8 December 2000

Dear Ken,

I understand that you spoke to my Private Secretary on 1 December about what you believed to be an announcement of an amnesty for four PIRA members.

Firstly I should like to reassure you that no such announcement has been made. As you are aware, I did announce on 29 September that, as a logical extension of the early release scheme under the Good Friday Agreement, the Government would no longer seek the extradition of those individuals who had been convicted of terrorist offences but who had escaped before completing their sentence and who in many cases would stand to serve little if any further time in prison if they were to make a successful application to the Sentence Review Commissioners. It is clearly anomalous to continue to pursue the extradition of those who appear to qualify for early release under the Good Friday Agreement and I took the view that it would no longer be in the public interest to pursue such cases.

Following this announcement, the Attorney General wrote to his Irish counterpart to inform him that we wished to withdraw proceedings in eight extradition cases in the Republic of Ireland. Formal notification was also passed to the US Authorities about three cases there. Those cases which are affected by this decision, including those which you mentioned in your telephone conversation, are set out on the attached list.
Officials are currently working up a procedure to ensure that those who wish to return to Northern Ireland can notify their intention and be advised in advance of the arrangements which will apply on their arrival. The practical arrangements will vary from case to case but all returning fugitives will need to have their position regularised immediately on arrival in Northern Ireland. The decision to drop extradition proceedings is entirely separate from the decision which the Sentencing Review Commissioners will have to take if any of these persons returns to Northern Ireland and submits an application under the early release scheme. Their discretion to address applications on their merits and on a case by case basis remains entirely unaffected. The individuals concerned are not being treated more favourably than those who have already benefited from the early release scheme.

You will appreciate that this announcement does not represent an amnesty and does not grant immunity from prosecution for past offences. Any cases involving the extradition of persons wanted for or charged with terrorist-related offences will continue to be treated on a case by case basis.

PETER MANDELSOHN