



PRIME MINISTER

Northern Ireland: the Hunger Strike

Introduction

1. I have considered in the light of our discussion at Cabinet this morning whether we could find some way of resolving the situation in the Maze Prison before any further deaths of hunger strikers occur (McDonnell, the prisoner who has fasted longest, will probably reach a critical point early next week), or at least of vindicating our present stand.

2. When OD discussed the prisons situation on 18 June (OD(81)12th Meeting, item 2) we came down against action which, while appealing to the Catholic community, would appear to be a weakening of the Government's resolve to resist the prisoners' demands for political status. I therefore issued a long and carefully considered statement of the Government's position only two days ago (a copy of the key final paragraph is attached) making clear that, while we were prepared to make improvements in the general prison regime for all prisoners, this could not be done while we were under the duress of the hunger strike. While the pressure of Catholic opinion in Northern Ireland, in the Republic, in GB and in the US favours some concession by the Government, any move of that kind will provoke a strong adverse reaction among Northern Ireland Protestants, who will read it as the beginning of a sell-out. This reaction would only matter if the move failed to bring an end to the strike.

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3. Colleagues will be aware that the Irish Commission for Justice and Peace (ICJP) have put forward publicly certain compromise proposals for ending the strike. These have been endorsed by the Irish Catholic bishops and others, but have been rejected by the prisoners. In our response we have rejected the five demands, but that has not been taken by Catholic opinion as a sign of obduracy. The Commission is at present due to see Mr Alison again tomorrow in Belfast. The line he will take will of course depend upon the outcome of our meeting tomorrow.

4. In the Provisionals' camp a combination of signs of weakening resolve among some of the hunger strikers, a desire among the moderate Catholics to see a reasonable settlement related to the ICJP proposals, and a reaction to manipulation of the families, is creating its own pressure on the leadership.

Nature of policy change needed

5. Unless the hunger strikers lose their nerve, we shall only resolve the impasse by shifting our ground in the hope of inducing the strikers to give up, even against the will of the Provisionals. There is no reason to believe that the ICJP proposals alone would do the trick as regards the Provisional leadership. On present evidence, only the granting of the five demands, in full, could be certain of doing that. Lesser moves would involve a change of stance for HMG if declared before the hunger strike ended. We have so far followed a very hard line, arguing that any weakening could only encourage the strikers to hold out for their full demands. A move by us now would be seen - in Northern Ireland by Protestants and Provisionals - as a signal that we were cracking.

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Risks

6. If we go for a compromise, there are two further risks we run:

- (i) The prisoners - or those who control them - could accept the concessions offered, end the strike, and three months later repeat it to get the rest of their demands.
- (ii) They could reject them and hold out for their full demands. In that event we shall be seen - depending on the point of view - either as having weakened to no useful effect, or as having made a reasonable offer and thus put the prisoners clearly in the wrong. Some moderate Catholic opinion, eg in the States, may tend to the latter; but it could be a high price to pay for a PR gain.

The Options

7. In considering how a resolution of the hunger strike might be achieved we have three broad options available to us:

- (a) We can continue to stand firm and make no concessions, in which case we would be accepting the consequences of further deaths and relying on the hunger strikers' nerve breaking to avoid them.
- (b) We can call in some outside body of standing (eg The International Committee of the Red Cross) to look at our prison regime and say whether it is not - as we believe - humane and reasonable, (in which case we shall be powerfully placed to counter hostile propaganda).

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- (c) We could ourselves exploit the general commitment we are already on record as having given, to maintain and improve the prison regime.

8. If we wish to pursue the third of these three options (para 7(c)) we can proceed by direct negotiations with the Provisionals or the prisoners. I reject this. If my colleagues agree, there are four possible channels open to us. These are listed below but I am clear that, given the time constraint under which we may need to operate,

(a) is the only practical one:

- (a) We could use the ICPJ. They have the merit that they are active and on the doorstep. They could be allowed to see the strikers and would willingly act as mediators if we wished. As a Catholic body they are likely to be trusted by the prisoners (but per contra to use them would be suspect among the Protestants).
- (b) We could revive the idea, rejected by OD, that a suitably prestigious Committee (which we shall need to set up before long anyway to advise us on some medium and long term problems we face in NI prisons) should be set up now and charged additionally and as a matter of urgency to examine and report on the current regimes for all prisoners, conforming and protesting, and on the scales of punishment appropriate for persistent breaches of prison rules. Since this body does not yet exist, it would not be possible for it to operate immediately - it would take some time to set it up.
- (c) We could invite the International Committee of the Red Cross (ICRC) - who have already indicated their willingness to do so - to undertake the task at (b). The ICRC has



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the merit - as against the ICJP - of being an international and non-sectarian body; but it is connected in the public mind with P-O-W camps. However, it has a well-established role in dealing with civil unrest, and has previously been involved in Northern Ireland at the invitation of Unionist Governments.

- (d) We could without difficulty resuscitate the interest of the European Commission on Human Rights (ECHR), whose procedures under Article 28 of the Convention to arrive at a "friendly settlement" are still available. This would however take time.

More details are in the Annex.

9. If we are prepared to contemplate some further movement, it would be only sensible to do this before McDonnell dies - which could be within a week or even less. The ICJP is the only readily available independent channel of communication with the strikers, and we could instruct Michael Alison to engage with them tomorrow on the possibility of resolving the issue on the basis of his previous discussions with them as summarised in his letter to them and as reflected in last ... Tuesday's statement (copies of both are attached). However, I think we must recognise that it may be necessary for him to be more specific about measures and timing than in his letter if the hunger strikers are to be persuaded that they can safely abandon their protest.

One further point: whatever course we pursue, there would be some serious disadvantages in bringing to an end the current dialogue with the ICJP. They are on the stage; they are trusted by the prisoners; their support is valuable. Any other organisation would be viewed by the prisoners with great reserve.

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10. A hard line statement issued yesterday on behalf of the protesting prisoners generally (but not by the strikers themselves who appear to be more amenable) suggests that they are no longer insisting on a differentiated regime for terrorist prisoners, but would be content if their five demands were conceded for all prisoners. That would mean we had surrendered control to all prisoners: we must instead look for an outcome which does not infringe the principle that we cannot concede control over how the prisons are run to groups of prisoners.

11. In addition:

(i) If we are to move quickly we may well have to concede via the ICJP something specific "on account" to be introduced as soon as the hunger strike ended (eg restoration of more lost remission; the right to wear own clothes all the time) while further exchanges about the continuing regime continue. We should not assume that a mere promise to consider, eg, the ICJP proposals (which would need very detailed examination in the light of practicalities) without something on account would bring them off.

12. (ii) Once a process of this kind has been authorised, I shall need to follow it through and our spokesman must have wide discretion about a final settlement.

12. I am sending a copy of this minute to the Home Secretary, Foreign and Commonwealth Secretary, Leader of the House, and Lord Privy Seal.

H.A.

H.A.
2 July 1981

(Signed on behalf of the
Secretary of State in his absence)