

CONFIDENTIAL

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**EXTRADITION : JAMES JOSEPH SMYTH**

Points to make:

- I understand that all the legal processes involved in Smyth's extradition have been completed. The US Courts have concluded that imprisonment for a terrorist attempted murder is a proper basis for extradition. The final decision now rests with the Administration (Warren Christopher);
  - In the present circumstances it is important for us to be seen to be working together to uphold the rule of law : we must show confidence in our systems of justice;
  - Grateful for confirmation that we can look forward to Smyth's extradition without further delay;
  - Grateful to have advance warning of the decision so that the necessary travel and custodial formalities can be completed;
  - Aware of domestic political pressure, but hesitation over the extradition would expose the US Government to criticism for being inconsistent on terrorism.
- [If raised : Time in custody in the United States does not count towards a sentence of imprisonment in the UK. In Smyth's interests to return to prison in Northern Ireland.]

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