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HOME OFFICE
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1 May 1985

DEAR CHARLES,

US/UK EXTRADITION

The Prime Minister will recall that negotiations have been taking place with the United States on our bilateral extradition treaty. A new supplementary treaty has now been initialled and there is the possibility of the subject coming up during any conversations the Prime Minister will have with the US President while they are both attending the economic summit in Bonn. This letter provides briefing against that contingency.

The effect of the new supplementary treaty would be to deny fugitives accused or convicted of certain serious offences of violence scope for avoiding extradition on the grounds that their offences are political. Fugitive Irish terrorists have successfully used this political safeguard to avoid extradition. Now that the text of the supplementary treaty has been agreed, the next step will be for the US administration to lobby Senators on the Foreign Relations Committee (US treaties require only Senate approval). Before this process begins, however, Mr Meese, the US Attorney General, wishes to discuss the matter with the President on his return from Europe. If all goes according to plan, the supplementary treaty will be signed in Washington, perhaps in June. It is not yet clear when the supplementary treaty would be formally put to the Senate. For the United Kingdom's part, secondary legislation (one Order in Council, and one affirmative resolution order) will be required before we can ratify. Until the Washington lobbying process starts our public line is merely that both Governments are reviewing the mutual extradition treaty.

This is likely to be a controversial issue in the Senate and success cannot be guaranteed. So far as we know, Mr Reagan has not been briefed on this subject. But, if the opportunity presents itself, the Prime Minister may wish to say how grateful we are for the way the Administration has been able to agree the supplementary treaty and to explain its importance in the eyes of the United Kingdom Government. The Prime Minister may also wish to

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acknowledge the value of carefully preparing the ground in Senate and express the hope that the Administration will be able to put its weight behind the treaty.

I am sending a copy of this letter to Len Appleyard (FCO) and Richard Hatfield (Cabinet Office).

Yours ever,
Hugh Taylor

H H TAYLOR

Charles Powell, Esq.

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