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Seol adreagra chun:-
(Address any reply to:-)

AN RÚNAÍ
(The Secretary)

faoin uimhir seo:-
(quoting:-)



AN ROINN GNÓTHAÍ EACHTRACHA
Department of Foreign Affairs

BAILE ÁTHA CLIATH, 2.
Dublin 2.

27 September, 1988.

S E C R E T

H. E. Gearóid Ó Cléirigh,
Ambassador,
Madrid.

Dear Ambassador,

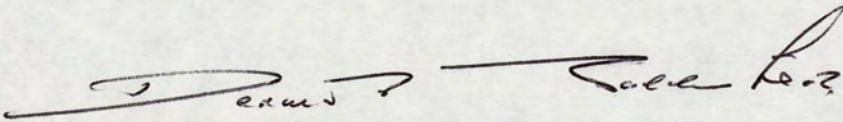
I am enclosing, for background information only, copy of a memorandum from the Attorney-General to the Taoiseach, in which it is proposed that contact be made with the Spanish authorities about Spanish monitoring of the movement of the three Irish people shot dead by the SAS in Gibraltar. The Taoiseach has annotated the memo directing that the Department proceed as suggested by the Attorney.

We would appreciate it if you would arrange an immediate meeting with the Spanish side at the most senior appropriate level. You might say to the Spanish, as background, that they will be aware that we have been following the inquest very closely and that the Government, through their official observer, are kept informed of developments on a daily basis. As a result, we are aware that an important issue which has now arisen is whether the Spanish authorities had detected and monitored the movements of the three persons up to the point where they crossed the border with Gibraltar and, if so, if they kept the British authorities fully informed at all times.

If the answer to the above confirms that monitoring took place and was passed on, you might ask the Spanish side if they intend conveying this, directly or indirectly, to the inquest, given in particular its apparently very considerable significance to the inquest's responsibility to ascertain all the facts of the case. You might in conversation, and without advocating such an approach, make the point that an official statement, setting the record straight, could be issued in a manner which would not have implications for the Spanish position on the status of Gibraltar.

Brendan McMahon, who is travelling with this, will be in a position to respond to any questions which you may have and which are not covered in the above.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Dermot Gallagher', with a long horizontal flourish extending to the right.

Dermot Gallagher,
Assistant Secretary.



OIFIG AN ARD AIGHNE
(Office of the Attorney General)
BAILE ÁTHA CLIATH
(Dublin 2)

26th September, 1988

An Taoiseach,
Mr. Charles J. Haughey T.D.,
Government Buildings.

Re: Gibraltar Inquest

Taoiseach,

One of the key issues in the Gibraltar Inquest concerns the question whether Spanish authorities had detected and monitored the movements of the Gibraltar trio in Spanish territory up to the point where they crossed the Spanish border with Gibraltar and kept the British authorities informed at all times. If it were established that the Spanish authorities had brought the crossing of the border to the knowledge of the Gibraltar police/British intelligence, the credibility of key witnesses would at least be seriously undermined. Such evidence would also undermine the basis on which the operation was mounted since it has been maintained that the trio and their car were not spotted crossing the border into Gibraltar and therefore could not be arrested at that stage.

McGrory has been aware of the possible existence of such evidence for some time but so far has had to rely on newspaper reports and information from journalists. The existence of such evidence was highlighted by The Observer yesterday. On the other hand there were newspaper reports last week

*Secretary F. A.
Please proceed
as requested in
the A. G.
[Signature]*

that a Spanish police officer was willing to attend and give evidence to the effect that the Spanish authorities had not monitored the movements of the trio as they approached the Gibraltar border or its actual crossing and therefore bear out, at least to that extent, the evidence of the Gibraltar witnesses.

It seems clear that if it were established that the Gibraltar police in fact knew and observed the border crossing of the trio that the official line being taken at the Inquest would be seriously if not fatally flawed.

From the beginning the Spanish authorities have been reluctant or unwilling to participate officially in the Inquest because of the fact that it does not give de jure recognition to the status of Gibraltar.

It could be highly advantageous if it were ascertained from the Spanish, through Foreign Affairs or otherwise, what in fact did happen. A Gibraltar police officer has already given evidence that he was in the Emigration Control Office on the Spanish side of the border at the time when the trio went through - but failed to spot them - which is inconceivable if they were being followed by Spanish police at the time. If what actually occurred could be ascertained from the Spanish authority, and depending on the nature of such information, the options would be:

- (a) Try to persuade the Spanish authorities to make witnesses available to the Inquest;

- (b) Persuade them to make a statement from a senior police official available to the Inquest. McGrory is optimistic that if such a statement became available that it would be admitted in evidence by the Coroner. This option has the advantage that an official statement, setting the record straight, could be issued through channels or in a manner which did not compromise Spanish sensitivities on the status of Gibraltar.

Even if it were not possible to pursue either of these two options but we had nonetheless ascertained from the Spanish that the British story on this issue was untrue we would still be in a position to challenge the adequacy of the Inquests proceedings and the validity of any finding in the absence of such evidence, publicly or privately, as the occasion required.

If Foreign Affairs are going to pursue these enquiries with the Spanish authorities it would have to be borne in mind that the Coroner is anxious to conclude the hearing by the end of this week.

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