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Memorandum

Security Council Meeting on Northern Ireland, 20 August 1969.  
(Meeting No. 1503)

Background

The annual Prentices' Parade in Londonderry on 12 August provoked serious riots in the Catholic district of Bogside and elsewhere. On 13 August the Prime Minister of the Irish Republic, Mr. Lynch, in a television broadcast to the nation, announced that he had asked the British Government to apply to the United Nations for a peace-keeping force in Northern Ireland and to open talks with the Irish Republic "to review the present constitutional position of the six counties of Northern Ireland". On 14 August British troops were committed in support of the civil power. On 15 August, the Irish Minister of External Affairs, Dr. Hillery, flew uninvited to London and presented these demands to Lord Chalfont. They were rejected. On Saturday, 16 August Dr. Hillery arrived in New York (Lord Caradon returned as scheduled the same evening), and on Sunday, 17 August the Permanent Representative of Ireland to the United Nations, Mr. Cremin, wrote to the President of the Security Council asking for an urgent meeting of the Council to consider an Irish request for a peace-keeping force in Northern Ireland. (The Security Council was in the middle of a debate on incidents on the frontier between Lebanon and Israel.)

ConsultationsShould there be a meeting?

2. The United Kingdom took the view from the outset that United Nations intervention on this question was neither appropriate (because Northern Ireland was a matter of domestic jurisdiction under Article 2(7) of the Charter), nor necessary (because British troops had in fact restored and were maintaining order). There was widespread recognition in New York that this contention was juridically correct, but there was also a feeling that if a Member State brought an issue of this kind to the Council it ought not to be ignored; and Rule 3 of the Provisional Rules of Procedure of the Security Council provides that "the President shall call a meeting of the Security Council if a dispute or situation is brought to the attention of the Security Council....". Although Lord Caradon formally told the President that the United Kingdom did not regard a meeting as appropriate, it was soon clear that a meeting would have to be held.

Should the item be inscribed?

3. The meeting was one thing: inscription of the item on the Agenda was quite another, and here we were on stronger ground. Energetic lobbying in New York and capitals (including,

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exceptionally, in Moscow and Budapest) revealed a good deal of support for the British view that a breach of the principle of domestic jurisdiction in this case would set a dangerous precedent for the future. The adoption of the Agenda, if contested, requires the affirmative votes of nine out of the fifteen Members of the Council (there is no veto in procedural questions; but an abstention is as good as a negative vote in denying a vote for inscription). Our assessment of the line-up on the morning of the meeting (Wednesday, 20 August) was as follows:

Instructed to vote against : 2

United Kingdom  
Senegal

Instructed to abstain : 4

Finland  
France  
United States  
Pakistan (probably)

Likely to abstain with the United States : 3

China  
Colombia  
Paraguay

Uncertain : 4

Hungary  
Nepal  
USSR  
Zambia

Likely to vote for inscription : 2

Algeria  
Spain.

We were thus fairly confident that, if it came to a vote, the Agenda would fail to be adopted.

4. The following comments on the line-up may be made:

(a) The United States' abstention was crucial. The United States has a strong tradition that it votes in favour of inscribing items on the ground that all should be given a hearing. The Americans had argued forcefully for the inscription of, for example, Vietnam. But there were exceptions in the American record: e.g., over Algeria in 1956 and Cuba in 1962. In the end, the State Department were persuaded to instruct their delegation to abstain. But they particularly asked us not to disclose our knowledge of their decision in any further lobbying we might do.

(b) France and Finland/accepted the juridical argument; and Senegal was swiftly instructed to vote against inscription.

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- (c) The Latin Americans were more difficult to persuade. Both were given discretion in their instructions and we could not be certain which way they would vote; but it is a reasonable assumption that they would in the end have followed the U.S.A. in abstaining.
- (d) China would have abstained unless (as she told us on the last morning) her vote would have been decisive, in which case she would have voted for inscription.
- (e) The attitude of the Communists will never be known. They were naturally anxious to exploit our embarrassment but they are traditionally strong supporters of Article 2(7) and Ambassador Zakharov's brief speech was carefully drafted to support the Irish request for a meeting. The demand for action to improve civil rights in Northern Ireland was expressly addressed to the British Government.

Should the Irish Foreign Minister be heard?

5. Recent precedent suggests that non-Members of the Council do not participate in procedural debates. Lord Caradon is on record in support of this view. In particular, almost all precedents are against their participating in debate on the adoption of the Agenda. The last precedent to the contrary (India, over Kashmir in 1948) is twenty years old. But a respectable case can be made for interested non-Members of the Council to be heard in procedural questions (such a case was cogently argued, for example, by Ambassador Ramani of Malaysia in 1965). Dr. Hillery had publicly accepted on arrival in New York that he would not be given the floor during the debate on inscription; but this was at a time when he appears to have assumed that there would be no difficulty about inscribing the item. As it became clear to everyone - in the end even to the Irish - that it was extremely doubtful whether Dr. Hillery would be heard at all if he did not participate in the procedural debate, so the movement grew in strength to arrange for him to participate. The Irish Republic has a good record of cooperation with the United Nations (e.g. in peacekeeping operations). No delegation likes to feel that a Member State which comes to the Council with a matter of urgent concern which it believes it is entitled to raise under the Charter, should be denied a hearing. And even the United Kingdom had no interest in increasing the political pressures on the Dublin Government by publicly humiliating its Foreign Minister. When Ambassador Jakobson of Finland told Lord Caradon that he intended to suggest that Dr. Hillery should be invited to participate in the procedural debate, it was only prudent to accept this with a good grace. We probably would not have succeeded in preventing it even if we had tried.

Should there be a vote on the Agenda?

6. As it became clear that a vote on inscription would probably fail, those who were reluctant publicly to snub the Irish began to canvas the idea that a vote should be avoided by a simple decision to adjourn when the Foreign Minister had been heard. This was contrary to our interests since we wished to see a clear decision by the Council that the situation in Northern Ireland was not a matter for the United Nations, but

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- (a) It would have been contrary to the tradition of the Council to refuse a request for adjournment in the light of the statements made by ourselves and the Irish; had we tried to force a vote on the issue we would have lost.
- (b) Even if we had secured and won a vote on inscription, there would have been a series of explanations of vote which would have sounded very much like support for the Irish on substance. The final impression might have been that we had frustrated a sound Irish cause by a procedural manoeuvre.
- (c) Once the idea of adjournment had been mooted (probably in the first instance by the Spanish President, de Pinies), it was in any case irresistible. Even our closest allies who had clear instructions to abstain would have welcomed this God-given chance to avoid having to carry out these instructions. It was presented as a wholly reasonable compromise and if we had stuck out against it we would have lost, and the Dublin Irish would have been able to claim a victory.

The Debate

7. The United Kingdom objected to the adoption of the Agenda on the grounds that this was a matter of domestic jurisdiction. Finland then formally proposed that the Foreign Minister of the Irish Republic should be heard "in explanation of the request contained in document S/9394". The United Kingdom made no objection and Dr. Hillery was seated. Predictably, he made a speech on the substance. He denied that this was a matter of domestic jurisdiction since the Irish had never conceded the validity of partition. In any case, the United Nations had discussed the "domestic" affairs of South Africa and Cyprus. He rehearsed recent events in Northern Ireland and described the Irish approaches to the British Government. The trouble was due to the denial of human rights to a minority. British military intervention was not necessary. The only solution was to end partition. The Soviet Union then made a brief intervention which seemed to have been carefully drafted to sound like support for the Irish while in fact preserving the traditional Soviet support for Article 2(7). Lord Caradon, in right of reply, rebutted Dr. Hillery's arguments and read into the record the text of the Downing Street Declaration of 19 August. In concluding he intimated that, if the adjournment were proposed, the United Kingdom would raise no objection on the "clear understanding that the wish of the Council is not to accept or proceed with the item proposed". Zambia then formally proposed the adjournment since, "in the light of the statements made this morning it might be wise of the Council to adjourn a decision on" the question of adopting the Agenda. There being no objection, the Council adjourned. The whole meeting took 1 hour and 5 minutes.

Conclusions

8. We could not have secured a better outcome. We could not have prevented the Council from meeting; an attempt to prevent Dr. Hillery from speaking would have been ill-received here and might have failed; and it was impossible to succeed in resisting the adjournment once this had been suggested. As things turned out, we can justifiably claim that the attempt to get the item

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inscribed failed. It is not on the Agenda. We earned some credit here (and apparently also in Dublin) for the way we handled the affair; at least the Council avoided making the task of peacemaking in Northern Ireland more difficult.

9. The Secretary-General subsequently told Lord Caradon that he was surprised that a Foreign Minister could be so badly advised by his Ministry and his Mission in New York as Dr. Hillery seems to have been. Certainly the Irish seemed to have asked for a meeting without making any proper calculation as to what they could reasonably expect to get from the Council. They put themselves in an awkward predicament first by going uninvited to see Lord Chalfont on 15 August, and then by publicly proclaiming an objective (the despatch of a United Nations force to Northern Ireland) which was never politically possible. No doubt this may be explained in terms of political pressures in Dublin, but the Irish Government were probably lucky to get away with no more embarrassment than they suffered in the event.

10. Since then, the Irish have sought to rebut our contention that their plea to the United Nations was shelved. Dr. Hillery told the press at Dublin Airport that he was "looking forward hopefully to some United Nations involvement in Northern Ireland, if not immediately then at least as the result of the interest of the Secretary-General". U Thant has since confirmed to Lord Caradon that he envisages no United Nations intervention except at British request. The Irish could of course return to the charge in the Security Council, but this is unlikely. They are more likely to press the matter in the General Assembly, probably in the Third Committee. How serious the risk of this is depends very much on developments on the ground in Northern Ireland.

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