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ROINN GNÓTHAÍ EACHTRACHA
DEPARTMENT OF FOREIGN AFFAIRS

BAILE ÁTHA CLIATH 2
DUBLIN 2

Confidential

26 June 1981

To All Heads of Mission

From Anglo-Irish Section

Missions will already have received some time ago material regarding the H-Blocks issue. For your further information I am now enclosing the following up-dated material relating to this matter and the attitude of the Government to the hunger strike situation:

- (i) A note on general policy points which reflects the current thinking of the Government and which Missions will find useful to have for their background information. Annexed to this note are statements made by the Irish Commission for Justice and Peace (copies of which some Missions already have) on which much attention is presently focused.
- (ii) A summary of points prepared on 23 June 1981 for the Minister's use.
- (iii) A note on the prison protests in Northern Ireland which outlines the major developments to-date.

D.M. Neligan

D.M. Neligan

Mr. Neligan

Mr. Whelan

Mr. Bowyer

Mr. Murray

Mr. Walsh

John 26.6.

Policy Points on H-Blocks issue

1. The basic assessment of the Government is that the political and propaganda gains made by the IRA since the present phase of the hunger strike in the H-Blocks started on 1 March exceed any gains that might have been made by them if special status had been in substance granted straight away. These consequences are now so serious that they outweigh all other considerations.

2. The hunger strikes in H-Blocks are a source of tension, difficulty and danger. The situation is a cause of deep and serious concern for the Government. The hunger strikes and deaths have generated an entirely new level of support for the IRA among the nationalist community in Northern Ireland and have had a substantial impact on political life in the Republic as the election of two of the hunger strikers and the relatively large vote for other hunger strike candidates in the general election indicates. It is the Government's view that the finding of a solution to the situation is of fundamental and far reaching importance at the present.

3. Given the serious counter productive effects of the British Government's policy of confrontation with the IRA in terms of political and propaganda gains by the IRA it is the Government's hope that the British Government would now review their existing policy. In the context of such a review merit might be found in particular modifications of the prison regime which had previously been rejected.

4. In terms of the propaganda effect abroad it is felt that the British Government has seriously miscalculated. It has been mentioned by them in justification of the present policy that in editorials and analytical articles in the U.S., the media had supported the position of not giving political status to the prisoners. However, most of these articles have also gone on to comment on the gravity of the subsisting political problem in Northern Ireland and on the need for political steps to solve it. It is the Government's belief that both parts of the message should be heeded. If it was decided to get back on the political path, a pre-requisite would have to be to get the prison problem out of the way. Thus the message from abroad could not be interpreted as a complete endorsement of present British policy.

5. It is our assessment that the balance of advantage is strongly in favour of another initiative. If an attempt is not made further deaths of hunger strikers will be exploited in IRA propaganda to increase their support. This accession of support is likely far to exceed what would flow to them if changes were made in the prison rules. It is the Government's view that even if such an attempt were unsuccessful it could moderate the flow of support and would also have favourable effects on opinion in the Republic and throughout the world.

6. There are some indications that the present may offer some hope that a way forward can be found. The present time is considered particularly appropriate for a new effort to solve the problem because of the lull in the incidence of deaths by hunger strike which may not be repeated when the present strikers begin to die in July and also because of the state of tension between the prisoners, their families and their outside associates. These are circumstances which are unlikely to recur. It seems improbable that any similar respite will offer if the deaths begin again.

7. The Government believe that the recent suggestions by the Irish Commission for Justice and Peace* may provide a basis for progress. A new proposal might relate to further adjustments that might be made throughout the Northern Ireland prison system which would not constitute the grant of political status, or impair the authorities' control of the prisons.

8. The Government are of course, ready to help in every way possible in finding an acceptable solution to the H-Blocks problem.

* Material enclosed.

Briefing Points for Minister

A. Effects of the confrontation between British Government and hunger strikers.

(i) in Northern Ireland

- It has generated an entirely new level of support for the IRA among nationalists in the North.
- It has dangerously polarized opinion in the two sections of the community there (cf. the local election results).

(ii) in the Republic

- By giving a national profile to individuals in jail in Northern Ireland which they would never have had otherwise, it has led to two prisoners being elected to Dail Éireann at the recent general election.
- This has destabilised national politics (the indeterminate election result).
- A sitting T.D. may now die in Long Kesh which will produce a strong emotional reaction here and will give the IRA the opportunity to run another prisoner in the ensuing bye-election with hopes of success.

(iii) in the U.S.A. and other countries

- It has produced a clear upsurge of support for the IRA around the world, and particularly in the U.S.A.
- This will increase the flow of material support for violence (already up in the last six months of 1980 from U.S. groups contributing to the I.R.A.).

In summary, the confrontation has enabled the I.R.A. to mount a propaganda campaign which simultaneously appeals to potential recruits to violence (I.R.A. recruitment is reportedly up in Northern Ireland and in our border areas) and to the humane sympathies of less committed people. The consequent gains in support outweigh in our view

/...

any other consideration arising in regard to the prison situation. The British Government appear to have been willing to enter into confrontation in the belief that the prison protest is the IRA's last card and that the Government can win the prison "battle". Events have proved and continue to prove that they are losing the war all around them in the process.

B. The Need for and Possibility of Achieving a Solution

From our point of view, finding a solution to the situation is of fundamental and far-reaching importance.

The present period seems particularly opportune because

- (a) there is a lull in the series of deaths by hunger strike which will end in early July and may not thereafter recur and
- (b) the prisoners, their families and their associates outside the prison seem at this stage to be exhibiting signs of tension and doubt, which suggests that they might respond to a properly conceived approach.

As regards the possibility of a solution we believe that as a first point the British Government should in all the circumstances accept the need for action and look beyond their present stance.

As regards possible means of reaching a solution, the European Commission of Human Rights may make suggestions, which the British Government has said they would consider, but the Commission's work is proceeding too slowly to be relevant to the present temporary respite. The British Government might state clearly, as they did by agreement with us before Christmas, what they are offering to conforming prisoners. The nature of their offer might be based on proposals by the Irish Commission for Justice and Peace (a Catholic Church body) relating to overall prison reform on clothing, association and prison work.

23 June 1981

Prison Protests in Northern Ireland

Background

1. The origins of the Long Kesh and Armagh prisoners protests and hunger strike lie in the decision taken by the British Government in November 1975 to phase out special category status. This meant that all persons convicted for offences committed after 1 March, 1976 were to be subject to the ordinary prison regime. In March 1980 it was announced that no person charged on or after 1 April, 1980 would be granted special category status, irrespective of date of offence. In September, 1976 the first prisoners sentenced for offences committed after 1 March, 1976 refused to work or to wear prison clothing (the blanket protest). The initial reaction of the prison authorities was to impose a strict regime which excluded all but statutory entitlements. In March, 1978 the protest was escalated to include fouling of cells and destruction of cell furniture (the dirty protest).

British Government Concessions

2. The British Government made several attempts to improve conditions in Long Kesh, while remaining firm on the question of special category status. In March 1980, they agreed to the wearing by prisoners, for recreational purposes, of regulation PT vests, shorts and plimsolls, and there was some alleviation of the conditions relating to visits and letters. In August 1980, further concessions on compassionate leave, recreation and association were granted. In October 1980, it was announced that the requirement to wear prison uniform would be abolished and civilian type clothing would be substituted. Full details of the prison regime applicable to conforming and protesting prisoners are set out in Annex I attached.

Human Rights Aspects

3. From the beginning of the protest there were many allegations of ill-treatment of prisoners and of capricious and brutal enforcement of prison rules and regulations. While it was clear that individual incidents did occur from time to time mainly due to the highly charged atmosphere within the prison

it has been generally felt that complaints were often exaggerated and, politically motivated to a large degree.

4. In August 1978, applications were lodged with the European Commission of Human Rights at Strasbourg on behalf of four of the H-Blocks prisoners who alleged multiple breaches by the British Government of the European Convention for the Protection of Human Rights and Fundamental Freedoms. In October 1979 the Commission decided to communicate the complaints to the British Government. The complaints made referred, in general, to the conditions of their detention in the Maze Prison. They alleged that these were such that their rights under Articles 3, 6, 8, 9, 10, 11, 13 and 14 of the European Convention on Human Rights were violated. These Articles related, respectively, to inhuman and degrading treatment and punishment, procedural rights in relation to disciplinary charges, rights to privacy, freedom of belief and conscience, freedom of expression, freedom of association, provision of effective national remedies and discrimination in treatment.

5. In June 1980 the European Commission on Human Rights ruled on the complaints of the protesting prisoners. The ECHR found in its ruling that the right to a preferential status for a certain category of prisoners is not amongst the rights guaranteed by the Convention and observed that the prisoners who took their complaints to it are not entitled to the status of political prisoner under national law, or under the Convention or under the existing norms of international law. While rejecting the protestors' basic demands the ECHR in paragraphs 63 and 64 of the Report was nonetheless critical of the British Government's handling of the H-Block affair and expressed its concern at

"the inflexible approach of the (British) State authorities which has been concerned more to punish offenders against prison discipline than to explore ways of resolving such a serious deadlock".

Hunger Strike I

Long Kesh

6. While there had been talk on and off about the prospects of a hunger strike in Long Kesh there were no obvious signs that the

protestors would proceed with such a course of action until October, 1980. It was then indicated by the protestors that a hunger strike would commence on 27 October in pursuit of the prisoners demands. On 23 October 1980 the Taoiseach wrote to the British Prime Minister conveying his "very deep and serious concern about the repercussions on our security situation of a hunger strike and possible deaths" and expressing the hope that "every possible avenue be explored in the search for a means to avoid this dangerous development." On 27 October, 1980 seven Republican prisoners in Long Kesh went on hunger strike in support of five demands namely "the right:

- (i) to wear own clothes
- (ii) to refrain from prison work
- (iii) to associate freely
- (iv) to organise recreational facilities and to have one letter, visit and parcel per week and
- (v) to have lost remission fully restored."

Armagh Jail Protest

7. A dirty protest similar to that in the H-Block, involving 32 Republican women prisoners, developed in Armagh Prison. Women prisoners in Northern Ireland are permitted to wear their own clothes. Initially the protest in Armagh did not relate to a demand for special category status but to alleged violence against the prisoners on 7 February 1980 and to subsequent events. However as the protest continued the H-Block protest and the Armagh protest became more closely aligned both in terms of the demands being made and the methodology of the protest (refusing to wash and fouling of cells). On 1 December 1980, 3 of the women prisoners commenced a hunger strike in support of the demand of the political status. A civil action by 3 women prisoners against the Secretary of State, for compensation arising out of the incidents of 7 February 1980 is currently before the Northern Ireland courts.

End of Hunger Strike I

8. On 18/19 December 1980, the hunger strikes ended when the British authorities sent into Long Kesh and Armagh a statement

of what would happen when the protests ended and a detailed description of the Northern Ireland prison regime. A statement from the leader of the Republican prisoners, the late Bobby Sands, claimed that the Government documents met the requirements of their five basic demands. The British Government for its part emphasised that the hunger strike had not achieved its objective i.e. political status, and expressed the hope that the knowledge of what would happen when the protests ended would lead all the prisoners to stop their "blanket" and "dirty" protests.

Aftermath of Hunger Strike I

9. Between the period 18 December and 29 January while there were grounds for hoping for a successful conclusion to the H-Block problem a large number of prisoners were nonetheless not prepared to conform with prison rules. In these circumstances another statement was issued by the British authorities on 9 January 1981, saying that in a further attempt to implement the regime described in the statement of 18 December 1980 a group of these prisoners would be moved to clean and furnished cells. On 12 January 22 prisoners were moved into clean furnished cells and when these cells were not fouled furniture was provided for the remaining prisoners in the same wing on 13 January. On 15 January a further group of prisoners was moved into clean furnished cells making 96 the total number of 'former' protestors occupying the clean furnished cells. On 21 January all protesting prisoners were told that the procedure for further moves into clean cells would be that in the first instance the cells would be unfurnished but, if by the day after they moved in, the cells remained clean and prisoners has slopped out, furniture would be supplied.

10. The 96 prisoners who had been given clean and furnished cells nonetheless continued their protest by refusing to wash, shave, wear prison clothing or to undertake work. All clothing which was supplied for these prisoners by their relatives on 23 January was accepted by the prison authorities but was not passed on to the protestors. The British authorities maintained that where an individual protesting prisoner said that he wished to conform having washed, shaved and had a hair cut, he would be given a set of prison issue civilian clothing, moved from his cell to a new wing containing other conforming prisoners,

medically examined for fitness to work and, if fit, allocated to given work. As a conforming prisoner the British said he would then qualify for privileges including, of course, that of wearing his own leisure clothing of the approved type.

11. In a development on 23 January the prisoners who had deescalated their action to a clean protest in furnished cells indicated that they wished to be regarded as "non-protesting prisoners" and that in consequence:

- (1) they wanted to wash, shave and have a hair cut
- (2) they would keep their own cells clean
- (3) they would go to reception to be photographed in their new clean state
- (4) they did not want to be moved (as would be the normal practice for those leaving the protest) to a new wing for conforming prisoners.
- (5) they would undertake full time education
- (6) they would not undertake the full range of prison work and
- (7) they would expect once cleaned up to be issued both with prison civilian clothing and their own leisure clothing.

12. The timing of this request was seen as significant because it was made immediately before the weekend when own clothing was permitted. The prison Governor, after consulting higher authorities, replied that the prisoners were free to wash and shave, but that own clothing was a privilege reserved for conforming prisoners. They would not be given own clothing unless they were prepared to work as directed and to wear prison issue clothing during work period. Furthermore if they conformed they would be moved to a block with other conforming prisoners. The British Authorities maintained to us that the prisoners were trying to put them in a position where either the Authorities granted a point which the protestors could claim as a concession of principle or the Authorities took a stand on a point which the protestors would represent as a minor one.

13. Somewhat, to the surprise of prison authorities despite the rebuff the prisoners went ahead with washing and shaving although hair cuts could not be arranged immediately. However on the 27 January the 96 prisoners destroyed furniture and fittings in their new cells and broke the windows. On 29 January the 96 prisoners refused to slop out and began again to smear the walls of their cells. They maintained that the authorities had pushed them into this action by placing them first in dirty cells when they smashed their cell furniture and windows and secondly by the refusal of the authorities to give them their own clothing unless they promised to conform to prison regulations. The British authorities maintained that the group was placed in dirty cells immediately after the furniture and windows smashing episode only because these were the nearest empty cells and that they were all moved into clean cells on the Wednesday morning. The process of a return to normality was over and the level of protest returned to the pre-hunger strike situation with some 401 men in Long Kesh and 29 women in Armagh involved again on the "dirty" protest.

Hunger Strike II

14. On 5 February 1981, it was announced that a second hunger strike by Republican prisoners in Long Kesh would begin on 1 March, 1981. In support of that decision the prisoners maintained that the British Government had renegeed on the agreement of 18 December 1980, which ended the previous hunger strike and which they claimed conceded the substance of the prisoners five demands.

15. On 1 March 1981, Bobby Sands refused food and declared himself to be on hunger strike. A statement by the prisoners said the action was being taken in support of their demand for political status. Mr. Sands was joined on hunger strike by Francis Hughes on 15 March and by Patsy O'Hara and Raymond McCreesh on 22 March.

End of 'Dirty Protest'

16. On 2 March the Republican prisoners still taking part in the "dirty" protest at Long Kesh and Armagh - 439 in all - let it be known that they intended to stop fouling their cells. The prisoners indicated that their action was being taken in support

of demands for changes in the prison regime which would give effect to their demand for political status. These prisoners were moved to clean cells and provided with clean bedding.

Election of Bobby Sands

17. On 10 April Bobby Sands was elected Westminster M.P. for the Fermanagh-South Tyrone constituency in a bye-election. Mr. Sands was elected by 30492 voted to 29046 obtained by his rival Official Unionist candidate Mr. Harry West i.e. a majority of 1446.

Visit of MEP's to Long Kesh

18. On 20 April 1981, Miss Sile de Valera, T.D. M.E.P., Mr. Neil Blaney, T.D., M.E.P. and Dr. John O'Connell, T.D. M.E.P. visited Bobby Sands in Long Kesh prison hospital at his request. After the meeting the three Deputies requested a meeting with the British Prime Minister or her Deputy. This request was rejected by the British Prime Minister. On 22 April the Minister for Foreign Affairs met the three Deputies and a report of their visit to Long Kesh was conveyed to the Government for their information.

Death of Hunger Strikers

19. Despite every effort including a visit to Long Kesh by a special emissary from Pope John Paul II, and numerous calls, by Church leaders, public figures and organisations at home and abroad, to the prisoners and the British Government to resolve the dispute the hunger strikers continued with their protest and on Tuesday 5 May, 1981 Bobby Sands M.P. died. On 12 May Francis Hughes died and Raymond McCreesh and Patsy O'Hara both died on 21 May.

20. The following prisoners in Long Kesh are currently on hunger strike;

- (1) Joe McDonnell, (30) from Belfast, serving 14 years for possession of a gun. Took Sands' place. Commenced hunger strike 9 May.
- (2) Kieran Doherty, (25) from Belfast, serving 22 years for possession of fire arms, explosives offences and hi-jacking. Took Raymond McCreesh's place and commenced hunger-strike on 22 May.

- (3) Kevin Lynch, (25) from Derry, An INLA member took Patsy O'Hara's place. Serving 10 years for an armed raid and punishment shooting. Commenced hunger strike on 23 May.
- (4) Martin Hurson, (27) from Co. Tyrone, serving 20 years on membership, possession of explosives, causing explosions, conspiracy to kill charges. Commenced hunger-strike on 29 May. He replaced Mr. Brendan McLaughlin (29) who had begun a hunger strike on 14 May but chose to come off his fast on medical grounds.
- (5) Thomas McIlwee, (27) from Bellaghy, Co. Derry serving life imprisonment plus 20 years for manslaughter and 19 other charges involving explosives. Commenced hunger strike on 8 June 1981.
- (6) Paddy Quinn, (29) from Beleeks, Co. Armagh serving 14 years for attempted murder, possessing explosives and belonging to the I.R.A. Commenced hunger strike on 15 June 1981.
- (7) Michael Devine (27) from Derry a member of the INLA serving 12 years for possession of firearms and ammunition. Commenced hunger strike on 22 June.

At a press conference on 17 June the vice-President of Provisional Sinn Fein said that prisoners who died would be replaced by others but that the total number of prisoners on hunger strike at any time would not exceed eight.

21. In the General Election of 11 June, 1981 two H-Block prisoners Kieran Doherty (hunger striker) and Patrick Agnew were elected in the Cavan-Monaghan and Louth constituencies respectively.

Efforts to solve the Hunger Strikes

(a) The European Commission for Human Rights

22. On the advice of the Taoiseach, who held that the Commission offered the best hope of resolving the situation, an application was made by Ms. Marcella Sands on her brother's behalf on 23 April 1981. In response a delegation from the ECHR visited Long Kesh to obtain confirmation that Mr. Sands intended to pursue the application made on his behalf. It was soon established that he did not wish to be associated with the application and the Commission delegates left without meeting Sands. In high level contact with the Commission delegates immediately after their visit to Long Kesh they emphasised that they did not wish to close any doors but that they were inevitably restricted by the Convention and the rules of procedure. On 4 May the Taoiseach asked the Commission to consider, as a matter of

extreme urgency, making a recommendation out of their visit which would contribute to a solution. This call was rejected by the Commission. Subsequently however at their May meeting the Commission decided to declare admissible the remainder of the McFeeley case complaints (viz. right of correspondence and effective remedies.) It is our understanding that the Commission feels, despite what it has been stating publicly, that it has a wider remit than simply considering the remaining two aspects of the McFeeley case. The Commission does not propose and do not wish us to make public the wider possibility of the friendly settlement procedure. They have informed us that they would wish to avoid undue publicity or propaganda which could impair their ability to bring about a friendly settlement.

(b) The International Committee of the Red Cross

23. The ICRC which was also asked by the three deputies to intervene expressed its willingness to do so if authorised by the British Government. However, the ICRC pointed out that its intervention would be limited to traditional humanitarian assistance and protection and that visits to persons imprisoned in Northern Ireland had only been authorised in the past in the case of persons detained or interned without trial in the period 1971-75 and that the Geneva Convention of 1949 was not applicable as the situation prevailing in Northern Ireland did not correspond to an armed conflict.

(c) The Irish Commission for Justice and Peace

24. On 13 October, 1980 the Irish Commission for Justice and Peace - a commission of the Irish Episcopal Conference-called on the protesting prisoners to "de-escalate the protest". The Commission also called on the British Government "to allow prisoners throughout the entire Northern Ireland prison service to wear their own clothes, to engage in educational or other cultural activities as an substitute for ordinary prison work, to enjoy reasonable freedom of association to have recreational facilities, regular visits, parcels and full remission". On 3 June, 1981, the Commission reiterated its call for reforms to be implemented throughout the Northern Ireland prison system and called on the protesting prisoners to make clear that such reforms would, if implemented, provide the avenue for a solution. The leader of the SDLP, Mr. John Hume echoed the Commission statements on 10 June,

1981 when he stated that progress could be made on the H-Block question if the prisoners made it clear that they would respond positively to the British Governments acting on the Commission proposed solution.

(d) The UN Commission on Human Rights

25. The United Nations Commission on Human Rights, a subsidiary body of the Economic and Social Council (ECOSOC), can study and make non-binding decisions about situations which reveal a consistent pattern of violations of human rights, using communications received from governments, UN organs, or private individuals claiming to have reliable knowledge, either directly or indirectly, of such violations. According to recent newspaper reports, it is the intention of the New York-based lawyer, Mr. Paul O'Dwyer, to take the case of the H-Blocks prisoners to the UN Commission on Human Rights. "The Irish Times" of 9 June 1981 reports that the basis of his complaint would be the Diplock court system in Northern Ireland. If the UN Commission on Human Rights considered the complaint on H-Blocks under the Res. 1503 procedure, it would do so in confidential session. The examination as well as any decision reached thereon in practice remains confidential.

26. It is difficult to anticipate whether Mr. O'Dwyer's communication would successfully pass all preliminary stages before being considered by the Commission on Human Rights in February 1982. The fact that the situation in H-Blocks was the subject of a partial decision of the European Commission of Human Rights in the application of T. McFeeley et al is relevant. The U.K. could put forward the argument that the situation of the H-Blocks is still being considered by the European Commission of Human Rights and that this precludes the UN Commission from examining the situation. Although the matters outstanding in the McFeeley Application relate to correspondence (Art. 8 of European Convention) and remedies (Art. 13 of European Convention) it appears that the European Commission may be prepared to clarify or amplify other parts of their decision. Where investigation by an ad hoc Committee is being considered under Res. 1503 such an investigation is specifically excluded if the same matter is being dealt with in a regional organisation (Art. 6 (b) (ii) of Res. 1503). The same attitude could also be taken even to an examination of the situation by the Commission.

27. It should be noted that the procedure for examining situations which appear to reveal a consistent pattern of gross and reliably attested violations of human rights and fundamental freedoms takes a considerable time, largely because the Commission meets only once a year in February/March. Western countries in particular have attempted at recent sessions of the Commission to get agreement on an inter-sessional role for the Commission for dealing with grave violations of human rights but these efforts have not been successful. Even though the UN Commission on Human Rights cannot make binding decisions and relies on the co-operation of the accused state (e.g. an investigation by an ad hoc Committee of the situation in H-Blocks could only be undertaken with the express consent of the British Government), many States are unwilling to see it play a more important role in the examination of alleged human rights violations.

General:

28. As of June 1981 there were 916 prisoners serving sentences for terrorist type offences in Long Kesh cellular prison. Of this 916, 407 or about 45% are refusing both to wear prison issue civilian clothing and to work. Another 14 prisoners are refusing to work. In addition there are the 7 hunger strikers.

At the present time there are 328 special category prisoners housed in compounds in Long Kesh.

British Government Policy on the hunger strike:

Public Statements

29. The British authorities issued a comprehensive statement of policy on 24 October 1980 in advance of the first hunger strike in which they stated that they:-

"will not and cannot make any concessions whatever on the principle of political status for prisoners who claim a political motive for their crimes" (statement of 24/10/80).

In a detailed statement in the House of Commons on 4 December the Secretary of State for Northern Ireland set out the Government's policy on the regime in Northern Ireland prisons in answer to those

who had "expressed concern on humanitarian grounds" about conditions in the Maze prison. The statement said the Government was "committed.... to ensure that, for all prisoners, the regime is as enlightened and humane as possible. The Government remains determined that, subject always to the requirements of security and within the resources available, the progress achieved in recent years in the administration of Northern Ireland prisons should be continued to meet the legitimate needs of all concerned.

The demands of the prisoners for five changes in their prison regime are intended to give the protesting prisoners control over their lives in prison, and could not be agreed to by the Government, since to do so would be to legitimise and encourage terrorist activity".

In a statement in the House of Commons on 5 February, 1981 (the day on which the latest hunger strike was announced) the Secretary of State for Northern Ireland said:-

"The principles by which the Government have stood in the face of the protests at the Maze and Armagh prisons still stand. They will not concede that they should now establish within the normal Northern Ireland prison regime a special set of conditions for particular groups of prisoners. They will not surrender control of what goes on in the prisons to a particular group of prisoners. They will not concede the demand for political status or recognise that murder and violence are less culpable because they are claimed to be committed for political motives".

This policy was reiterated in the House of Commons by the Secretary of State for Northern Ireland on 3 March, 1981. In a BBC interview on 21 April, 1981 the Secretary of State for N.I. said:-

"The five demands amount to political status and we have repeatedly stated that we do not recognise that political motives for a crime entitled people to be treated differently from people who commit crime for other motives".

The British Prime Minister in an interview on 21 April 1981 while on a visit to Saudi Arabia said:-

"We are not prepared to consider special category status for certain groups of people serving sentences for crime. Crime is crime; it is not political".

In a statement, on 23 April, 1981 the Secretary of State for Northern Ireland said:-

"..... the Government is determined to maintain the rule of law in Northern Ireland. It will not be blackmailed or give in to threats from any quarter..... Despite the actions of the four hunger strikers and the other protestors in prison, the Government will not concede political status in name or in fact to any particular group or groups of prisoners. Murder and other serious crimes remain crimes whatever political motive their perpetrators may claim"....

In the House of Commons on 30 April Mrs. Thatcher in a characteristically brief and firm statement said:-

"....there can be no question of granting political status to convicted criminals now or at all".

In correspondence with four leading Irish American politicians and with Cardinal O'Fiach, after the deaths of Bobby Sands and Francis Hughes, Mrs. Thatcher was more revealing:-

"It is the Government's profound hope that there will be no more deaths directly or indirectly due to the present hunger strike. Such deaths can serve no purpose. If political status remains the protestors objective then it can not and will not be conceded. If they have other grounds for complaint against the prison regime then further recourse to the European Commission of Human Rights remains available to them. The Government, has shown that it is prepared to respond to the Commissions findings and to facilitate in any way it can the Commissioner's conduct of its investigations". - Letter to Irish American politicians 14 May, 1981.

"It (the solution) lies with the hunger strikers their families and advisers. More directly it lies with the leaders of the Provisional IRA who have taken a cold-blooded decision that the unfortunate men now fasting in prison are of more use to them dead than alive. This seems to be the most immoral and inflexible decision anyone could take. The Government have repeatedly made clear how much they regret the loss of life through all forms of violence in Northern Ireland. The Government is not the inflexible party in this issue. The Provisional IRA at whose behest the hunger strike is taking place have stated and restated from the beginning that they would call off the strike only if the Government were to concede all five of their demands. What they want is not prison reforms, but a special different status for some prisoners. This the Government cannot concede since it would encourage further blackmail and support for terrorism. We cannot treat persons convicted of criminal offences as prisoners of war, which is what they want". - Letter to Cardinal O'Fiach 15 May, 1981.

Irish Government Policy on the hunger strike

Public Statement

30. In reply to a PQ on 25 November, 1980 about the hunger-strike which ended on 18/19 December, 1980 the Taoiseach said:-

"The Government believe that if some adjustments could be made in the prison rules themselves or in their interpretation of their application a solution would be possible.

"The Government do not believe that political status should be an issue..... an acceptable solution can be brought forward without the sacrifice of any principles which might be regarded as being involved.

".....there is an obligation on authorities everywhere to ensure that within the constraints imposed by security needs prison conditions are as humane and tolerable as it is possible to make them".

In an RTE interview on 12 April, 1981 the Taoiseach said:-

"The solution to the H-Block situation can be found within the prison regulations and within the administration of the prison itself".

"We are ready and willing to take any measures open to us to bring about a resolution of the situation to try and solve the problem on humanitarian grounds".

On 25 April, 1981 following the unsuccessful visit to Long Kesh prison by delegates from the ECHR a statement issued on behalf of the Taoiseach said:-

"The Taoiseach wishes to make it clear that in the light of his concern over the threat of loss of life both inside and outside the prison and following the approach to him by the Sands family he had advised that the best prospect of saving the life of Bobby Sands lay in them submitting a complaint to the European Commission. The advice was given solely on the basis that intervention by the Commission offered the best hope of resolving the situation. The Taoiseach believes efforts must continue as a matter of great urgency to find a solution".

In a statement on 4 May, 1981 the day before the death of the first hunger-striker Bobby Sands, the Taoiseach said:-

"Since the present hunger strike in the Maze Prison began, I have constantly sought by every means open to me to secure a humanitarian solution that would avoid loss of life. I believe that even at this eleventh hour, such a solution can still be found, through a more flexible approach to the administration of the prison. Accordingly,

I have asked the European Commission on Human Rights, a delegation from which recently visited the prison, to consider as a matter of extreme urgency, making a recommendation arising out of that visit which would contribute to such a solution".

On 8 May, 1981 following the death of Bobby Sands the Taoiseach in a speech in the Metropole Hotel said:-

"Since the hunger strike began, I have constantly made known the anxiety of the Government that unless a humanitarian solution were found there would be a real danger of loss of life, both inside and outside the prison. That danger has now become the grim reality.

The death of Bobby Sands has given rise to deep feelings and emotions in every part of this country.

We have seen too many deaths, too much destruction. We must make every effort now to bring this terrible cycle to an end.

From the time the first hunger strike was proposed, I have taken every step open to me that appeared likely to be effective in resolving the situation in the prison. I will continue to seek and to avail of every opportunity to achieve this. There is no human problem which cannot yield to a humanitarian and practical solution. I believe that reasonable people everywhere not alone in these islands but around the world, now wish to see such a solution. It has always been and remains my view that the involvement of the European Commission of Human Rights offers the obvious hope of achieving this.

I appeal again to every section of the Irish people to exercise restraint and responsibility at this time and I condemn any acts of violence or intimidation that have occurred. The Government will fully discharge their duty to safeguard and protect the personal freedom and security of all the people.

The policy of this Government in its efforts to provide a political solution to the Northern Ireland problem is clearly the right one and must be pursued even in the present difficult circumstances until the objective of a peaceful and lasting solution is achieved. We must not be deflected from these efforts to resolve the basic underlying problem. That is the clear message coming through in recent days from around the world. Responsible leaders of opinion everywhere are all urging that such a solution be found. Far from deterring us from our efforts, the tragic events of recent days and the present situation in the Maze must strengthen our resolve to pursue it with even a greater sense of urgency than ever before".