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NORTHERN IRELAND OFFICE
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Michael Alexander Esq
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17 July 1981

Dear Michael

You asked me this evening for a straightforward account of the talks with the ICJP in case the controversy which followed them is raised during the visit to Canada. In the time available, I think I can do no better than to send you two telegrams which describe the exchanges with the ICJP.

*Yours sincerely
Julie Hopkins*

M W HOPKINS

SD

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TO IMMEDIATE DUBLIN

TELEGRAM NUMBER 541 OF 9 JULY

MIPT : NORTHERN IRELAND : HUNGER STRIKE

FOLLOWING IS BACKGROUND ON WHICH YOU MAY DRAW AS NECESSARY:-

1. THE COMMISSION HAD BY MONDAY EVENING FORMULATED A LENGTHY STATEMENT OF WHAT THEY BELIEVE THE GOVERNMENT OUGHT TO DO AND WHAT, IN THE LIGHT OF THE LONG DISCUSSIONS MR ALISON HAD HAD WITH THEM, THEY BELIEVED WE HAD A MORAL OBLIGATION NOW TO DO. THEY, AT THAT STAGE, PROPOSED TO PUBLISH THE STATEMENT AND THEN TAKE IT INTO THE PRISON. THEY SOUGHT OUR ENDORSEMENT OF IT. MR ALISON POINTED OUT THAT IF THAT STATEMENT WERE PUBLISHED WE WOULD HAVE TO REPUDIATE ELEMENTS IN IT. THIS WOULD NOT HELP A RESOLUTION OF THE HUNGER STRIKE. IT WAS AGREED BETWEEN US THAT THE BEST WAY TO PROCEED WAS FOR THE GOVERNMENT TO CLARIFY ITS POSITION TO THE PRISONERS. WE WOULD NEED TIME UNTIL TUESDAY MORNING BEFORE BEING IN A POSITION TO DO SO. THE COMMISSION SUGGESTED THAT WE COULD DO THIS IN A NUMBER OF WAYS AND THAT THE BEST WAS FOR ONE OF THE OFFICIALS PRESENT AT THE DISCUSSIONS TO TAKE ON THE TASK. THEY NOW SEEM GENUINELY TO HAVE BELIEVED THAT IN ACCEPTING THE OBLIGATION TO CLARIFY OUR POSITION WE HAD ACCEPTED THE METHOD THEY SUGGESTED.

3. THE METHOD OF CLARIFICATION HOWEVER, THOUGH IMPORTANT IN THE VIEW OF THE COMMISSION, WAS NOT THE PRIME ISSUE FOR US. WHAT WE HAD TO DO WAS TO FIND A VERY PRECISE FORM OF WORDS WHICH A) REFLECTED THE MOVEMENT WE WERE PREPARED TO MAKE AFTER THE HUNGER STRIKE ENDED (INTER-WING ASSOCIATION: EXPANSION OF THE RANGE OF PRISON ACTIVITIES TO INCLUDE THINGS LIKE BUILDING A CHAPEL, MUTUAL SELF-EDUCATION, AND WORK FOR CHARITY: AND BY IMPLICATION OWN CLOTHES) BUT B) ALSO REFLECTED THE REALITIES OF A PRISON

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REGIME WHICH WOULD REMAIN - IN PARTICULAR THAT NO PRISONER WOULD BE ALLOWED TO OPT OUT OF WORK WHICH THE PRISON AUTHORITIES REQUIRED HIM TO DO AND THAT SEGREGATION IS NOT A RIGHT. THE APPROPRIATE TEXT REQUIRED EXTENSIVE CONSULTATION BETWEEN BELFAST, WHERE MR ALISON AND THE RESPONSIBLE OFFICIALS WERE, AND LONDON WHERE THE SECRETARY OF STATE, WHOSE AUTHORITY WAS NEEDED, HAPPENED TO BE. THE AGREED FORMULATION WAS READY EARLY ON WEDNESDAY MORNING AND READ TO THE PRISONERS BY THE GOVERNOR SHORTLY BEFORE IT WAS PUBLISHED. AN NIO OFFICIAL WAS PRESENT.

4. THE REALITY IS THAT ON AT LEAST ONE IMPORTANT POINT OF SUBSTANCE (WORK) WE AND THE COMMISSION ARE NOT AT ONE. THIS AND NOT THE MECHANICS OF CONVEYING OUR VIEWS TO THE PRISONERS IS WHAT STOOD IN THE WAY OF ENDING THE HUNGER STRIKE, EVEN IF THE COMMISSION ARE RIGHT THAT THEIR FORMULATION SET OUT WHAT THE PRISONERS WOULD SETTLE FOR.

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TO IMMEDIATE DUBLIN
TELEGRAM NUMBER 540 OF 9 JULY.
TELECON HMA/EYERS
NORTHERN IRELAND : HUNGER STRIKE

1. YOU WILL HAVE SEEN STATEMENTS MADE TO THE PRESS BY THE ICJP IMPLYING THAT HMG HAS BEEN IN BAD FAITH IN THEIR DEALINGS WITH THE ICJP. IT IS IMPORTANT TO AVOID THE IRISH GOVERNMENT COMING TO THE SAME CONCLUSION. GRATEFUL IF YOU WOULD CONVEY THE FOLLOWING TO THE TAOISEACH'S OFFICE AS SOON AS POSSIBLE.

BEGINS

'1. THERE HAVE BEEN ACCUSATIONS THAT HMG ACTED IN BAD FAITH IN ITS DEALINGS WITH THE ICJP. THERE IS NO SUBSTANCE IN THOSE ACCUSATIONS AND HMG GREATLY REGRET THAT THEY HAVE BEEN MADE. THEY HAVE BEEN DEEPLY CONCERNED TO SEE THE HUNGER STRIKE BROUGHT TO A LASTING END. THEY WELCOMED THE COMMISSION'S WISH TO HELP AND GAVE THEM EVERY FACILITY THEY COULD. THEY ADMIRE THE COMMISSION'S DETERMINATION AND DEDICATION TO ITS TASK. THEY REGARD THE COMMISSION'S EFFORTS AS HAVING BEEN EXTREMELY HELPFUL AND HAVING SUBSTANTIALLY CLARIFIED AREAS OF DIFFICULTY.

2. AGAINST THAT BACKGROUND THEY PARTICULARLY REGRET THAT THE COMMISSION APPEARS TO HAVE CONCLUDED THAT THEY HAD BEEN DELIBERATELY MISLED, AND ARE CONCERNED TO ENSURE THAT THE IRISH GOVERNMENT SHOULD NOT ALSO HAVE THIS IMPRESSION.

3. THE PROBLEMS APPEAR TO HAVE ARISEN BECAUSE THE COMMISSION BELIEVED THAT WHEN WE ACCEPTED THE OBLIGATION FURTHER TO CLARIFY OUR POSITION TO THE PRISONERS WE HAD AT THE SAME TIME ACCEPTED THE METHOD AND TIMING WHICH THE COMMISSION HAD SUGGESTED. WE HAD NOT. THEY MAY ALSO HAVE MISUNDERSTOOD THE SIGNIFICANCE OF WHAT WE SAID TO THEM ABOUT CLOTHES AND WORK. THAT SUCH MIS-UNDERSTANDINGS SHOULD HAVE OCCURRED IS PERHAPS NOT SURPRISING

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GIVEN THAT THERE WAS A SERIES OF DISCUSSIONS EACH LASTING SEVERAL HOURS. THE DETAILS OF THESE MISUNDERSTANDINGS ARE OF SECONDARY IMPORTANCE. HMG'S CONCERN IS TO ASSURE THE IRISH AUTHORITIES THAT THEY HAVE NOT ACTED IN BAD FAITH AND THAT THEY CONTINUE TO BE DEEPLY CONCERNED TO SEE THE HUNGER STRIKE ENDED. DESPITE THE SETBACK OF MCDONNELL'S DEATH, THEY DO NOT REGARD THE HUNGER STRIKE AS INSOLUBLE IN THE CONTEXT OF PRISON REFORM IF THE PRISONERS ARE PREPARED TO ACCEPT THE REALITY OF A PRISON REGIME AS SUCH. HMG WILL BE REDOUBLING THEIR EFFORTS TO BRING IT TO AN END. THEY ARE GRATEFUL TO THE TAOISEACH FOR THE GREAT EFFORTS WHICH THEY KNOW HE HAS MADE AND HOPE THAT HE TOO WILL CONTINUE WITH THEM.'

ENDS

2. MIFT CONTAINS DETAILED BACKGROUND ON WHICH YOU MAY DRAW AT YOUR DISCRETION.

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