

FROM: D BROOKER  
SIL DIVISION  
21 JANUARY 1993  
(X 6828 OAB)



cc	Mr Thomas	- B
	Mr Bell	- B
	Mr Watkins	- B
	Mr Williams	- B
	Mr D J R Hill	- B
	Mr Leach	- B
	Mr Marsh	- B
	Mr Maxwell	- B
	Mr Archer	- B
	Mr Dodds	- B
	HMA Dublin	- B

MS LODGE

SECRETARY OF STATE'S MEETING WITH DICK SPRING: 22 JANUARY

Thank you for your minute of 19 January. I attach material on extradition and a US peace envoy.

(SIGNED)

D BROOKER

RN/SIL/20698

## EXTRADITION

### Lines to take

- I will want to raise extradition as a substantive issue at the IGC.
- Crucial that the arrangements work smoothly and are effective against terrorists. Many people in Northern Ireland and Great Britain see extradition as a barometer of security cooperation. I am grateful for the way that the Joseph Magee case was handled last week (the INLA terrorist wanted for the murder last April of Sergeant Newman at an Army Recruiting Centre in Derby; he was arrested by Gardai over the weekend 9/10 January and the court approved his extradition).
- I would like to hear from you, as soon as possible, your Government's proposals for legislation. The previous Government gave undertakings to legislate on the range of offences for which an extraditee can claim the political offence exemption. In order to clear the way for your own legislation we agreed to a request from the previous Government to bring forward legislation of our own to put the "speciality" rule on a statutory footing. Our legislation is before Parliament at present.
- I would hope that our officials can meet as soon as possible to resolve any queries your side might have on the detail of our legislation and for your side to brief ours on your own proposals.
- There are other associated matters - the granting of bail, points of handover, etc., which I will also raise at the IGC.

RN/SIL/20696

## EXTRADITION

### Background Note

It would be very useful if the Secretary of State could register the importance we attach to extradition at his first meeting with Mr Spring. The Irish Government have been dragging their heels on their legislation and it would be helpful to signal at the outset the significance, and urgency, which we attach to this issue.

The previous Irish Government gave an undertaking to bring forward legislation to narrow the range of offences that can be claimed as "political". Mr Flynn told the Dail in October last year that the Irish Government had "approved the preparation of legislation." In order to clear the way for that legislation the British Government agreed to put the "speciality" rule on a statutory footing. This is in the process of being done, by means of the Criminal Justice Bill (which completed its stages in the House of Lords before Christmas).

Cases are already beginning to arise where, because of the absence of Irish legislation, it is not worth HMG seeking the extradition of terrorists from the Republic. There would have been an opportunity before Christmas to seek the extradition of Gerrard Michael Sloan (a member of the M60 machine gun gang) but this would have been futile as the current state of Irish law would have allowed him to benefit from the political offence exemption.

We hope that the Irish side will agree to a meeting of Working Group II before the IGC at which we would resolve their queries on our own legislation and receive a report on their proposals for legislation. 2 meetings have been arranged then postponed because of the Irish General Election and the time taken to form a Government.

RN/SIL/20696

SIL BAOF

PEACE ENVOY FOR NORTHERN IRELAND

Line to take

- The Taoiseach has already expressed reservations about the possibility of President Clinton appointing a peace envoy. The joint objective of our two Governments must be to get the political talks going again; a peace envoy could put that process in jeopardy.
  
- I hope we can agree that we should go on expressing caution about this proposal and, because it has implications for both our Governments that we can keep in touch about it. We might have a discussion at the IGC. It would be useful to explore each other's thinking.

RN/SIL/20697

PEACE ENVOY

Background note

It might be useful if the Secretary of State could use his meeting with Mr Spring to signal to him our concerns that the appointment of a peace envoy could prejudice the re-start of political talks. The proposal has implications for both Governments and it would be sensible if we could share our thinking - and, ideally, agree a common approach. There might usefully be a 10 or 15 minute discussion at the IGC.

Mr Reynolds was quoted as saying, during the presidential election campaign that -

"Well certainly if everything else was deadlocked one would look for any new approaches to it (the talks). But it is not necessary at the moment. We have sat down as sensible, common-sense people to try to work out our own destiny and our own future and at the moment it would be an unnecessary intervention. Of course, we appreciate any help we get from Washington in trying to help us along the road we are trying to travel."

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