



An Chartlann Náisiúnta National Archives

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H. Nally

CONFIDENTIAL

NO27

PARIS LOYALISTS

Mr Fergusson of the British Embassy called today and left the attached speaking note. He said his authorities were worried that the charges against the three loyalists might not stick and this had prompted a visit to Paris by the Crown Solicitor for Northern Ireland and a Chief Superintendent of the RUC on 16 May. They were keen to provide whatever assistance they could to ensure that the charges would stick and, in case of non-prosecution, to prepare the ground for an extradition request.

Mr Fergusson said his authorities wished us to be aware of the present position and, in particular, of the unlikelihood of any decision by the French for three or four months. He said that he thought the British Embassy had had consular access to Quinn and possibly to all three prisoners. He volunteered that the wording of the speaking note would seem odd in places, notably, the reported comment from the French side that the evidence was not strong, that it was unlikely to be improved upon from UK sources, but that it was thought sufficient to bring those charged to trial and even to obtain a conviction. Mr Fergusson added that his authorities were conscious of the need to be careful of French sensitivities in their approaches on the matter (I forebore from comment on the desirability of universal application of this principle).

Similar information was provided by the British side in the Secretariat.

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Declan O'Donovan
18 May 1989

CC: Attorney General
Mr Nally
Mr Mathews/Mr Brosnan
Mr M. Russell

PSS
Mr Gallagher
A-I Secretariat
Ambassador London

18 MAY 1989

SPEAKING NOTE: ARRESTS IN PARIS

1. Mr Harry Nelson, the Crown Solicitor for Northern Ireland, accompanied by a Chief Superintendent of the RUC, held discussions in the French Ministry of Justice on 16 May with a member of the Cabinet of the French Minister of Justice and a Representative of the French Public Prosecutor. They explained that their primary objective in going to Paris was to see what help could be given from the UK end to the case in France against the three Loyalists recently arrested there. They were also happy to discuss the preparation of a case for extradition, should that appear necessary.
2. The French side said that the evidence against the three, and the American arms dealer accused with them, was not strong, and it was unlikely that it could be improved upon from UK sources. Nonetheless, they thought it sufficient to bring those charged to trial in due course, and even to obtain a conviction. Although it was always possible that the examining Magistrate might decide in the end that charges should not be pressed, it was unlikely now that the four would be released for at least three or four months. If the case went forward to trial, they therefore thought that there was plenty of time for further liaison between the UK and French authorities. As for extradition, that only needed consideration when the French judicial proceedings were nearly exhausted.
3. The Crown Solicitors asked whether it would be useful for a Commission Rogatoire to be provided by the UK authorities, setting out the questions which they believed should be asked of the three British citizens by the investigating team, or ideally by visiting RUC officers. The French side themselves suggested that a meeting direct with the examining Magistrate might be set up, at which these further questions could be looked at in detail. It was only the Magistrate who could decide on the lines of further investigation. When the Crown Solicitor accepted this suggestion in principle, the French side said that it would need to be channelled through the public Prosecutor. The Ministry of Justice would liaise further with the British Embassy in Paris about this. Provided clearance was given, the French side saw no objection to a further visit by, for instance, the Chief Superintendent. They also thought that it would provide a useful framework for further liaison if the UK authorities provided a Commission Rogatoire before such a visit.

BRITISH EMBASSY - DUBLIN