

EXTRACT FROM NOTE OF MAIN MEETINGS & EVENTS OF
S.O.S. VISIT TO WASHINGTON 23-25 JANUARY '90

S 217/88

P.A. Kennedy file

MEETING WITH CONGRESSMAN JOE KENNEDY: 24 JANUARY 1990 (original on
Visits to US file)

Accompanied by the Ambassador, the Secretary of State met Congressman Joe Kennedy in the latter's office at 9.35am on 24 January. The Congressman's Chief of Staff, Mr Chuck McDermott, was also present, as were Mr Burns, Mr Cowper-Coles and I.

2. Before the arrival of the Congressman (who was slightly late) Mr McDermott commented that Mr Kennedy had a continuing interest in Shorts and had had a number of recent contacts with Roy McNulty. Shorts seemed anxious to fulfil their obligation (arising from the National Guard Order) to place a specified proportion of sub-contract work with firms in the nationalist community, but were having difficulty in identifying enterprises which could perform the necessary work. Congressman Kennedy had therefore been liaising with the Flax Trust, and this group was now seeking to develop a company with the necessary skills. He hoped that Shorts would put someone on the Board of this company to facilitate this work. Mr McDermott also commented that Congressman Kennedy had not yet been in touch with Bombardier, but hoped to contact them soon.

3. Congressman Kennedy arrived at this point and, after initial greetings, asked the Secretary of State about the position in Northern Ireland. The Secretary of State explained that steady progress was being made on the full range of issues, with some welcome news of new job-creating investments (notably from Boston in the shape of the new O'Connell development), some signs that political progress might be possible, and continuing determined efforts on the security front. In respect of the allegations of collusion between the security forces and loyalist paramilitaries, the Chief Constable had moved very quickly to establish the Stevens Inquiry, which was being pursued with all possible speed.

4. Congressman Kennedy asked whether the Government had yet drawn up a timetable for the withdrawal of British troops. The Secretary of State said that this had not and would not be done. Any proposal to withdraw troops from their active role in supporting the police would create a most adverse reaction and seriously destabilise society in Northern Ireland. The fact was that while terrorism continued, the resources of the Army were needed in support of the civil power to maintain law and order and to maintain the democratic rights of everyone in Northern Ireland. Congressman Kennedy commented that he "couldn't buy that". As he saw it, Northern Ireland was a police state and the troops oppressed the minority population rather than protecting them. The Secretary of State said that it was of course most important that the confidence of the minority community in the security forces should be maintained and improved; a great deal of work was going on this area and HMG discussed the issues with

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the Irish and the SDLP. As to the basic issue of whether the troops needed to be there at all, the Secretary of State wondered whether Mr Kennedy had discussed the SDLP view of this issue with Mr Hume? The SDLP leader had commented cogently and adversely on a recent suggestion by Cardinal O'Fiaich that a timetable for withdrawal should be set. Congressman Kennedy said that this was a "nice try, Pete" but, while he liked John Hume, he had not been "Humed" and was not one of those US politicians who felt obliged to agree with everything that John Hume said. For one thing, he frequently spoke to Seamus Mallon, who gave him a somewhat different perspective on the realities of Northern Ireland.

5. Congressman Kennedy asked what specific issues the Secretary of State was currently majoring on. The Secretary of State said that he was particularly interested in the scope for moving some measure of power and authority back to Northern Ireland on a basis of wide agreement. There were some signs that the parties were coming closer together (for example, in the increasing cooperation at District Council level) and that the self-defeating Unionist boycott of HMG was breaking down. (The total failure of the Unionists' demonstration to mark the fourth anniversary of the Agreement was significant.) Congressman Kennedy wondered whether such political movement, while welcome, would address the real underlying tensions in Northern Ireland, examples of which were the case of the Birmingham Six and Joe Doherty. The Secretary of State explained that the Home Secretary was currently considering a submission on the Birmingham Six to see whether it constituted new evidence which might justify a further reference to the Court of Appeal. On wider prisons issues, it was worth mentioning that the regime in Northern Ireland was an enlightened one, an example being the summer and Christmas home leave arrangements available to a range of long-sentenced prisoners. Mr Cowper-Coles commented that there was a more liberal prison furlough policy in Northern Ireland than in Massachussets. Congressman Kennedy said that the difference was that there were no political prisoners in Massachussets. Mr Cowper-Coles said that there were none in Northern Ireland either.

6. Congressman Kennedy said that, while he had consistently opposed the use of violence, his basic position - "where I'm coming from" - was that Britain should pull out of Ireland. Clearly, he and the Secretary of State were not going to agree on this point. The Secretary of State said that it was nonetheless valuable to continue talking: even where aspirations for the future of Northern Ireland could quite legitimately differ, the work of organisations such as Boston Ireland Ventures (BIV) and the International Fund, which concentrated heavily on disadvantaged areas, showed that American goodwill could have extremely positive results in Northern Ireland, helping to cut away support from terrorism and creating new hope in the North. Congressman Kennedy agreed; he was greatly interested in Shorts' attempt to find suppliers in the nationalist community and was

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working with the Flax Trust to develop a company called Novatech which might fulfil this function. He would write to the Secretary of State on this subject. He would also welcome any specific suggestions which the Secretary of State had for constructive work. He had good connections with Larry Goodman in the Republic and frequently stayed with him. The Secretary of State expressed gratitude for this offer and said that he would bear it carefully in mind.

7. Overall, the discussion was direct but friendly. Although Congressman Kennedy raised his questions tendentiously (and tended to lurch from one subject to another in a somewhat unfocussed way) his overall gregariousness permitted an animated but not antagonistic exchange of views.

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MEETING WITH SENATOR EDWARD KENNEDY: 24 JANUARY 1990

1. Accompanied by the Ambassador, the Secretary of State met Senator Edward Kennedy in the latter's office on the Hill at 11.15am on 24 January. The Senator's chief policy adviser, Nancy Soderberg and some other members of his staff were also present, as were Mr Burns, Mr Cowper-Coles and I.

2. After an initial photocall and introductory courtesies, the Senator said that he had a continuing interest in Northern Ireland and currently sensed (partly as a result of recent comments by the Taoiseach) that the situation was improving. What were the main domestic pressures with which the Secretary of State was currently grappling? The Secretary of State said that he had indeed found some grounds for encouragement during the last six months. There were discernible signs of progress on a number of fronts. On political development, many unionists now wished to end their self-imposed internal exile. On Anglo-Irish relations, the Conference provided an excellent forum for transacting bilateral business away from the media spotlight; the responsible Ministers north and south of the Border were able to develop a good personal understanding. On the economy there was still a serious problem of unemployment (which made the ground more receptive for terrorists). Subjective perceptions of violence continued to deter investors. In this respect the International Fund, fuelled by the extremely generous US contribution, was doing exceptionally valuable work in focussing investment and entrepreneurial expertise in the most disadvantaged areas of the North. Imaginative American private sector initiatives, eg. the O'Connells' \$100 million project in Derry, were also very valuable.

3. Senator Kennedy commented that any hard examples of successful investment by the International Fund which HMG could give to friendly members of Congress would be very useful in helping their efforts to maintain a US contribution at a time of increasing pressures on the foreign aid budget. Was there a corresponding contribution to the Fund by the European Community? The Secretary of State confirmed that the EC had a significant programme of contributions to the Fund.

4. The Senator next enquired about the new Fair Employment Act. The Secretary of State said that while it was too early for practical effects to be discernible, this was the strongest piece of anti-discrimination legislation which Parliament had ever passed. Its results and effectiveness would be fully reviewed after five years, while he would be having six monthly meetings with the Chairman of the new Fair Employment Commission to review progress. Among other things, the new statute established a system of financial and criminal sanctions, and outlawed indirect as well as direct discrimination. There was an encouraging growth in Catholic employment at Shorts and Harland and Wolff

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(although Shorts had a problem in finding firms from the nationalist side of the community capable of acting as sub-contractors). Economic development was eagerly welcomed by nationalists, although it was anathema to the terrorists who had no wish to see civil government bringing hope and prosperity to the people. It was notable that while PIRA-inspired hooliganism had initially been directed at the new Montupet plant just outside West Belfast, this had ceased after community pressure had been brought to bear through local priests.

5. Ms Soderberg asked whether Section 42 of the Fair Employment Act, which permitted public contracts to be withheld from particular firms on security grounds, could not sometimes be used to mask discrimination. The Secretary of State said that he saw no strong danger of this, although in considering Section 42 cases he of course remained alert to the possibility. The Tinnelly case was currently being considered in the courts and the implications (if any) of the judgment for the current system would be carefully considered. But it had always to be borne in mind that the paramilitaries had a real interest in developing "legitimate" businesses as a source of funds.

6. Senator Kennedy asked about the Birmingham Six. The Secretary of State explained the procedure which had been followed in the case of the Guildford Four (who had been released following discoveries by the police team reviewing the evidence for the Court of Appeal) and the Six, where the same process had been followed but the Appeal Court had decided that no substantive new evidence had been adduced and that the conviction was safe. The Home Secretary was currently considering a fresh submission from lawyers for the Six; if this constituted relevant new evidence there could of course be a fresh reference to the Court of Appeal. The disbandment of the West Midlands Serious Crime Squad was of course also germane, although there was little overlap between the Squad at the time of its dissolution last year and at the time the Six were questioned fifteen years ago. It might well take the Home Secretary months rather than weeks to consider all the relevant factors and come to a decision.

7. Ms Soderberg commented that she understood that three members of the West Midlands Squad who had questioned the Six had subsequently been convicted of tampering with the evidence in other cases. It occasionally looked as if an organised conspiracy from above had been operating in the Guildford and Birmingham (and possibly other) cases; was there not a case for a public inquiry? The Secretary of State firmly rebutted this suggestion and said that he saw no grounds for such an enquiry; disputed cases were meticulously considered by the Home Secretary on their own merits and this not infrequently led to verdicts being overturned (as in the Guildford Four case).

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8. Senator Kennedy asked about the allegations of collusion between the security forces and loyalist paramilitaries. The Secretary of State said that it had become apparent last year that loyalist paramilitaries had illicitly gained access to some low-grade recognition material used by the security forces. This had been disseminated in an effort to discredit the security forces and jeopardise the operation of the Agreement. As soon as the problem had become apparent, the Chief Constable had initiated the Stevens Inquiry and this was now being carried forward as rapidly as possible. There had already been a substantial number of arrests and charges as a result of the Inquiry team's work.

9. Some further discussion encompassed the Secretary of State's programme in Boston and the fact that the Senator knew Mr James Wolfensohn (a personal friend of the Secretary of State in New York) and was indeed seeking to recruit him to run the Kennedy Centre. The Senator concluded the meeting by saying that he would always be happy to consider suggestions for ways in which he and his colleagues might be able to help the cause of peace in Northern Ireland. The Secretary of State said that he would bear this kind offer in mind.

10. The discussion took place in a friendly and businesslike atmosphere (although Ms Soderberg took a tendentious line in some of her interventions). The Senator clearly had an agenda of issues which he worked through in an interested, supportive and sympathetic way.

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