediate statement to the Press, made on receipt of the Commission's opinion, with a later statement in Parliament.

Merits

The chief pretext for Mr John's suggestion was the international attention which a Parliamentary statement would secure. While this

is true, I believe that we could obtain all the international coverage that we want by extra-Parliamentary means.

A Parliamentary statement is normally used either to announce a Government initiative or to explain the Government's position in relation to some external event. In this case however the Government will be in the position of announcing and commenting upon an opinion of the Commission which the latter has seen fit not to publicise itself. A Parliamentary statement does not sit altogether easily with that state of affairs.

The statement would presumably summarise the Commission's opinion and give our own view of it. However subsequent questions on the statement would be likely to concentrate very largely on the dirty protest and what more the Government proposes to do about it (if only because questioners will lack any detailed knowledge of the Commission's opinion). These are not matters on which we want more argument or publicity at present.

In general, recourse to a Parliamentary statement may on the one hand seem like deliberately crowing over the applicants in defeat, while on the other pushing us on to the defensive over the protest. A separate Press statement is therefore on the whole to be preferred.

A written answer to a Parliamentary Question would not carry these drawbacks, and could be used as the vehicle for the international publicity that we want, if the Secretary of State considers that Parliament should be told in some formal way of the Commission's decision.

J A MARSHALL