

PREM 19/1289

Pt. 18.

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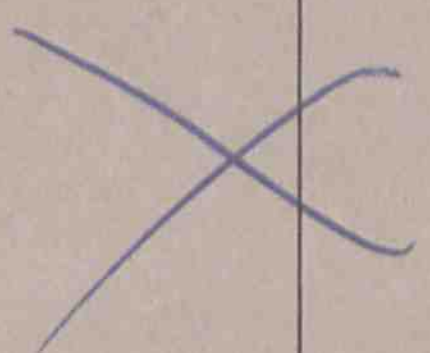
CONFIDENTIAL FILING

THE SITUATION IN NORTHERN IRELAND
FORCE LEVELS.

IRELAND

Pt 1 : MAY 1979

Pt 18 : NOVEMBER 1984

Referred to	Date	Referred to	Date	Referred to	Date	Referred to	Date
6/11/84							
8.11.84							
15.11.84							
21.11.84							
27.11.84							
29.11.84							
4.12.84							
31.12.84							
5.12.84							
18.12.84							
- PART ENDS -							
							

PART 18 ends:-

TF GO FCO 18/12/84

~~DB to J Wallace 19/12/84~~

PART 19 begins:-

FCO to TF 31.12.84.

~~DB to BTA 2.1.85~~

TO BE RETAINED AS TOP ENCLOSURE

Cabinet / Cabinet Committee Documents

Reference	Date
CC(84) 39 th Meeting, item 2	29/11/1984

The documents listed above, which were enclosed on this file, have been removed and destroyed. Such documents are the responsibility of the Cabinet Office. When released they are available in the appropriate CAB (CABINET OFFICE) CLASSES

Signed J. Gray Date 24/9/2013

PREM Records Team

Rev. Ian PAISLEY MP



28/12

ecu

10 DOWNING STREET

From the Private Secretary

18 December 1984

I attach a copy of a letter the Prime Minister has received from the Reverend Ian Paisley MP.

I should be grateful if you could provide a draft reply for the Prime Minister's signature, to reach me by Friday 28 December.

(Timothy Flesher)

Colin Budd Esq
Foreign and Commonwealth Office

ecu

OVO, CP 015
to note

Prime Minister 21
The Irish still

Ref. A084/3396

MR POWELL

(dv)

The talks with
the political parties
not proceeding? no
have unrealistic
expectations.

EDP 23/12.

In PAA's
box

amb
19/12

I enclose a minute to the Prime Minister reporting a meeting on 17 December of the Armstrong-Nally Group.

attached

2. Officials are now in the process of preparing further submissions to Ministers, in the light of the Chequers Summit and its aftermath, your minute of 12 December and this latest meeting of the Armstrong-Nally Group, with a view to enabling the Prime Minister to discuss the whole question further with the Foreign and Commonwealth Secretary and the Secretary of State for Northern Ireland when the Foreign and Commonwealth Secretary gets back from his overseas tour in the middle of January.

3. I am sending copies of this minute and the enclosure to the Private Secretaries to the Foreign and Commonwealth Secretary and the Secretary of State for Northern Ireland.

REA

ROBERT ARMSTRONG

18 December 1984

This whole minute shows
that the Irish want more than
we can give and always will.
I doubt whether we shall find
a way forward no.



Ref. A084/3397

PRIME MINISTER

Anglo-Irish Relations

Mr Nally and Mr Lillis came to London on Monday 17 December for a further round of Armstrong-Nally discussions. They were accompanied by Mr Sean Donlon, Permanent Secretary at the Department of External Affairs, and Mr Noel Dorr, the Irish Ambassador in London. Mr Goodall and I were accompanied by Mr Andrew, Permanent Secretary, Northern Ireland Office, and by Mr Alan Goodison, the British Ambassador in Dublin.

2. I had explained in advance, and I repeated at the outset of the meeting, that I had no fresh instructions from Ministers since the Chequers Summit meeting. In the circumstances the purpose of the present meeting had inevitably to be exploratory and tentative. It had been agreed at Chequers that discussions should continue: the meeting would enable us to take stock of developments since the Chequers Summit and their implications for our discussions, and to consider how best to proceed.

3. On the Irish side, Mr Nally agreed that discussions at this stage would have to be exploratory and tentative.

4. All of the Irish participants emphasised the profound personal and political setback to the Taoiseach and his policies as a result of the aftermath of the Chequers Summit. The Summit itself had gone well, and, if it had stopped at the communique, there would have been no problem. The problem was what the Irish press had made of your press conference, and the reaction to the subsequent press conference by the Secretary of State for Northern Ireland. They fixed on two particular consequences of these events:



- (a) What had happened had killed any prospect of bipartisanship in Ireland on the issue of Northern Ireland. Until then the Taoiseach had hoped that the Opposition would at least lie low. The attacks which Mr Haughey had made on him, and the attacks which he had been obliged to make on Mr Haughey in reply, had ensured that bipartisanship on this issue was dead.
- (b) The effect of the aftermath of the Chequers Summit, and particularly of the Secretary of State for Northern Ireland's statement that there could be no executive role for the Irish Government in Northern Ireland, had been to highlight the inadequacy, in Irish eyes, of arrangements which gave the Irish Government a purely consultative role in the affairs of Northern Ireland. Thus public attention had been drawn to the most sensitive and difficult issue arising from the previous discussions, and that would inevitably affect their approach to the issue in future.

5. So there was no disposition to conceal the fact that the aftermath of the Chequers Summit had made more difficult the discussions to the continuance of which the Summit had agreed. But Mr Nally said, making it clear that he was speaking on the Taoiseach's instructions, that the Taoiseach was still committed to a broad and balanced set of measures which would include amendment of Articles 2 and 3 of the Irish Constitution. He thought that such an amendment was necessary to give much-needed durability (he even used the word "finality") to whatever emerged from the discussions. He and his colleagues made it clear that the Taoiseach had by no means given up hope of winning a referendum on this matter, if the balance in the rest of the measures was right.

6. Mr Andrew, developing the ideas put forward by the Secretary of State for Northern Ireland at Chequers for a Joint



Security Commission which would cover security in the widest sense and also legal matters, such as mixed courts and harmonisation of the criminal law, suggested that, if those matters were covered by a joint body of some kind, it was difficult to see what else there could be which could be the subject of separate consultative arrangements. The Irish side said that a joint body concentrated primarily on security matters would create an impossible situation for the Taoiseach: it would be very difficult for him to agree to such a proposal. He would be accused of putting the Irish Government in to "do the dirty work" for the British on security matters, without any corresponding balance of advantage for the nationalists. A Joint Security Commission would need to be balanced by some kind of joint arrangement in the "political" field.

7. We spent a certain amount of time discussing the possible nature of a relationship with the Irish Government on political matters. The Irish side suggested that our concept of "joint sovereignty" or "joint authority" was too pure: we appeared to be asserting that anything which implied a requirement to agree something with the Irish Government was a derogation from or a dilution of sovereignty. They hinted that Her Majesty's Government's policies on Gibraltar and Hong Kong suggested a more flexible attitude to sovereignty than that. They argued that it should be possible to find ways in which the British Government retained unquestioned sovereignty and authority in Northern Ireland while still giving the Irish Government a degree of effective say in some at least of the decisions that were reached.

8. At one moment it was suggested that it might be possible to make some decisions - for instance about appointments to particularly sensitive bodies - subject to agreement between the two Governments, while other decisions were simply left as matters for consultation. On reflection the Irish side came away from that idea. I reminded the Irish side that you had



said at Chequers that the facts of life were such that, if the Irish Government was given a right of consultation, that consultation would inevitably be genuine: we should not just be able to sweep the Irish point of view on one side, even if we wanted to. They accepted that, but argued that the problem was to find some way of demonstrating it. We were left with the rather vague idea that it should be possible to find some sort of institution or process, which would safeguard ultimate British sovereignty but would ensure that the Irish Government was, and was seen to be, fully and effectively consulted.

9. I emphasised again that I had no instructions or mandate from Ministers on this matter. It did not seem to me that Ministers would be able to accept something which gave the Irish Government an absolute right of veto where the right of consultation was conceded. This was not so much a matter of philosophy as of acceptability: the unionists would be quick to represent any such concession of a right of veto as "letting the Irish Government in by the back door". I suggested and they agreed that we were most likely to make progress if we got away from generalities and thought in specific and detailed terms of processes. I said that we were not ready to embark on that course, and I should have to seek fresh instructions from Ministers before we could do so.

10. Looking forward to the future, I said that I thought that both sides had always recognised that the discussions would become more complicated and more difficult, the further down the road we got. Our discussions had sprung from a sense shared by you and the Taoiseach that it was not possible to go on doing nothing. If something on the lines suggested by the Secretary of State for Northern Ireland did not meet the Irish requirement, then Ministers faced an unpalatable choice: was it better to look for something "deeper" on the lines of the set of measures which we had been discussing before the Chequers Summit, or was it better to do nothing? It might be that



✓ Ministers would decide to do nothing, because it proved to be less difficult than doing something. I thought that it still remained your view that it was difficult to go on doing nothing. The Irish side stressed with considerable emphasis that the Taoiseach regarded doing nothing as very dangerous indeed: in the wake of the aftermath of the Chequers Summit and the "triumphalist" reaction of the unionists, the mood among nationalists in Northern Ireland and in the Republic had deteriorated, and, if nothing was done, the situation would become increasingly favourable to "the men of violence" in Northern Ireland, and in the Republic of Ireland as well. I suggested that the problem was to find some set of measures which the unionists would not regard as threatening but which would represent to the nationalists a real assurance that they could have confidence in the institutions and process of government in Northern Ireland as taking due account of their identity and interests.

11. We recalled that the Chequers communique committed you and the Taoiseach to another Summit in the early months of 1985. I suggested that we could probably not have another Summit simply "to report progress". If you and the Taoiseach were to meet again in this sort of timescale, it must be with an assurance of a positive outcome. It would be better to postpone the Summit until after the May elections in Northern Ireland, rather than have another Summit with an inconclusive or (still worse) negative outcome. The Irish side reluctantly accepted the logic of that view: what the Taoiseach wants and needs is an early and (in his terms) successful Summit.

12. I said that on the British side we should need to seek further instructions from Ministers before taking discussions to the next stage. We should now do this, in the hope of being able to have a further meeting of the Armstrong-Nally Group towards the end of January: we could not move faster than that, because you were now going to Peking and early in the New Year



the Foreign and Commonwealth Secretary would be out of the country until 14 January. We should collect our thoughts, reflecting on the Chequers Summit and its aftermath and on the discussions at this meeting, and seek instructions from Ministers on the basis of which we would hope to have a further discussion in the Armstrong-Nally Group in five or six weeks' time.

13. The Irish side were content with this. They emphasised that they would like to consider what the arrangements would be both if agreement was reached on a measure of devolved government in Northern Ireland and if there was no such agreement and no devolution.

14. I am sending copies of this minute to the Foreign and Commonwealth Secretary and the Secretary of State for Northern Ireland.

A handwritten signature in dark ink, appearing to read 'R.A.' with a stylized flourish.

ROBERT ARMSTRONG

18 December 1984



HOUSE OF COMMONS
LONDON SW1A 0AA

256 Ravenhill Road,
BELFAST BT6 8GJ.

R18

Asked 18/12

14th December, 1984.

CCMAV

Rt. Hon. Mrs. M. Thatcher, MP.,
Prime Minister,
10 Downing Street,
LONDON SW1.

Dear Prime Minister,

The finding by an American Court that the IRA being a military organisation and waging war against Britain must be recognised as such and its members on political grounds cannot therefore be extradited, raises serious questions of the United States sincerity in her fight against terrorism.

The United States already refuses to supply arms to the R.U.C., the legal police force of one of her closest allies, and now by their court's decision gives important and far reaching authority to the IRA terrorists.

I ask you at your coming meeting with the President to raise these matters for immediate action.

Sincerely,
Ian Paisley

IAN R.K. PAISLEY.



file to

10 DOWNING STREET

From the Principal Private Secretary

14 December 1984

Thank you for your letter of 13 December about Kilroot power station. The Prime Minister has seen and noted its contents.

No doubt you will also keep the Secretary of State for Energy in touch with this.

RSB

Graham Sandiford, Esq.,
Northern Ireland Office.

CONFIDENTIAL

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CONFIDENTIAL
From: THE PRIVATE SECRETARY

Prime Minister *c. Mr. Ingham 2*



NORTHERN IRELAND OFFICE
WHITEHALL
LONDON SW1A 2AZ

Robin Butler Esq
10 Downing Street
LONDON
SW1

13 December 1984

mt

Dear Robin,

Today's Guardian carries a report which suggests that the Government is about to authorise the conversion of Kilroot power station in Northern Ireland from oil firing to coal firing. The Secretary of State has asked me to write to you to let the Prime Minister know that no such decision has yet been taken. There are strong economic reasons for converting Kilroot to a less expensive fuel than oil, but Mr Hurd wishes to discuss the matter more fully (including the political issues arising from the current miners' strike) before taking any firm decisions; once he has finished his consultations with colleagues he plans to minute the Prime Minister.

Yours sincerely,

Graham Sandiford

G K SANDIFORD

CONFIDENTIAL



JRR APJ.
be PC. 20

10 DOWNING STREET

From the Private Secretary

SIR ROBERT ARMSTRONG

ANGLO/IRISH RELATIONS: NORTHERN IRELAND

We shall need a meeting early in the New Year to set guidelines for further discussions with the Irish Government in advance of the next Anglo/Irish Summit. We shall try to arrange this for mid-January.

The Prime Minister would welcome, in advance of the meeting, a short paper on the way forward. This might examine, in particular, three main issues:

(a) the scope for a more limited bargain than that envisaged in the original Armstrong/Nally talks and discussed at the Summit. This might centre on the Joint Security Commission idea, though given the strong Irish resistance to singling out security alone, it might explore the scope for widening the range of issues which could legitimately be raised in such a Joint Commission. On the Irish side, we would not press for a referendum on amending the constitution, but would look to greater practical cooperation from them in security matters;

(b) in conjunction with (a) above, the possibilities for establishing a political framework in Northern Ireland acceptable to both communities and make it easier for the Irish Government to accept the limited bargain;

(c) as a fallback, ways in which the current initiative could be terminated at the Summit with the minimum possible damage to Anglo/Irish relations.

I should be grateful if a short paper covering these points, though not necessarily limited to them, could be prepared.

I am copying this minute to Mr. Appleyard (FCO) and Mr. Sandiford (Northern Ireland Office).

(C.D. POWELL)
12 December 1984

Tng.



10 DOWNING STREET

Prime Minister

I should like to
be sure that I have
interpreted your views
right.

Agree proposed
minute to Sir R.

Answering?

Y
W
M
CDP
11/12

19

PRIME MINISTER

ANGLO/IRISH RELATIONS : NORTHERN IRELAND

You have a commitment to a further Anglo/Irish summit early in the New Year. The Irish will want it to be well before the local elections in Northern Ireland in May. This points to a date in March or April.

It will be necessary to ensure that both sides go into the Summit with compatible expectations next time. This means very thorough preparation. One suggestion you might consider is to have a meeting at Ministerial level with the Irish before the Summit, as well as continuing the Armstrong/Nally talks. This would ensure that there was no misunderstanding or exaggerated expectations at the political level.

You will need an internal meeting soon after the New Year to set some guidelines for further discussions with the Irish. It would be helpful to have a short paper for such a meeting. This might examine two main issues:

(a) the scope for a more limited bargain than that envisaged in the original Armstrong/Nally talks and discussed at the Summit. This might centre on the Joint Security Commission idea, though given the strong Irish resistance to singling out security alone, it might explore the scope for widening the range of issues which could legitimately be raised in such a Joint Commission. On the Irish side, we would not press for a referendum on amending the constitution, but would look to greater practical cooperation from them in security matters.

(b) as a fallback, ways in which the current initiative could be terminated at the Summit with the minimum possible damage to Anglo/Irish relations.

Agree to commission a paper on the lines suggested above and hold an internal meeting in mid-January?

CDP

10 December 1984

I think we need to consider a political framework. The Irish will not accept the above alone

IMMEDIATE

NORTHERN IRELAND

PS
 PS/LADY YOUNG
 PS/PUS
 MR GOODALL

PS/ S of S
 PS/MR R ANDREW, OAB 1/56
 MR BRENNAN
 MR BURNS
 MR J LYON

NIO

HD/RID

Dep. HD/PUSD (2)

HD/INFO DEPT

HD/NEWS DEPT

SIR R ARMSTRONG
 DIO

CABINET OFFICE

PS/ NO 10 DOWNING STREET (3)

~~RESIDENT CLERK~~

CONFIDENTIAL

DESKBY 051200Z

FM DUBLIN 051030Z DEC 84

TO IMMEDIATE FCO

TELEGRAM NUMBER 727 OF 5 DECEMBER

INFO IMMEDIATE NIO(B) WASHINGTON BIS NEW YORK BONN PARIS

INFO SAVING UKREP BRUSSELS

ANGLO-IRISH RELATIONS

1. THE SUBSTANCE AND STYLE OF THE PRIME MINISTER'S REMARKS ON ANGLO/IRISH RELATIONS AT HER PRESS CONFERENCE IN DUBLIN CASTLE YESTERDAY HAVE BEEN GENERALLY WELL RECEIVED BY THE IRISH MEDIA, ALTHOUGH THEY WOULD HAVE DEARLY LOVED MORE CONTROVERSY. HER STATEMENT HAS UNDOUBTEDLY RELIEVED THE PRESSURE, FOR THE TIME BEING AT LEAST, ON DR FITZGERALD, WHOSE HANDLING OF THE EUROPEAN COUNCIL IS BEING INTERPRETED AS A PERSONAL SUCCESS. THE IMMEDIATE OFFICIAL REACTION (FROM LILLIS) WAS ONE OF MUCH APPRECIATION THAT MRS THATCHER HAD TAKEN SUCH CARE WITH THE MEDIA.
2. TODAY'S PAPERS ARE PREDICTABLY DOMINATED BY THE ANGLO-IRISH BILATERAL IN THE MARGINS OF THE COUNCIL. HEADLINES ARE: "SUMMIT TRIUMPH: FITZGERALD WINS EURO AND ANGLO-IRISH ACCORD" (INDEPENDENT), "WHERE WE WENT WRONG - TAOISEACH"(PRESS), "BRITISH PM HAS 'GOOD NEWS' "(TIMES).
3. INSIDE PAGES ALSO DEVOTE MUCH SPACE TO THE PRESS CONFERENCES GIVEN BY THE TWO PRIME MINISTERS. MR HURDS SPEECH TO THE ASSEMBLY IS ALSO REPORTED, AS IS MR BARRY'S SRELATIVELY BALANCED SPEECH TO THE DAIL ON THE CURRENT SUPERGRASS DEBATE.
4. THE IRISH PRESS DEVOTES A LENGTHY AND SLIGHTLY SCEPTICAL EDITORIAL ("FRIENDS AGAIN ...?) TO THE PRESS CONFERENCES AND TO MR HURD'S SPEECH. THE INDEPENDENT IS MORE GENEROUS, COMMENTING THAT "YESTERDAY ... MRS THATCHER WENT OUT OF HER WAY TO PUBLICLY MEND (SIC) THE FENCES PEOPLE BELIEVED HAD BEEN TRAMPLED DOWN DURING THE CHEQUERS MEETING".
5. FCO PLEASE PASS IMMEDIATE TO NO 10 (INGHAM) AND TO NIO (L) (LYON)

GOODISON

NNNN

CONFIDENTIAL



File

SA

10 DOWNING STREET

From the Private Secretary

3 December 1984

Anglo-Irish Relations

Thank you for your letter of 29 November enclosing a record of a meeting between the Northern Ireland Secretary and Dr Paisley.

The Prime Minister has noted this.

I am copying this letter to Len Appleyard (Foreign and Commonwealth Office) and Richard Hatfield (Cabinet Office).

C D Powell

Graham Sandiford Esq
Northern Ireland Office

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RESTRICTED

PRIME MINISTER

ANGLO-IRISH RELATIONS: NORTHERN IRELAND

Mr David Crouch telephoned me this morning about his recent visit to Dublin with a delegation of Members of Parliament under the auspices of the IPU. Although he had hoped to be able to see you, he accepted that this would be difficult before the Dublin European Council and therefore asked me to pass you the following message. He and his delegation have seen a large number of leading politicians in the Republic including the Taoiseach and Mr Haughey. The general feeling had been one of frustration and despair. It seemed to them that the New Ireland Forum Report had been brushed aside, the Unionists in the North given an absolute veto over any progress, and the phenomenon of "alienation" dismissed. Mr Crouch emphasised that he and other members of his delegation of all Parties had loyally spoken up for the Government's position. However, he spoke for the delegation as a whole in saying that "some sort of public manifestation of friendship" was required during your visit to Dublin for the European Council. Although he was initially inclined to argue that this should be in the form of a statement dealing both with the Forum Report and with "alienation", when it came down to it, all he really thought necessary was a smile and a warm handshake with Dr FitzGerald in front of the television cameras.

I promised to pass on his message to you. I explained to him that it seemed to us that the Irish had dug a hole for themselves by building up quite unrealistic expectations before the Summit; and that despite all their protestations they were still trying to get joint authority in one form or another. I also told him of your complimentary remarks about Dr FitzGerald in your speech at Avignon.

CDP

C D POWELL

1 DECEMBER 1984

RESTRICTED

NORTHERN IRELAND

PS
PS/LADY YOUNG
PS/PUS
MR GOODALL

PS/ S of S
PS/MR R ANDREW, OAB 1/56
MR BRENNAN
MR BURNS
MR J LYON

NIO

HD/RID
Dep. HD/PUSD (2)
HD/INFO DEPT
HD/NEWS DEPT

SIR R ARMSTRONG
DIO
PS/ NO 10 DOWNING STREET (3)

CABINET OFFICE

RESIDENT CLERK

14.11.84

*Anglo Irish
Relations*

IMMEDIATE

ADVANCE COPY

GRS 1140

UNCLASSIFIED

DESKBY FCO 010900Z DEC 84

FM DUBLIN 301955Z NOV 84

TO IMMEDIATE FCO

TELEGRAM NUMBER 714 OF 30 NOV 84

*2258
A move in
the wrong direction
— GBJ*

FOR RESIDENT CLERK

SINCE THE PRIME MINISTER AND FOREIGN AND COMMONWEALTH SECRETARY WILL BE IN DUBLIN ON MONDAY FOR THE EUROPEAN COUNCIL, WE ARE TRANSMITTING THE FOLLOWING ADVANCE TEXT OF A SPEECH TO BE DELIVERED THIS EVENING BY THE IRISH FOREIGN MINISTER, MR PETER BARRY. ITS THEME IS ALIENATION.

2. TEXT BEGINS:

"A WEEK AGO I ASKED THE IRISH PEOPLE TO REFLECT CAREFULLY ON THE RESULTS OF THE RECENT ANGLO-IRISH SUMMIT AND NOT TO SURRENDER TO THE WELTER OF NEGATIVISM THAT FOR SEVERAL DAYS SEEMED TO DROWN OUT THE REAL PROGRESS WHICH THE BRITISH AND THE IRISH GOVERNMENTS HAVE MADE TOGETHER AT THEIR MEETING. IT IS HEARTENING TO BE ABLE TO SAY THAT THE PEOPLE DID HOLD THEIR NERVE, THEY DID SEE THAT, BEHIND THE UNFORTUNATE PUBLIC STATEMENTS OF MR HURD, THERE WAS MOVEMENT ON THE BRITISH SIDE SEMI- COLON CLEARLY NOT ENOUGH, BUT NONETHELESS REAL AND UNPRECEDENTED MOVEMENT. NO SINGLE GROUP IN THIS ISLAND WAS PLACED UNDER AS MUCH PRESSURE BY THE EVENTS OF LAST WEEK AS THE NORTHERN NATIONALISTS. WITH FEW EXCEPTIONS, THEY MAINTAINED A COURAGEOUS EQUANIMITY WHICH PUT MANY IN THE SOUTH TO SHAME. THE NATIONALISTS OF THE NORTH ARE AFTER ALL THE PRINCIPAL AND CONTINUING VICTIMS OF THE WHOLE TRAGEDY. YET THEY HELD THEIR NERVE DESPITE MRS THATCHER'S AND MR HURD'S DISMISSAL OF THE REALITY OF THEIR OWN LIVING EXPERIENCE. AND THEY CONTINUED TO HOLD THEIR NERVE IN THE FACE OF THE UGLY TRIUMPHALISM AND BIGOTRY OF ALL THE POLITICAL LEADERS OF THE UNIONIST TRADITION EXCEPT FOR A FEW HONOURABLE EXCEPTIONS. AND THEY WERE NOT UNNERVED, PERHAPS ALAS THEY WERE NOT SURPRISED, AT THE HEARTLESS FAILURE OF LONDON HITHERTO TO RESPOND PUBLICLY AND DIRECTLY TO THIS REVIVAL OF LOYALIST RACIST POSTURING, RECENTLY REINFORCED BY A REVIVAL OF LOYALIST SECTARIAN ASSASSINATION. OVER 400 INNOCENT CATHOLICS HAVE BEEN KILLED SINCE THE EARLY SEVENTIES FOR NO OTHER REASON THAN THAT THEY WERE CATHOLICS SEMI-COLON THE RECENT RESUMPTION OF THIS CAMPAIGN IS THE MOST HORRIFYING DEVELOPMENT IN NORTHERN IRELAND IN MANY MONTHS. ORDINARY INNOCENT PEOPLE YET AGAIN LIVE IN FEAR OF SECTARIAN ATTACKS ON THEIR FAMILIES AND ON THEIR HOMES. NOR DID THE NORTHERN NATIONALISTS...

SECTARIAN ATTACKS ON THEIR FAMILIES AND ON THEIR HOMES. NOR DID THE NORTHERN NATIONALISTS ALLOW THEMSELVES TO BE PROVOKED BY THE USUAL BRIEFING BY THE USUAL "SENIOR SOURCES" THAT THE RUC HAD NOT NOTICED ANY APPRECIABLE RISE IN ALIENATION AMONG NATIONALISTS. MOST IMPRESSIVELY OF ALL, IN MY VIEW, THEY HELD STEADY IN SPITE OF THE NATIVE HYSTERIA OF SOME AND THE IRRESPONSIBLE MANIPULATIVE OPPORTUNISM OF OTHERS HERE IN THE SOUTH.

IT IS TO THIS FINE PEOPLE THAT I WOULD LIKE TO ADDRESS A FEW WORDS ON BEHALF OF ALL OF US THIS EVENING.

IT IS FIRST AND FOREMOST TO THE NORTHERN NATIONALISTS THAT THE IRISH GOVERNMENT MUST BE AND ARE MOST STRONGLY AND IMMEDIATELY COMMITTED. OUR COMMITMENT IS, AS I HAVE REPEATEDLY SAID, TO END THEIR NIGHTMARE AND TO END IT FORTHWITH.

TO END ALIENATION.

LIKE MILLIONS OF OTHERS IN IRELAND, IN BRITAIN AND AROUND THE WORLD, THEY MUST BE PUZZLED AT THE RESISTANCE OF BRITISH MINISTERS TO THIS WORD "ALIENATION". WE ARE TOLD THAT IT HAS SOMETHING TO DO WITH THE BELIEF THAT THE WORD IS A TERM OF THE MARXIST VOCABULARY. THE REALITY IT DESCRIBES IN THE IRISH EXPERIENCE PRE-DATE

S
MARX BY MANY HUNDREDS OF YEARS. THE ALIENATION OF NATIONALISTS TODAY IS THE ALIENATION WHICH EXISTED THROUGHOUT IRELAND A CENTURY AGO OR INDEED THREE OR SIX CENTURIES AGO. FUNDAMENTALLY IT IS THE ALIENATION EXPERIENCED BY MY OWN FATHER AND BY HIS FATHER. THE DIFFERENCE IS THAT TODAY IT IS CONFINED CLAUSTROPHOBICALLY AND INTENSIVELY TO ONE CORNER OF IRELAND AND CONFRONTED, NOT ALONE BY THE PERENNIAL DISTASTE AND CONFUSION OF LONDON, BUT BY THE SEEMINGLY IRRECONCILABLE MORAL REALITY OF ONE MILLION UNIONISTS.

WE IN IRELAND ARE ACCUSED OF CREATING ALIENATION BY SUGGESTING TO NORTHERN IRELAND THAT THEY ARE ALIENATED AS IF THEY HAD NO IDEA THAT THEY WERE. I THINK THAT ONE MUST SAY TO OUR FRIENDS IN LONDON THAT THE SUREST WAY OF REINFORCING THE FEELING OF ALIENATION IS FOR BRITISH MINISTERS TO ATTEMPT TO PERSUADE THE NORTHERN NATIONALISTS THAT THEY ARE NOT ALIENATED.

WHAT IT COMES DOWN TO NOW IS THAT, EVERY TIME A BRITISH MINISTER, HOWEVER WELL-INTENTIONED, SAYS "YOU ARE NOT ALIENATED" TO THE NATIONALISTS, THE IMPACT IS VERY SIMPLY THE SAME AS SAYING "YOU ARE NOT IRISH".

THE SITUATION ON THE GROUND FOR NATIONALISTS—THEIR EVERYDAY EXPERIENCE—IS THAT THE STATE IN NORTHERN IRELAND IS IN ALL ITS MANIFESTATIONS BRITISH AND IN MOST WAYS UNIONIST AND THUS, AS AT PRESENT STRUCTURED, FUNDAMENTALLY UNSYMPATHETIC TO IRISH NATIONALIST ASPIRATIONS AND THE IRISH NATIONALIST IDENTITY. AS THINGS STAND IT IS POINTLESS TO PRETEND OTHERWISE. IT IS AS POINTLESS FOR BRITISH MINISTERS TODAY AS IT WAS FOR THEIR PREDECESSOR

S
IN THE 15TH, 16TH, 17TH, 18TH AND 19TH CENTURIES—AND THEY TRIED HARD AND DISASTROUSLY IN EACH CENTURY—TO PERFORM SOME SORT OF TRIBAL LOBOTOMY ON A WHOLE PEOPLE BY TELLING THEM THAT THEY WERE NOT ALIENATED, THEREFORE NOT IRISH, AND THAT THEY SHOULD NOT MAKE THEMSELVES MISERABLE BY LISTENING TO PETER BARRY TO TELL THE NATIONALISTS OF NORTHERN IRELAND WHO AND WHAT THEY ARE OR WHETHER OR NOT THEY ARE MADE TO FEEL AT HOME IN NORTHERN IRELAND.

IT IS A CURIOUS FACT THAT THE DISLIKE OF MARXISM, WHICH I STRONGLY SHARE, DOES NOT INHIBIT OUR BRITISH FRIENDS FROM WARNING US THAT WE IN OUR TURN MUST BEWARE OF "ALIENATING" THE UNIONIST PEOPLE. WE AGREE WITH THEIR WARNING AND WE ACCEPT THEIR TERMINOLOGY. IN FACT WE HAVE ENSHRINED THAT VERY CONVICTION AS A PRINCIPLE IN THE FORUM REPORT. WE HAVE BEEN ABLE TO DO THIS BECAUSE THE FORUM FACED UP

WE HAVE ENSHRINED THAT VERY CONVICTION AS A PRINCIPLE IN THE FORUM REPORT. WE HAVE BEEN ABLE TO DO THIS BECAUSE THE FORUM FACED UP TO THE MORAL REALITY OF ONE MILLION UNIONISTS IN NORTHERN IRELAND. WE RECOGNISED THEIR BRITISHNESS AND THEIR SENSE OF A SEPARATE AND THREATENED ETHOS AND WE ACKNOWLEDGED THEIR RIGHT TO STRUCTURES WHICH WOULD ACCOMMODATE THEIR IDENTITY AND THAT RIGHT IN AN EQUAL FOOTING.

THE REALITY HITHERO HAS BEEN THAT THE IDENTITY AND THE RIGHTS OF NATIONALISTS HAVE SIMPLY NOT BEEN ACKNOWLEDGED, FAR LESS ACCOMMODATED

THE CHEQUERS COMMUNIQUE TOOK A VERY IMPORTANT POSITIVE STEP IN ACKNOWLEDGING AS A SHARED COMMITMENT THE CONVICTION OF BOTH GOVERNMENTS THAT THAT THE IDENTITY AND THE RIGHTS OF BOTH TRADITIONS SHOULD BE RECOGNISED AND REFLECTED IN THE PROCESS OF GOVERNMENT.

IT IS BECAUSE THE NORTHERN NATIONALISTS HAVE DAY IN DAY OUT LIVED WITH, AND BECAUSE THEY CONTINUE TO LIVE WITH, THE DENIAL OF THEIR OWN IDENTITY AND THE DENIAL OF THEIR RIGHTS, THAT THEY HAVE IN THE LIGHT OF THE CHEQUERS COMMUNIQUE FOR THE MOST PART REACTED WITHOUT DISMAY OR HYSTERIA OR PUBLIC BITTERNESS TO RECENT EVENTS. THEY HAVE NOT BEEN DEFLECTED BY UNSETTLING PUBLIC STATEMENTS FROM BRITISH MINISTERS, BY THE UGLY BUT I THINK FOOLISH TRIUMPHALISM OF UNIONISTS NOR BY THE UNEDIFYING EXPLOITATION OF THE SITUATION BY SOME POLITICIANS IN DUBLIN. THEY FEEL THAT NO OPPORTUNITY SHOULD BE NEGLECTED, LET ALONE DELIBERATELY UNDERMINED, WHEREBY THEIR RIGHTS AND THEIR IDENTITY MIGHT BE FULLY ACCEPTED AND ADEQUATELY ACCOMMODATED.

FOR MY PART AND ON BEHALF OF THE GOVERNMENT I SAY TO THOSE LONG-SUFFERING PEOPLE: NOTHING, NO POLITICAL RISK NO DEGREE OF UNPOPULARITY, NO INTERNATIONAL OR INTERNAL INTEREST, WILL PREVENT US FROM SEEKING TO DELIVER OUR SOLEMN COMMITMENT TO YOU. YOUR CALM STEADY, CLEAR-SIGHTED AND PLUCKY REACTION TO THE TURMOIL OF THE LAST WEEK GIVES US IN THE SOUTH ADDED COURAGE AND RENEWED COMMITMENT.

THE TIME HAS COME FOR ALL OF US IN THE SOUTH TO STAND SOLIDLY WITH THE NATIONALIST PEOPLE OF THE NORTH AND RECALL THE POET'S ADMONITION FROM MUCH DARKER DAYS:

"MUSCAIL DO MHSNEACH, A BHANBA."
(TAKE COURAGE, IRELAND)

GOODISON

NNNN

SENT 302240Z NOV 84CAG/07

CONFIDENTIAL
From: THE PRIVATE SECRETARY



NORTHERN IRELAND OFFICE
WHITEHALL
LONDON SW1A 2AZ

Charles Powell Esq
10 Downing Street
LONDON
SW1

29th November 1984

Prime Minister (2)

Dear Charles,

ANGLO-IRISH RELATIONS

....

The Secretary of State suggests that the Prime Minister might like to see the attached note of a meeting he had with Dr Paisley and Mr Peter Robinson on 28 November. The discussion revealed a certain amount about current political attitudes within Northern Ireland.

The Secretary of State also met recently the Lord Chief Justice of Northern Ireland. The LCJ volunteered that he would be wholly opposed to any suggestions for mixed courts involving judges from the North and South of Ireland sitting together. This was on two counts. First, the LCJ was opposed in any case to increasing the number of judges in the jury-less Diplock Courts from one to three. Secondly, he thought that the involvement of judges from the Republic would be bound to introduce an undesirable political element into the judicial process.

Copies of this letter and enclosure go for information to Len Appleyard (FCO) and Richard Hatfield (Cabinet Office).

Yours sincerely,

Graham Sandiford

G K SANDIFORD

ssd

CONFIDENTIAL

NOTE OF A MEETING WITH DR PAISLEY AND MR ROBINSON ON 28 NOVEMBER 1984

Present: Secretary of State
Dr Ian Paisley MP
Mr Peter Robinson MP
Mr Andrew
Mr Sandiford

The Secretary of State said that it was clear, in the wake of the Anglo-Irish Summit, both that the constitutional guarantee remained and that none of the three main proposals in the Forum Report were acceptable to HMG. Since the line had been so clearly drawn, he thought that Unionists should feel free to make constructive political progress. He was rather dismayed by the triumphalism of Unionist reactions so far. He regretted the tone of Dr Paisley's attack on Bishop Cahal Daly as the "black Pope of the republican movement". He did not agree with all that Bishop Daly himself had said, but felt that the intemperate tone of Dr Paisley's attack sat oddly with his professed readiness to have constructive discussion with other party leaders.

2. Dr Paisley said that Bishop Daly's recent statements were deeply offensive. For example, the Bishop had said that the British handling of the Summit had played into the hands of the IRA, and that Roman Catholics had no rights or justice in Northern Ireland. The Bishop had also asserted that the British had no more right to a presence in Northern Ireland than the Government of the Republic. This went to the very quick of the issue, and Dr Paisley thought it right to reject robustly any such expression of view.

3. As to talks with other party leaders, Dr Paisley said that he had urged Mr Hume during the summer to start talking with other political leaders in Northern Ireland. Mr Hume had said that he must wait for the results of the Summit. After the Summit, Dr Paisley had not made any triumphalist statements. He had had a long conversation with Mr Hume on 23 November. He had told Mr Hume that, despite his commitment to the Assembly, he was ready to discuss with Mr Hume outside the Assembly how a way forward might be found. Mr Hume had

agreed to this, but had said that he must first discuss matters with the Irish Government and get through his Party Conference. Dr Paisley had warned Mr Hume that statements by Mr Mallon (the SDLP deputy leader) that Dublin must have a pivotal role were bound - if persisted with - to impede Unionist co-operation. Dr Paisley accepted that a settlement in Northern Ireland was bound to have to take into account the position of the Irish Government, but to ascribe to that Government a pivotal role was too much.

4. Dr Paisley said that he and his party colleagues did, however, propose to seek bi-lateral talks with each of the other main parties in Northern Ireland, including the SDLP. He would wish Mr Hume to be accompanied by other SDLP leaders, since Dr Paisley was not confident of Mr Hume's ability to deliver his own party. Dr Paisley thought that it would be necessary to let it be known in Northern Ireland that such discussions were taking place on an exploratory basis, without issuing statements about the substance of the discussions.

5. Mr Robinson commented that the recent statement by the devolution committee of the Assembly had sought to be conciliatory. The Committee had invited Bishop Daly to come and explain his views on alienation. They had also written again to Mr Hume, asking him to meet the committee even though he was not a participant in the Assembly. Moreover, members of each party represented in the committee had agreed individually to seek separate meetings with the SDLP. Mr Robinson added that these were, however, difficult days for the SDLP. There were rumours of moves within the SDLP to resign their Assembly seats (which they had never taken) en bloc.

6. The Secretary of State commented that the moves reported by Dr Paisley and Mr Robinson sounded very reasonable. He wondered, however, what substantive ground it was hoped to cover in talks.

7. Dr Paisley said that Mr Hume was still in a difficult mood. Dr Paisley had urged him to agree to start by exploring areas of

common ground, such as the economy. If there were not sufficient goodwill to make progress on bread and butter issues, there would be no hope at all of making progress on the larger issues, with their history of deep political enmity. Mr Robinson said that he would prefer to explore immediately whether the SDLP were yet ready to face the basic issues. Any talks would be exploratory, and he did not yet see how it would be possible to move from such talks to established negotiating positions.

8. The Secretary of State made three points. First, while he could see the case for discussing other matters than the constitutional issue, he hoped that the big questions would not be deferred too long. Secondly, while he did not currently propose to summon any meeting of the parties, or to table any plan of his own, he would be very ready to help the discussion process if the parties thought that would be helpful at any stage. Thirdly, he thought that the work of the Assembly's report committee was very important for the future of the Assembly, and that the committee now had better opportunities to take account of the views of the SDLP. Although the Secretary of State had not said publicly, he thought it right to say privately that it seemed inconceivable that the Assembly should go on indefinitely if its activity was restricted to a scrutinising role only.

9. Dr Paisley and Mr Robinson said that the Secretary of State should think very carefully before contemplating the end of the Assembly, unless he had something better to put in its place. Irish politicians would conduct their politics wherever they could, and were able to conduct politics in the streets (as had been seen before) if an Assembly were not available. In any case, they had every wish to see the Assembly develop. The report committee was considering a possible mix of the ideas of the different parties, combined with possible ways of accommodating the Irishness of the minority community without necessarily setting up new structures to that end. Dr Paisley and Mr Robinson said that Mr Hume still harboured hopes that the next Summit might lead to some measure of joint authority. They asked the Secretary of State to make clear to Mr Hume that that was not in prospect. Only if Mr Hume were

E.R.

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persuaded that he had nowhere else to go would he turn constructively to discussion on the future of the Assembly. Dr Paisley and Mr Robinson said that they sincerely wished to know the views of the SDLP, so that they could be taken into account in proposals for the future of the Assembly. It would be intolerable, however, if the Assembly were brought to an end either through SDLP resignations en bloc, or because proposals for development - however reasonable - were rejected by the British Government on the grounds that the SDLP had not endorsed them.

10. The Secretary of State said that he certainly wished to see the Assembly succeed. He thought that the opportunities for constructive discussion were now greater than they had been, and welcomed the DUP leaders' readiness to seek talks with the other parties.

Graham Sandiford

G K SANDIFORD

29 November 1984

Distribution overleaf/....

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SECRET & PERSONAL

Good 1/12



NORTHERN IRELAND OFFICE

18

WHITEHALL

LONDON SW1A 2AZ

Deputy Under Secretary

29 November 1984

Dear David,

ANGLO-IRISH RELATIONS

You sent to Robert Andrew a copy of your minute of yesterday to Robert Armstrong recording the content of your discussion that day with Mr Lillis.

Lillis also called here that afternoon. Initially, he was seen by Robert Andrew and me, but Robert had to leave fairly quickly for another engagement so that the bulk of the discussion was with me.

I shall not record Lillis's points in detail since they largely followed the line that he had already taken with you and took subsequently with Robert Armstrong as recorded in his minute of 28 November to Charles Powell. As in those interviews, he stressed very heavily the low ebb of the Taoiseach's present political fortunes; the present perception in the South that the UK Government was on the Unionists' side; and the need seen in Dublin to defuse the present situation before the forthcoming meeting of the European Council. He also had a complaint, which I am looking into, about a story in the Irish Times attributing to the RUC the view that the Republic is refraining, for political reasons, from picking up some of the Maze escapers who are in the South.

Lillis repeated to Robert Andrew and me the complaints that you heard about Mr Hurd's post-Summit Press Conference. As far as I could ascertain the complaint was largely based on Mr Hurd's having confirmed (late in the interview and in response to a question) that the idea of a joint security commission had come up at the Summit. There also seemed to be some sensitivity that Mr Hurd had at various points in the interview put emphasis on the Republic's advisory role. We pointed out to Lillis that speculation about a possible security commission had been rife in pre-Summit Press stories; and, on the general tone of the interview, I suggested to him that Mr Hurd's remarks about being prepared to listen to the Republic's views were, in the context of the largely Unionist audience to which they were addressed, helpful from the Republic's point of view rather than the reverse.

As I tried to convey to Lillis, it is difficult to understand how, on any reasonable and objective view, the Irish can justify their reaction to Mr Hurd's interview. I hope that it is not too

/uncharitable

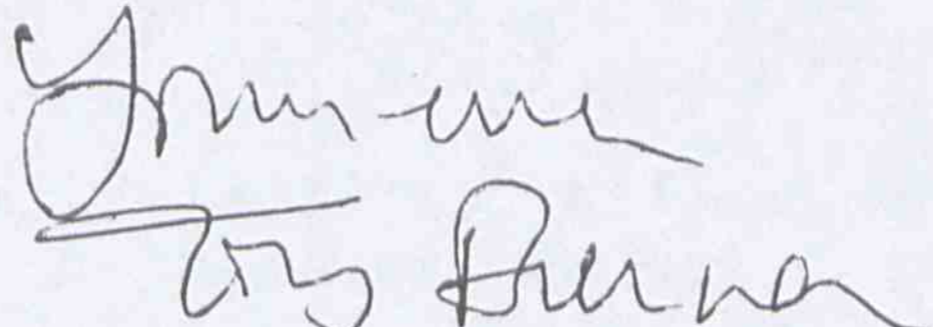
A D S Goodall Esq CMG

SECRET & PERSONAL

SECRET & PERSONAL

uncharitable to speculate that, having found themselves in deep political trouble domestically, they have found it expedient to pick a quarrel (a word Lillis used to me) using my Secretary of State's interview as an excuse. It seems a short-sighted attitude when any progress in Anglo-Irish relations is so heavily dependent on good relations between Dublin and this Department; but the Irish themselves will have to play their part in any necessary mending of fences.

I am copying this to Robert Armstrong and Charles Powell.


(A J E BRENNAN)

SECRET & PERSONAL

NORTHERN IRELAND

PS
PS/LADY YOUNG
PS/PUS
~~MR GODDARD~~ *Mr Jenkins*

PS/ S of S
PS/MR R ANDREW, OAB 1/56
MR BRENNAN
MR BURNS
MR J LYON

17
NIO

HD/RID
Dep. HD/PUSD (2)
HD/INFO DEPT
HD/NEWS DEPT

SIR R ARMSTRONG)
DIO) CABINET OFFICE

~~PS/ NO 10 DOWNING STREET (3)~~

~~RESIDENT CLERK~~

14.11.84

IMMEDIATE
ADVANCE COPY

mf

SECRET

DESKBY 291230Z
FROM DUBLIN 291100Z NOV 84
TO IMMEDIATE FCO
TELEGRAM NUMBER 705 OF 29 NOVEMBER
INFO ROUTINE WASHINGTON PARIS BORN (ALL PERSONAL FOR AMBASSADORS)

FOLLOWING FOR PRIVATE SECRETARY.

MY TELNO 682: ANGLO/IRISH RELATIONS AND IRISH POLITICS

1. IN VIEW OF THE IMMINENT EUROPEAN COUNCIL IN DUBLIN THE SECRETARY OF STATE WILL WISH TO HAVE MY VIEWS ON THE CURRENT STATE OF ANGLO-IRISH RELATIONS AFTER THE SUMMIT. SINCE THESE MUST INVOLVE COMMENT ON PERSONALITIES AS WELL AS POLICIES I ADDRESS THEM DIRECT TO YOU, BUT I HOPE YOU WILL SHOW A COPY TO THE HEAD OF RID.
2. IN MY TELNO 635 I SAID THE SUMMIT WOULD BE CRUCIAL FOR DR FITZGERALD. IT HAS PROVED TO BE SO. HIS STANDING IN HIS PARTY AND WITH THE PUBLIC IS NOW VERY LOW. HE IS NOT LIKELY TO BE FORCED OUT OF OFFICE SOON, BUT AT A MEETING OF KEY PEOPLE IN FINE GAEL HE IS REPORTED TO HAVE BEEN TOLD THAT HE WAS FINISHED AS A CONVINCING LEADER OF THE PARTY. OF THE FINE GAEL MEMBERS OF THE CABINET, ONLY MR MOONAN AND MR BARRY ARE SAID TO BE ACTIVELY SUPPORTING HIM. THOUGH THE CHIEF WHIP IS ALSO STILL ON DR FITZGERALD'S SIDE, MOST OF THE PARTY SEEM TO THINK AT PRESENT THAT THEY WILL HAVE TO DITCH HIM BEFORE THE NEXT ELECTION. BECAUSE HE IS WIDELY SEEN AS HAVING BEEN HUMILIATED BY THE PRIME MINISTER AND BECAUSE HIS OWN PRESS CONFERENCE WAS A FAILURE, HE IS THOUGHT TO HAVE BEEN SERVILE AND INEFFECTIVE IN DEFENDING IRISH INTERESTS. MORE IMPORTANTLY, HE HAS FAILED TO ACHIEVE HIS OWN DECLARED AIM OF BUILDING ON THE BASIS OF THE NEW IRELAND FORUM REPORT ON THIS OCCASION TO SECURE A VOICE FOR THE IRISH NATIONALIST TRADITION IN DECISION MAKING IN NORTHERN IRELAND. HE HAD BEEN REGARDED BY MANY HERE AS THE BEST HOPE OF BRINGING BRITISH INTERESTS INTO

OF BUILDING ON THE BASIS OF THE NEW IRELAND FORUM REPORT ON THIS OCCASION TO SECURE A VOICE FOR THE IRISH NATIONALIST TRADITION IN DECISION MAKING IN NORTHERN IRELAND. HE HAD BEEN REGARDED BY MANY HERE AS THE BEST HOPE OF PERSUADING BRITISH MINISTERS INTO A NEW DEAL FOR THE NATIONALISTS. THIS CLAIM TO PUBLIC SUPPORT HAS DISAPPEARED, AT LEAST FOR THE TIME BEING.

3. APART FROM THIS, THINGS ARE NOT GOING WELL FOR DR FITZGERALD ON THE OTHER FRONTS. THE EUROPEAN COUNCIL COULD ADD TO HIS DIFFICULTIES. AS FOR DOMESTIC ISSUES, INTEREST RATES ARE LIKELY TO RISE THIS WEEKEND, WHICH WILL DAMAGE THE ECONOMIC PROGRAMME RECENTLY UNVEILED. HE IS UNDER PRESSURE TO INTRODUCE LEGISLATION ON CONTRACEPTION SOON, WHEN SOME OF HIS SUPPORTERS WILL CERTAINLY OPPOSE IT ON GROUNDS OF CONSCIENCE. TROUBLE OVER CIVIL SERVANTS' PAY IS LIKELY DURING THE WINTER. ALL THIS WOULD HAVE BEEN WEATHERED IF HE HAD BEEN SEEN TO BRING SOMETHING HOME FROM THE SUMMIT. I AM LESS CERTAIN NOW THAT HIS TROOPS WILL SUPPORT DR FITZGERALD, THOUGH THEY DO NOT WANT A NEW ELECTIONS.

4. ON ANGLO-IRISH RELATIONS, THE TAOISEACH HAS NOT GIVEN UP

3. APART FROM THIS, THINGS ARE NOT GOING WELL FOR DR FITZGERALD ON THE OTHER FRONTS. THE EUROPEAN COUNCIL COULD ADD TO HIS DIFFICULTIES. AS FOR DOMESTIC ISSUES, INTEREST RATES ARE LIKELY TO RISE THIS WEEKEND, WHICH WILL DAMAGE THE ECONOMIC PROGRAMME RECENTLY UNVEILED. HE IS UNDER PRESSURE TO INTRODUCE LEGISLATION ON CONTRACEPTION SOON, WHEN SOME OF HIS SUPPORTERS WILL CERTAINLY OPPOSE IT ON GROUNDS OF CONSCIENCE. TROUBLE OVER CIVIL SERVANTS' PAY IS LIKELY DURING THE WINTER. ALL THIS WOULD HAVE BEEN WEATHERED IF HE HAD BEEN SEEN TO BRING SOMETHING HOME FROM THE SUMMIT. I AM LESS CERTAIN NOW THAT HIS TROOPS WILL SUPPORT DR FITZGERALD, THOUGH THEY DO NOT WANT A NEW ELECTION.

4. ON ANGLO-IRISH RELATIONS, THE TAOISEACH HAS NOT GIVEN UP HOPE. I GATHER THAT HE WAS NOT ENTIRELY TAKEN ABACK BY THE LINE WHICH THE PRIME MINISTER TOOK WITH HIM, THOUGH HE IDENTIFIED SOME OF HER VOCABULARY AND HER ANALOGIES AS DERIVED FROM MR ENOCH POWELL. NOR DOES HE BELIEVE THAT SHE HAD ANY INTENTION AT HER PRESS CONFERENCE OF CAUSING THE REACTION WHICH AROSE IN DUBLIN. IRISH OFFICIALS ARE TAKING A STRONGER LINE AGAINST MR HURD, WHOM THEY ACCUSE OF A DELIBERATE AND DAMAGING BREACH OF CONFIDENCE DESIGNED TO PLEASE THE UNIONISTS. ALTHOUGH I HAVE ARGUED STRONGLY AGAINST THE FUTILITY OF TRYING TO DRIVE WEDGES OF THIS KIND BETWEEN BRITISH MINISTERS, I HAVE BEEN TOLD MR HURD WOULD NOT BE WELCOME IN DUBLIN, THOUGH THERE IS NO CRITICISM OF SIR G HOWE. THE IRISH OFFICIALS CONCERNED APPEAR WILLING TO HAVE CONVERSATIONS BUT ARE UNCERTAIN ABOUT WHAT EITHER SIDE WOULD BE ABLE TO SAY. MR SPRING HAS STATED PUBLICLY THAT THE DIALOGUE WITH US SHOULD BE MAINTAINED.

5. THE TAOISEACH, SO FAR AS I CAN JUDGE (AND I DO NOT KNOW WHAT MR DARRY MAY HAVE SAID TO THE SECRETARY OF STATE OR LILLIS TO

5. THE TAOISEACH, SO FAR AS I CAN JUDGE (AND I DO NOT KNOW WHAT MR DARRY MAY HAVE SAID TO THE SECRETARY OF STATE OR LILLIS TO SIR R ARMSTRONG THIS WEEK) REGARDS THE PRIME MINISTER AS THE ONLY PERSON WHO CAN RESCUE HIM AND ANGLO-IRISH RELATIONS. CERTAINLY THE FUTURE OF BOTH THESE ARE INTERTWINED. IF DR FITZGERALD CANNOT MAINTAIN HIS AUTHORITY THEN IT IS POSSIBLE THAT HIS PARTY WILL CHOOSE AN ANTI-BRITISH LINE IN AN EFFORT TO DEFEAT THE ATTACKS OF FIANNA FAIL ON THEM. THIS COULD DAMAGE OUR SECURITY INTERESTS.

6. HE WOULD BE MUCH HELPED IF THE PRIME MINISTER FELT ABLE TO MAKE A STATEMENT OR TO PUBLISH A LETTER TO HIM WHICH ALLEVIATED THE IMPRESSION LEFT BY HER PRESS CONFERENCE. IT MIGHT SAY THAT THOUGH THE THREE OPTIONS WERE NOT FEASIBLE THERE WAS MUCH ELSE IN THE FORUM REPORT WHICH WAS CONSTRUCTIVE AND USEFUL AND THAT THOUGH SHE DID NOT CARE FOR THE WORD ALIENATION IT WAS TRUE THAT TOO MANY NORTHERN NATIONALISTS FELT A SEVERE SENSE OF GRIEVANCE AND THAT SINN FEIN HAD SUCCEEDED IN EXPLOITING THIS AND THAT THE NATIONALIST COMMUNITY AS A WHOLE OUGHT TO HAVE SOME VOICE IN THE AFFAIRS OF NORTHERN IRELAND. SUCH A STATEMENT WOULD RESOLVE THE CRISIS QUICKLY. BUT THIS DOES NOT MEAN THAT THE PRIME MINISTER SHOULD SAY ANYTHING IN PRAISE OF DR FITZGERALD, SINCE THIS WOULD CONFIRM IRISH SUSPICIONS THAT HE IS HER POODLE.

7. THE IRISH ARE OF COURSE BEING VERY EMOTIONAL ABOUT THIS. BUT THIS EMOTION IS A CONSTANT FACTOR IN ANGLO-IRISH REALTIONS WITH WHICH WE HAVE TO DEAL.

GOODISON

NNNN

SENT /RECEIVED 291135Z LVB/ JAL

SECRET & PERSONAL

16



NORTHERN IRELAND OFFICE
WHITEHALL
LONDON SW1A 2AZ

Deputy Under Secretary

27 November 1984

Dear Charles

Points all taken

ANGLO-IRISH RELATIONS: NORTHERN IRELAND

EDP
- 28-11

with CDP?

My Secretary of State has a few small amendments to suggest to the drafts attached to Sir Robert Armstrong's minute of earlier today to the Prime Minister.

Three of them relate to paragraph 3 of the draft message to the Taoiseach. In the first sentence, he thinks that it might be better to omit the reference to the "Marxist overtones" of the word "alienation". In the fourth sentence, he would prefer to substitute the words "and in other parts of the public service" for the words "or the police"; and he thinks that it would suffice if that sentence finished with the words "security and justice there".

In the second sentence of the first paragraph of the draft Parliamentary answer, he would like to replace "inevitable" by "to be expected". And he suggests that the second sentence of the last paragraph of the answer be amended to read "It is important to remember that many members of that community work positively with or within the system, for instance as members of the Northern Ireland Civil Service." This is to minimise the scope for argument about whether, and how far, those who work within the system support it!

I am copying this to Robert Armstrong and David Goodall.

*John [unclear]
A J E Brennan*

(A J E BRENNAN)

C Powell Esq

SECRET & PERSONAL

CONFIDENTIAL



file v
cpc

10 DOWNING STREET

From the Private Secretary

27 November 1984

Anglo-Irish Relations

Thank you for your letter of 26 November about Mr. Barry's speech. The Prime Minister has noted the change of tone which this represents.

(C.D. POWELL)

C.R. Budd, Esq.,
Foreign and Commonwealth Office.

CONFIDENTIAL



Foreign and Commonwealth Office

London SW1A 2AH

26 November, 1984

Dear Graham,

Council of Europe and Northern Ireland

The Secretary of State has seen the Northern Ireland Secretary's letter of 16 November about the handling of the reports on Northern Ireland which are to be prepared by Committees in the Council of Europe (COE).

The Secretary of State agrees that we should proceed as outlined by Mr Hurd. We do not have strong grounds for opposing the COE initiative and a low key response is clearly what is required.

I am copying this letter to Charles Powell (No 10).

Yours Sincerely,

Colin Budd

(C R Budd)
Private Secretary

Graham Sandiford Esq
NIO

CONFIDENTIAL



Foreign and Commonwealth Office

London SW1A 2AH

Prime Minister

26 November 1984

CDP
26/11

Dear Charles,

ms

Anglo-Irish Relations

The Prime Minister has no doubt seen Dublin telnos 689 and 690 reporting the text of a speech which the Irish Foreign Minister, Mr Barry, delivered on the evening of 23 November in Clonmel, and the document which Mr Barry issued at the same time. In the case of the document, the telegram does not make it as clear as the version which was published in the "Irish Times" of 24 November that Mr Barry's aim was to stress the areas of accord between the Prime Minister's statements and that Chapter of the Forum Report (5.2) which the Irish Government has all along presented as containing the essence of the Irish position.

Although Mr Barry had some sharp things to say at the beginning of his speech about the press conferences given by the Prime Minister and the Northern Ireland Secretary, it is clear that his intention was to calm matters down and to denounce the cruder attempts of Mr Haughey and the more extreme nationalists to undermine the discussions which have been going on between our two Governments. Mr Barry's speech has had quite a reasonable reception in the Irish press. The "Irish Times" took his intentions at face value and in its presentation and comment was generally supportive of the Irish Government's efforts, although it made no attempt to hide the dismay felt in constitutional nationalist circles on both sides of the border. The "Irish Independent" declared that Mr Barry's were brave words which needed saying. The "Irish Press" on the other hand carried a rather churlish article which criticised what it called an ill-fated attempt to mount a counter-attack on the Irish Government's critics.

Although tempers have by no means cooled yet in Dublin you may think it worth drawing the Prime Minister's attention to this effort by the Foreign Minister to start the fence-mending process. The Tanaiste is also reported by the "Irish Times" as saying that the Irish Cabinet will be considering over the next few days how to set right the damage caused by the row which followed the Summit. He is reported as saying that the trouble must be healed as there is no alternative to dialogue between the two sides in finding a solution to the Northern problem.

Yours ever,
Colin Budd(C R Budd)
Private SecretaryC D Powell Esq
10 Downing Street

CONFIDENTIAL

ADVANCE COPIES

21

NORTHERN IRELAND

PS
PS/LADY YOUNG
PS/PUS
MR GOODALL

HD/RID
Dep. HD/PUSD (2)
HD/INFO DEPT
HD/NEWS DEPT

RESIDENT CLERK

PS/ S of S
PS/MR R ANDREW, OAB 1/56 }
MR BRENNAN } NIO
MR BURNS }
MR J LYON }

SIR R ARMSTRONG }
DIO } CABINET OFFICE

PS/ NO 10 DOWNING STREET (3)

14.11.84

UNCLASSIFIED

FM DUBLIN 240015Z NOV 84
TO IMMEDIATE FCO
TELEGRAM NUMBER 69D OF 24 NOVEMBER (CORRECTED VERSION)
AND TO IMMEDIATE NIO (L) NIO (B)

MIPT: ANGLO-IRISH SUMMIT

1. FOLLOWING DOCUMENT ENTITLED "CORRELATION BETWEEN THE REQUIREMENTS AS SET OUT IN THE REPORT OF THE NEW IRELAND FORUM AND THE POSITION OF THE BRITISH PRIME MINISTER AS OUTLINED AFTER THE ANGLO-IRISH SUMMIT OF 18/19 NOVEMBER" WAS ISSUED WITH MR BARRY'S SPEEC IN MIPT.

(1) FORUM REPORT CHAPTER 5.2: REQUIREMENTS
A FUNDAMENTAL CRITERION OF ANY NEW STRUCTURES AND PROCESSES MUST BE THAT THEY WILL PROVIDE LASTING PEACE AND STABILITY.

PRIME MINISTERS STATEMENTS

2IN (A) COMMUNIQUE: 19 NOV
(B) PRESS CONFERENCE : 19 NOV
(C) HOUSE OF COMMONS: 20 NOV

THE PRIME MINISTER AND THE TAOISEACH AGREED THAT IT WAS A MAJOR INTEREST OF BOTH THEIR COUNTRIES AS WELL AS BOTH THE MAJORITY AND MINORITY COMMUNITIES IN NORTHERN IRELAND THAT THERE SHOULD BE LASTING PEACE AND STABILITY IN NORTHERN IRELAND.(A)

...WE CAN ASSURE YOU THAT WE INTEND TO PURSUE THE AIM OF LASTING PEACE AND STABILITY AND ALSO THE SHARED AIM OF RECONCILIATION WITH GOOD WILL AND DETERMINATION. (B)

...WE CAN ASSURE YOU THAT WE INTEND TO PURSUE THE AIM OF LASTING PEACE AND STABILITY AND ALSO THE SHARED AIM OF RECONCILIATION WITH GOOD WILL AND DETERMINATION . (B)

FORUM

(2) ATTEMPTS FROM ANY QUATER TO IMPOSE A PARTICULAR SOLUTION THROUGH VIOLENCE MUST BE REJECTED ALONG WITH THE PROPONENTS OF SUCH METHODS. IT MUST BE RECOGNISED THAT THE NEW IRELAND WHICH THE FORUM SEEKS CAN COME ABOUT ONLY THROUGH AGREEMENT AND MUST HAVE A DEMOCRATIC BASIS.

PRIME MINISTER

...ANY ATTEMPT TO PROMOTE POLITICAL OBJECTIVES BY MEANS OF VIOLENCE OR THE THREAT OF VIOLENCE MUST BE REJECTED, AS MUST THOSE WHO ADOPT OR SUPPORT SUCH METHODS (A)

FORUM

(3) AGREEMENT MEANS THAT THE POLITICAL ARRANGEMENTS FOR A NEW AND SOVEREIGN IRELAND WOULD HAVE TO BE FREELY NEGOTIATED AND AGREED TO BY THE PEOPLE OF THE NORTH AND BY THE PEOPLE OF THE SOUTH.

PRIME MINISTER

THE TAOISEACH ALSO REAFFIRMED THAT IT REMAINED THE WICH OF THE IRISH GOVERNMENT THAT THE TWO PARTS OF IRELAND SHOULD COME TOGETHER BY FREELY NEGOTIATED SETTLEMENT AND IN PEACE, BUT RECOGNISED THAT ANY CHANGE IN THE CONSTITUTIONAL STATUS OF NORTHERN IRELAND AS PART OF THE UNITED KINGDOM WOULD ONLY COME ABOUT WITH ETHSCONSENT OF A MAJORITY OF THE PEOPLE OF NORTHERN IRELAND. (A)

THE PRIME MINISTER REAFFIRMED THAT NORTHERN IRELAND WAS PART OF THE UNITED KINGDOM AND THAT THE MAJORITY IN NORTHERN IRELAND WANTED IT TO REMAINS SO . AT THE SAME TIME SHE CONFIRMED THAT IF IN THE FUTURE THE MAJORITY OF THE PEOPLE IN NORTHERN IRELAND CLEARLY WISHED FOR AND CONSENTED TO A CHANGE IN THE CONSITUTIONAL STATUS OF NORTHERN IRELAND THE UNITED KINGDOM GOVERNMENT WOULD PUT FORWARD AND SUPPORT LEGISLATION TO THAT END IN THE BRITISH PARLIAMENT . (A)

FORUM

(4) THE VALIDITY OF BOTH THE BATIONALIST AND UNIONIST IDENTITIES IN IRELAND AND THE DOMOCRATIC RIGHTS OF EVERY CITIZEN ON THIS ISLAND MUST BE ACCEPTED BOTH OF THESE IDENTITIES MUST HAVE EQUALLY SATISFACTRY, SECURE AND DURABLE, POLITICAL, ADMIN-ISTRATIVE AND SYMBOLIC EXPRESSION AND PROTECTION.

PRIME MINISTER

PRIME MINISTER

THE PRIME MINISTER AND THE TAOISEACH AGREED ON THE NEED FOR EFFORTS TO DIMINISH THE DIVISIONS BETWEEN THE TWO COMMUNITIES IN NORTHERN IRELAND AND TO RECONCILE THE TWO MAJOR TRADITIONS THAT EXIST IN THE TWO PARTS OF IRELAND .(A)

... THE IDENTITIES OF BOTH THE MAJORITY AND MINORITY COMMUNITIES IN NORTHERN IRELAND SHOULD BE RECOGNISED AND RESPECTED, AND REFLECTED IN THE STRUCTURES AND PROCESSES OF NORTHERN IRELAND IN WAYS ACCEPTABLE TO BOTH COMMUNITIES ... (A)

FORUM

(5) LASTING STABILITY CAN BE FOUND ONLY IN THE CONTEXT OF NEW STRUCTURES IN WHICH NO TRADITION WILL BE ALLOWED TO DOMINATE THE OTHER, IN WHICH THERE WILL BE EQUAL RIGHTS AND OPPORTUNITIES FOR ALL, AND IN WHICH THERE WILL BE PROVISION FOR FORMAL AND EFFECTIVE GUARANTEES FOR THE PROTECTION OF INDIVIDUAL HUMAN RIGHTS AND OF THE COMMUNAL AND CULTURAL RIGHTS OF BOTH NATIONALISTS AND UNIONISTS.

PRIME MINISTER

... THE IDENTITIES OF BOTH THE MAJORITY AND MINORITY COMMUNITIES IN NORTHERN IRELAND SHOULD BE RECOGNISED AND RESPECTED, AND REFLECTED IN THE STRUCTURES AND PROCESSES OF NORTHERN IRELAND IN WAYS ACCEPTABLE TO BOTH COMMUNITIES ... (A)

... THE PROCESS OF GOVERNMENT IN NORTHERN IRELAND SHOULD BE SUCH AS TO PROVIDE THE PEOPLE OF BOTH COMMUNITIES WITH THE CONFIDENCE THAT THEIR RIGHTS WILL BE SAFEGUARDED... (A)

WE ... AGREED ON THE IMPORTANCE OF CREATING A POLITICAL FRAMEWORK IN NORTHERN IRELAND WHICH WAS ACCEPTABLE TO BOTH THE MAJORITY AND MINORITY COMMUNITIES. (C)

%947.

(6) CIVIL AND RELIGIOUS LIBERTIES AND RIGHTS MUST BE GUARANTEED AND THERE CAN BE NO DISCRIMINATION OR PREFERENCE IN LAWS OR ADMINISTRATIVE PRACTICES, ON GROUNDS OF RELIGIOUS BELIEF OR AFFILIATION; GOVERNMENT AND ADMINISTRATION MUST BE SENSITIVE TO MINORITY BELIEFS AND ATTITUDES AND SEEK CONSENSUS.

PRIME MINISTER

... THE PROCESS OF GOVERNMENT IN NORTHERN IRELAND SHOULD BE SUCH AS TO PROVIDE THE PEOPLE OF BOTH COMMUNITIES WITH THE CONFIDENCE THAT THEIR RIGHTS WILL BE SAFEGUARDED... (A)

THERE IS A GUARANTEE GIVEN BY LEGISLATION PASSED BY THIS HOUSE TO THE MAJORITY OF PEOPLE IN NORTHERN IRELAND. MOST OF US STAND BY THIS GUARANTEE BUT ALSO BELIEVE IN HUMAN RIGHTS FOR EACH AND

THER IS A GUARANTEE GIVEN BY LEGISLATION PASSED BY THIS HOUSE TO THE MAJORITY OF PEOPLE IN NORTHERN IRELAND. MOST OF US STAND BY THAT GUARANTEE BUT ALSO BELIEVE IN HUMAN RIGHTS FOR EACH AND EVERY CITIZEN OF NORTHERN IRELAND AND TRY TO UPHOLD THEM. (C)

FORUM

(7) NEW ARRANGEMENTS MUST PROVIDE STRUCTURES AND INSTITUTIONS INCLUDING SECURITY STRUCTURES WITH WHICH BOTH NATIONALISTS AND UNIONISTS CAN IDENTIFY ON THE BASIS OF POLITICAL CONSENSUS. SUCH ARRANGEMENTS MUST OVERCOME ALIENATION IN NORTHERN IRELAND AND STRENGTHEN STABILITY AND SECURITY FOR ALL THE PEOPLE OF IRELAND.

PRIME MINISTER

OBVIOUSLY SECURITY CAN BE IMPROVED OR SHOULD BE IMPROVED IN NORTHERN IRELAND. IT IS NOT EXACTLY EASY TO DEVISE A WAY WHICH IS ACCEPTABLE TO ALL OF THE PEOPLE THERE AND IT MUST BE ACCEPTABLE IF IT IS TO BE IMPROVED. (?)

I THINK THAT ALL OF US WOULD STILL LIKE TO FIND A POLITICAL FRAMEWORK THAT WAS ACCEPTABLE TO BOTH THE MINORITY AS WELL AS THE MAJORITY COMMUNITIES. WE HAVE NOT YET SUCCEEDED IN FINDING IT AND I HOPE THAT ALL NORTHERN IRISH POLITICAL PARTIES WILL PLAY A CONSTRUCTIVE PART IN TRYING TO SEEK IT BECAUSE THOSE IN THE REPUBLIC OF IRELAND AND MANY OF US BELIEVE THAT UNLESS AND UNTIL WE GET THAT WE SHALL NOT GET THE FULL IMPROVEMENT IN SECURITY WHICH WE ALL SEEK (C)

QUESTION: IN THE SUB-SECTION (OF THE COMMUNIQUE) WHEN YOU TALK ABOUT THE IDENTITIES OF THE MAJORITY AND THE MINORITY BEING RECOGNISED AND RESPECTED AND REFLECTED IN THE STRUCTURES AND PROCESSES, IS THERE AT BASE, AN ASSUMPTION ON THOSE FUNDAMENTAL NOTION THAT THOSE IDENTITIES PARTICULARLY OF THE MINORITY, ARE NOT NOW BEING FULLY RECOGNISED AND RESPECTED AND NOT NOW BEING FULLY REFLECTED IN THE STRUCTURES AND PROCESSES ?

PRIME MINISTER: THE FACT IS THAT THE MINORITY DO NOT THINK THAT THEY ARE AND THEREFORE WE TRY ... AGAIN TO GET A FRAMEWORK WHICH IS SATISFACTORY BOTH TO THE MINORITY AND THE MAJORITY. (B)

FORUM

(8) NEW ARRANGEMENTS MUST ENSURE THE MAINTENANCE OF ECONOMIC AND SOCIAL STANDARDS AND FACILITATE WHERE APPROPRIATE INTEGRATED ECONOMIC DEVELOPMENT NORTH AND SOUTH. THE MACRO-ECONOMIC AND FINANCIAL IMPLICATIONS ARE DEALT WITH IN THE STUDY BY DKM ECONOMIC CONSULTANTS PUBLISHED WITH THIS REPORTAN WHICH IS BASED ON A RANGE OF ASSUMPTIONS WITH REGARD TO THE AVAILABILITY OF EXTERNAL FINANCIAL TRANSFERS.

PRIME MINISTER

ON A RANGE OF ASSUMPTIONS WITH REGARD TO THE AVAILABILITY OF
EXTERNAL FINANCIAL TRANSFERS.

PRIME MINISTER

THE PRIME MINISTER AND TAOISEACH REVIEWED THE WORK DONE UNDER THE
AUSPICES OF THE ANGLO-IRISH INTERGOVERNMENTAL COUNCIL AT BOTH
MINISTERIAL AND OFFICIAL LEVELS ON POLITICAL ECONOMIC SECURITY
AND CULTURAL MATTERS .(A)

(NOTE : A MAJOR ELEMENT IN THE WORK OF THE AIIC INVOLVES CROSS-
BORDER ECONOMIC CO-OPERATION)

FORUM

(9) THE CULTURAL AND LINGUISTIC DIVERSITY OF THE PEOPLE OF ALL
TRADITIONS , NORTH AND SOUTH, MUST BE PRESERVED AND FOSTERED
AS A SOURCE OF ENRICHMENT AND VITALITY.

PRIME MINISTER

... THE IDENTITIES OF BOTH THE MAJORITY COMMUNITIES IN NORTHERN
IRELAND AND MINORITY COMMUNITIES IN NORTHERN IRELAND SHOULD BE
RECOGNISED AND RESPECTED AND REFLECTED IN THE STRUCTURES AND
PROCESSES OF NORTHERN IRELAND IN WAYS ACCEPTABLE TO BOTH COMMUNITIES.
(A)

FORUM

(10) POLITICAL ACTION IS URGENTLY REQUIRED TO HALT DESILLUSIONMENT WITH
DEMOCRATIC POLITICS AND THE SLIDE TOWARDS FURTHER VIOLENCE . BRITAIN
HAS A DUTY TO RESPOND NOW IN ORDER TO ENSURE THAT THE PEOPLE OF
NORTHERN IRELAND ARE NOT CONDEMNED TO YET ANOTHER GENERATION OF
VIOLENCE AND STERILITY. THE PARTIES IN THE FORUM BY THEIR
PARTICIPATION IN ITS WORK HAVE ALREADY COMMITTED
THEMSELVES TO JOIN IN A PROCESS DIRECTED TOWARDS THAT END.

PRIME MINISTER

I THINK THAT ALL OF US WOULD STILL LIKE TO FIND A POLITICAL
FRAMEWORK THAT WAS ACCEPTABLE TO BOTH THE MINORITY AS WELL AS THE
MAJORITY COMMUNITIES. WE HAVE NOT YET SUCCEEDED IN FINDING
IT, AND I HOPE THAT ALL NORTHERN-IRISH POLITICAL PARTIES WILL PLAY
A CONSTRUCTIVE PART IN TRYING TO SEEK IT BECAUSE THOSE IN THE
REPUBLIC OF IRELAND AND MANY OF US BELIEVE THAT UNLESS AND
UNTIL WE GET THAT WE SHALL NOT GET FULL IMPROVEMENT IN SECURITY
WHICH WE ALL SEEK. (C)

... IN THE ABSENCE OF AN ACCEPTABLE POLITICAL FRAMEWORK WE
SHALL NOT BE ABLE FULLY TO GET RID OF VIOLENCE. (C)

GOODISON

NNNN

PRIME MINISTER

Spoken
EDP 27/11/84

The reference in the letter to a "round-about suggestion" that you and Mr. Hume might meet comes from a discussion between Michael Alison and Gerry Fitt. The letter described Hume as 'contrite and conciliatory' and wanting a meeting with you.

You have every reason to be fed up with Hume. But a meeting would help cool things with the Republic.

If you decided to pursue the idea, it would certainly be wise to get Douglas Hurd to check with Hume that he is seeking a meeting (there may be some wishful thinking on Fitt's part). But it might be better to move faster than suggested: it would please Garret FitzGerald if a meeting took place before you go to Dublin for the European Council.

Agree?

Meanwhile, I am told that Enoch Powell is delivering a speech this weekend praising you to the skies - which won't help with Dublin!

EDP

C. D. POWELL

23 November, 1984

ADVANCE COPIES

27

NORTHERN IRELAND

PS
PS/LADY YOUNG
PS/PUS
MR GOODALL

HD/RID
Dep. HD/PUSD (2)
HD/INFO DEPT
HD/NEWS DEPT

RESIDENT CLERK

PS/ S of S
PS/MR R ANDREW, OAB 1/56
MR BRENNAN
MR BURNS
MR J LYON

NIO

SIR R ARMSTRONG
DIO } CABINET OFFICE

PS/ NO 10 DOWNING STREET (3)

N.I.O. LDN

14.11.84

A different rose

GRS 1160
UNCLASSIFIED
DESKBY 240900Z
FM DUBLIN 232325Z NOV 84
TO IMMEDIATE FCO
TELEGRAM NUMBER 689 OF 23 NOVEMBER
INFO NIO(L) NIO(B)

IMMEDIATE
ADVANCE COPY

ANGLO-IRISH SUMMIT

1. FOLLOWING IS DRAFT OF SPEECH TO BE DELIVERED BY PETER BARRY ON 23 NOVEMBER AT THE LAUNCH OF COLONNEL CHAMBER OF COMMERCE 'START-YOUR-OWN BUSINESS' COMPETITION - FRIDAY 23 NOVEMBER 1984. TEXT SUBJECT TO CHANGES MADE ON DELIVERY

ON SUNDAY AND MONDAY LAST A SUMMIT MEETING TOOK PLACE BETWEEN THE BRITISH AND IRISH GOVERNMENTS. IT WAS THE FULLEST, THE FRANKEST AND THE MOST REALISTIC SUMMIT THAT MRS THATCHER HAD EVER HAD WITH AN IRISH LEADER. THOSE ARE HER WORDS - OTHER IRISH POLITICIANS WHO HAVE MADE LOUD AND PORTENTOUS NOISES AFTER MEETING THE LADY SHOULD HAVE PONDERED THEM VERY CAREFULLY BEFORE RUSHING OUT THEIR CONDEMNATIONS. I WOULD ADD THAT IT WAS AN EXTREMELY DIRECT AND OFTEN DIFFICULT MEETING. THE IRISH AND BRITISH GOVERNMENTS GOT DOWN TO BUSINESS IN A WAY THAT WE HAD NOT DONE FOR TEN YEARS AT LEAST. WE AGREED ABOUT SEVERAL IMPORTANT ISSUES. THE RESULTS OF OUR EXCHANGES WERE SET OUT IN A COMMUNIQUE WHICH EMBODIES TO A SIGNIFICANT EXTENT THE SUBSTANCE OF THE PROPOSALS - THE (FOLLOWING WORD UNDERLINED) PROPOSALS, NOT THE (FOLLOWING WORD UNDERLINED) OPTIONS - OF THE FORUM REPORT. WE AGREED TO CONTINUE OUR TALKS AND TO MEET AGAIN AT AN EARLY DATE TO REVIEW FURTHER PROGRESS.

(FOLLOWING WORD UNDERLINED) OPTIONS - OF THE FORUM REPORT. WE AGREED TO CONTINUE OUR TALKS AND TO MEET AGAIN AT AN EARLY DATE TO REVIEW FURTHER PROGRESS.

FOUR DAYS LATER , THE SUMMIT IS DESCRIBED AS A FIASCO, A DISASTER, A BETRAYAL, AND IN THE WORDS OF THE LEADER OF THE OPPOSITION, AS SETTING THE SITUATION BACK BY FIFTY YEARS.

IT IS TRUE THAT TWO STATEMENTS IN MRS THATCHERS PRESS CONFERENCE CAUSED SERIOUS OFFENCE TO IRISH NATIONALISTS AND THAT MR HURD MADE A SERIES OF UNHELPFUL AND UNACCEPTABLE STATEMENTS. THESE ARE ALMENTABLE EVENTS AND I PERSONALLY SHARED IN THE STRONG FEELINGS THEY AROUSED. THE BRITISH GOVERNMENT HAVE BEEN MADE FULLY AWARE OF THE REACTION OF OUR GOVERNMENT AND OUR PEOPLE.

NOW, FOUR DAYS AFTER THE SUMMIT, FOUR DAYS CONFUSED BY EMOTION AND MANIPULATIVE OPPORTUNISM, I LOOK BACK IN ANGER, ANGER NOT JUST WITH BRITISH INSENSITIVITY, BUT MUCH MORE WITH THE ATTEMPTS WHICH WE HAVE SEEN HERE AT HOME TO DESTROY THE REAL PROGRESS WE HAVE MADE AND TO DESTROY THE HOPES FOR PEACE AND STABLITY OF THE PEOPLE OF NORTHERN IRELAND.

WE THE IRISH PEOPLE, MUST ASK OURSELVES A DIFFICULT QUESTION: WHAT DO WE REALLY WANT IN ANGLO-IRISH RELATIONS? DO WE WANT EMOTIONAL GRATIFICATION OR DO WE WANT REAL PROGRESS IN NORTHERN IRELAND? IT MUST BE ONE OR THE OTHER: WE CANNOT HAVE BOTH. WE CANNOT GIVE OURSELVES WHATEVER SATISFACTION CAN BE DIRIVED FROM VILIFYING THE BRITISH AND AT THE SAME TIME HOPE TO CHANGE THE SITUATION IN THE NORTH. I UNDERSTAND AND I FEEL AS DEEPLY AS ANY NATIONALIST ON THIS ISLAND THE EMOTION BEQUEATHED TO US BY A LONG HISTORY OF TYRANNICAL AND STUPID OPPRESSION AND THE YET STRONGER OUTRAGE WE FEEL AT THE PLIGHT OF A WHOLE COMMUNITY IN THE NORTH TODAY. THAT CHOICE MUST BE MADE, HOWEVER. THE TAOISEACH AND THE GOVERNMENT HAVE CLEARLY CHOSEN THE DIFFICULT ROAD OF PROGRESS AND SO TOO, DESPITE THE SHOCKING ANTICS OF SOME POLITICIANS AND THE MEDIA IN THESE PAST FEW DAYS, HAVE THE OVERWHELMING MAJORITY OF OUR PEOPLE. WE ARE GOING TO STICK TO OUR CHOICE BECAUSE THAT IS THE ONLY WAY WE CAN HOPE TO CHANGE THE SITUATION IN NORTHERN IRELAND AND THE ONLY WAY WE CAN TRULY EARN THE RIGHT TO BE PROUD OF OUR EFFORTS, OF OUR ACHIEVEMENTS AND OF OURSELVES.

THE THREE MODELS IN THE FORUM REPORT WERE (FOLLOWING WORD UNDERLINED)
OPTIONS NOT, AS MRS THATCHER MISTAKENLY SAID IN THE COMMONS, (FOLLOWING WORD UNDERLINED) PROPOSALS, AND INDEED THE FORUM ITSELF STATED THAT OTHER POSSIBILITIES COULD BE CONSIDERED. ONLY ONCE DID THE FORUM USE THE WORD "PROPOSES". IN CHAPTER 5 THE FORUM PROPOSED TEN REQUIREMENTS "AS NECESSARY ELEMENTS OF A FRAMEWORK WITHIN WHICH A NEW IRELAND COULD EMERGE". MRS THATCHER IN THE COMMUNIQUE , IN HER PRESS CONFERENCE AND IN HER REMARKS IN THE COMMONS SUSCRIBED TO A SIGNIFICANT EXTENT TO EACH AND EVERY ONE OF THOSE PROPOSALS. I AM TODAY RELEASING A SHORT PAPER WHCIH DEMONSTRATES THE HARMONY AND THE LARGE MEASURE OF IDENTITY ACHIEVED BETWEEN THE PROPOSALS IN THE FORUM REPORT AND THE PUBLIC

WHICH DEMONSTRATES THE HARMONY AND THE LARGE MEASURE OF IDENTITY ACHIEVED BETWEEN THE PROPOSALS IN THE FORUM REPORT AND THE PUBLIC APPROACH OF THE BRITISH GOVERNMENT AS OURLINED AFTER THE SUMMIT..

IRISH LEADERS HAVE IN THE RECENT PAST MADE LUDICROUSLY INFLATED CLAIMS FOR THE SIGNIFICANCE OF THEIR MEETINGS WITH THE BRITISH WITH RESULTS WHICH HAVE SET BACK THE PROSPECTS OF PEACE, RECONCILIATION AND STABILITY, THROUGH DAMAGING THE CREDIBILITY OF OUR GOVERNMENT. THE TAOISEACH, THE TANAISTE AND I HAVE, CONSIDIOUS OF CHILDISH AND DAMAGING IRRESPONSIBILITY OF THIS APPROACH AND CONCERNED TO ACHIEVE REAL PROGRESS RATHER THAN MER POLITICAL ADVANTAGE IN THIS STATE, REFRAINED VERY CAREFULLY - IN HINDSIGHT, PERHAPS A LITTLE TOO CAREFULLY - FROM PRESENTING OUR MEETING AT CHEQUERS AS INVOLVING AN "HISTORIC BREAKTHROUGH" OR ANY OF THE OTHER TRIUMPHALIST RAIMEIS WE WERE BOMBARDED WITH A COUPLE OF YEARS AGO. I CANNOT, HOWEVER, AGREE THAT THE FACT THAT MRS THATCHER HAS TO A SIGNIFICANT DEGREE NOW GONE ALONG WITH THE SUBSTANCE OF THE PRINCIPAL PROPOSALS OF THE FOURM REPORT AS THE BASIS OF A COMMON APPROACH BETWEEN OUR TWO GOVERNMENTS HAS SET THE SITUATION BACK ALL OF FIFTY YEARS

I AM SADDENED, INDEED ANGERED, AT THE WAY IN WHICH SOME OF OUR OPPONENTS IN THE DAIL AND SOME OTHER COMMENTATORS HAVE SOUGHT TO CREATE HYSTERIA IN PUBLIC OPINION HERE DURING THESE PAST FOUR DAYS. WE WERE IN A WAY PREPARED FOR SOMETHING OF THIS SORT BY MR HAUGHEYS DISMISSAL OF THE SUMMIT EVEN BEFORE WE LEFT FOR CHEQUERS AND BY HIS INSTANT SAVAGING OF ITS RESULTS WITHIN MINUTES OF THE COMMUNIQUE BEING PUBLISHED. OUR OBJECTIVES WERE AND REMAIN CRYSTAL CLEAR: TO END THE NIGHTMARE OF THE NORTHER NATIONALISTS AS QUICKLY AS POSSIBLE AND TO CREATE LASTING PEACE AND STABILITY THROUGHOUT IRELAND. WE HAVE NOT BEEN HELPED IN THIS COMMON GOAL BY THE DISTORTIONS, PERSONAL ATTACKS AND APPEALS TO A PRESUMED NATIONALIST XENOPHOBIA AND A PRESUMED NATIONAL INFERIORITY COMPLEX OF THE PAST DAYS. TO THOSE WHO HAVE INDULGED IN THIS PATHETIC ACTIVITY I SAY TWO THINGS: . FIRST , I AM SORRY THAT YOU ARE SO FIERCELY DRIVEN BY POLITICAL AMBITION THAT YOU HAVE, FAR MORE VICIOUSLY THAN ANYTHING DONE BY OUR BRITISH INTERLOCUTERS, CHOSEN TO KNIFE, KNIFE AND KNIFE AGAIN THE GOVERNMENT OF THIS COUNTRY AS WE WORK TO TRY TO FIND A COMMON APPROACH WITH THE BRITISH AND, SECOND, YOU'RE WASTING YOUR TIME BECAUSE THE IRISH PEOPLE HAVE TOO MUCH MATURITY AND TOO MUCH REAL PRIDE IN THEMSELVES TO FALL FOR THIS PANDERING. AND I ADD FOR MR HAUGHEY'S OWN BENEFIT THAT , IF HE CANNOT BRING HIMSELF TO BACK THE GOVERNMENT OF HIS COUNTRY IN THE ACHIEVEMENT OF PEACE AND STABILITY, HE SHOULD IN THE NATIONAL INTEREST TAKE HIS OWN ADVICE AND DEPART THE NATIONAL STAGE ONCE AND FOR ALL.

IN OUR DIFFICULT TASK WE HAVE BEEN POWERFULLY SUSTAINED BY THE REMARKABLE EVIDENCE OF SOPHISTICATION AND STEADY MATURITY SHOWN BY THE VAST MAJORITY OF OUR PEOPLE. A MAJOR OPINION POLL PUBLISHED LAST WEEK SHOWED THAT THE OPEN APPROACH BY THE GOVERNMENT BASED ON THE FORUM REPORT IN ITS ENTIRETY HAS THE SUPPORT OF THE GREAT MAJORITY OF THE PEOPLE, INCLUDING THE OVERWHELMING MAJORITY OF YOUNG PEOPLE. THE POLL ALSO PORVES THAT THOSE WHO TAKE A NARROW AND SBSOLUTIST VIEW ARE SUPPORTED ON THIS ISSUE ONLY BY

GREAT MAJORITY OF THE PEOPLE, INCLUDING THE OVERWHELMING MAJORITY OF YOUNG PEOPLE. THE POLL ALSO PROVES THAT THOSE WHO TAKE A NARROW AND ABSOLUTIST VIEW ARE SUPPORTED ON THIS ISSUE ONLY BY A TINY PROPORTION OF IRISH MEN AND WOMEN EITHER YOUNG OR OLD THIS IS A CAUSE FOR REAL PRIDE IN THE JUDGEMENT OF OUR PEOPLE AND SHOWS FOR ONCE AND FOR ALL THAT THE DAYS OF NATIONAL INFERIORITY COMPLEXES ARE WELL AND TRULY BEHIND US.

WE ARE NOW IN BUSINESS WITH THE BRITISH. WE CANNOT MAKE PROMISES OF SUCCESS. WE CAN ONLY PROMISE THAT THE IRISH GOVERNMENT WILL SPARE NO EFFORT IN OUR ATTEMPT TO FIND ENOUGH COMMON GROUND TO ENABLE A VIABLE INITIATIVE TO BE ATTEMPTED. THE GOING WILL NOT BE EASY. IT WASNT EASY AT CHEQUERS BUT I CAN TELL YOU THAT I HAVE NEVER BEEN MORE CONFIDENT OR PROUD OF OUR TAOISEACH AS WHEN, DURING THOSE DIFFICULT EXCHANGES, HE TIME AND TIME AGAIN BROUGHT MRS THATCHER TO FACE THE FULL DIMENSIONS OF THE PROBLEM OF NORTHERN IRELAND. AS WE PROCEED THERE WILL PROBABLY BE MOMENTS OF SERIOUS DIFFERENCE, SERIOUS MISUNDERSTANDING AND PERHAPS EVEN OF PANIC ON THE PART OF SOME. THE IRISH GOVERNMENT WILL NOT ALLOW ITSELF TO BE UNNERVED OR DETERRED BY THESE DIFFICULTIES.

GOVERNMENT AND PEOPLE, IN THIS DIFFICULT SEARCH FOR PEACE AND RECONCILIATION, WE MUST STAND STEADILY TOGETHER AND WORK FOR REAL PROGRESS, NOT EPHEMERAL EMOTIONAL HYPES. I AM ABSOLUTELY CONFIDENT THAT WE HAVE THE SELF-RESPECT, THE SELF-

GOVERNMENT AND PEOPLE, IN THIS DIFFICULT SEARCH FOR PEACE AND RECONCILIATION, WE MUST STAND STEADILY TOGETHER AND WORK FOR REAL PROGRESS, NOT EPHEMERAL EMOTIONAL HYPES. I AM ABSOLUTELY CONFIDENT THAT WE HAVE THE SELF-RESPECT, THE SELF-CONFIDENCE, THE MATURITY AND THE COURAGE TO DO THIS.

2. SEE MIFT.

GOODISON

NNNN

THAT WAS DUBFO 001/24

SENT RECEIVED 2400

240157Z LVB / JAL

From: THE PRIVATE SECRETARY



NORTHERN IRELAND OFFICE
WHITEHALL
LONDON SW1A 2AZ

F E R Butler Esq
10 Downing Street
LONDON SW1

23 November 1984

Dear Robin,

The Secretary of State saw Mr Hume on the evening of 22 November, and thought the Prime Minister might like to see the attached note.

The Secretary of State himself suggests that it would be helpful if the Prime Minister could find an opportunity - perhaps during Questions - to say that the analysis in the Forum Report had been stimulating and useful, even though the solutions it proposed were not acceptable to HMG.

You explained to me today that you had received a round-about suggestion that the Prime Minister and Mr Hume might meet to discuss matters. The Secretary of State thinks that it would be prudent not to take up this suggestion too precipitately, supposing that it has been faithfully reported. If the Prime Minister is content, the Secretary of State will sound out Mr Hume himself direct, when he is next in touch with him, to see whether Mr Hume is in reality actively seeking a meeting with the Prime Minister.

Copies of this letter go for information to Len Appleyard (FCO) and Richard Hatfield (Cabinet Office).

Yours sincerely,

Graham Sandiford

G K SANDIFORD

PS If the Prime Minister does read the attached note, she will of course need to bear in mind that Mr Hume's views are not necessarily shared by all SDLP members.

DESK BY 2.00 PM

NOTE OF SECRETARY OF STATE'S MEETING WITH MR HUME ON
22 NOVEMBER 1984

At the Secretary of State's suggestion, Mr Hume and he met informally in the House of Commons on the evening of 22 November. A discussion lasting an hour followed.

2. Mr Hume said that the situation was serious. He thought that difficulty had been caused by some of the things said by the Prime Minister and by the Secretary of State at their press conferences. The Secretary of State attempted to put what had been said in context. Mr Hume had commented that, because of the historical background, when an Englishman and an Irish nationalist disagreed, the tendency was for the Irish nationalist to feel humiliated. This explained some of the emotional reaction that had occurred.

3. Mr Hume said that he was to visit Dublin within the next few days, to discuss matters with both parties (this was taken to mean Fine Gael and Fianna Fail, rather than the Irish Labour Party). Mr Hume would then take stock with other leading members of the SDLP. Meanwhile, Mr Hume would try to keep under control those of his members who were liable to express extreme reflex reactions.

4. In passing, Mr Hume volunteered that he had always been dubious about suggestions that a referendum might be held on Articles 2 and 3 of the Irish constitution, because he doubted the ability of the Irish Government to carry such a referendum. The Secretary of State noted this, and deployed in some detail, for Mr Hume's own information, his own thought that a way forward might be provided by a joint commission which, inter alia, might provide the Irish Government with a regular forum for expressing worries or grievances on behalf of nationalists. Mr Hume listened to the Secretary of State's exposition, but did not comment.

5. The Secretary of State asked Mr Hume what he thought the Government could do to calm things down. Mr Hume made two suggestions. First, it would be helpful if the Prime Minister could find an opportunity to say that the Forum Report had been stimulating and useful, even though the solutions it proposed were not acceptable to HMG. (The

Secretary of State has asked me to add that Mr Michael Mates MP made a similar suggestion to him earlier in the day.) Secondly, Mr Hume suggested that the Secretary of State should find the opportunity to make a speech concentrating on the problems of the nationalist community. This could cover difficulties over jobs (including the crisis at the Molins factory in Londonderry, and the failure of De Lorean in West Belfast), and also the casualties suffered in the troubles (perhaps with particular reference to Newry and Strabane). A speech of this kind would be very helpful in showing understanding of the difficulties. As to Molins, Mr Hume was full of praise for the efforts made by Dr Boyson to find a way of saving the factory from having to close.

6. The Secretary of State pressed Mr Hume to suggest how talks among the parties in Northern Ireland might be promoted. Mr Hume did not question the need for such talks. Not surprisingly, Mr Hume could not see how such talks could develop within the Northern Ireland Assembly. Mr Hume thought the best course would be for him to have separate talks with each of the leaders of the UUP, the DUP and the Alliance Party. He undertook to try to do this and to let the Secretary of State know the outcome.

7. The Secretary of State welcomed Mr Hume's suggestion. He explained to Mr Hume that, at the back of his mind, he had the thought that at a later stage it might be helpful to ask some suitable person to undertake 'back-to-back' diplomacy, acting as an intermediary between the party leaders. The Secretary of State added, however, that he was not wedded to this idea, and had not yet considered who might be suitable to act as intermediary or what the terms of reference might be. Mr Hume expressed interest in the idea and said that, if it were pursued, a suitable intermediary might be Mr Robert Jackson MP. Mr Hume said that both he and Dr Paisley knew Mr Jackson well from the time when Mr Jackson had been a member of the European Parliament, and that Mr Jackson was both very intelligent and trustworthy.

8. The Secretary of State and Mr Hume agreed that, in answer to any press enquiries, it should be said that he and the Secretary of

E.R.

CONFIDENTIAL

State had met at the Secretary of State's suggestion; that they had taken stock of the outcome of the Anglo-Irish Summit and events since; that Mr Hume had expressed his criticisms of things that had been said at the press conferences; and that the Secretary of State had made clear that the Government's priority was to give effect to the terms of the communiqué, which had set out the guidelines for future activity.

9. I am recording separately a brief discussion which the Secretary of State and Mr Hume had on the same occasion about the Elections (Northern Ireland) Bill.

Graham Sandiford

G K SANDIFORD
23 November 1984

CONFIDENTIAL

SECRET AND PERSONAL

NBPM 15
EOP
24 xi

Sir Robert Armstrong

ANGLO/IRISH RELATIONS: NORTHERN IRELAND

With reference to your minute of 16 November to Mr. Powell, covering the draft speaking note for use with Mr. Lillis, I should record that the Prime Minister agreed that I should hand over the speaking note in those terms to Mr. Lillis on the morning of 19 November. I acted accordingly with Mr. Lillis immediately before the Prime Minister's talk with the Taoiseach began. In doing so I made the points in paragraph 3 of your minute to Mr. Powell. Later in the day Mr. Lillis commented that, although the note was drafted in pretty stiff terms and contained a number of unpalatable points, the Irish side regarded its basic thrust as positive and did not have too much difficulty with it. They thought it contained a number of positive elements including the authoritative statement in the final paragraph of the British side's wish to continue the exploratory process. ↙

2. I am sending copies of this minute to Mr. Charles Powell at No. 10, and to the Private Secretaries of the Foreign and Commonwealth Secretary and the Secretary of State for Northern Ireland.

A.D.S. Goodall

(A.D.S. Goodall)
20 November, 1984.

SECRET AND PERSONAL

080

file



10 DOWNING STREET

From the Private Secretary

18 November 1984

Dear Roder,

COUNCIL OF EUROPE AND NORTHERN IRELAND

The Prime Minister has considered the Northern Ireland Secretary's letter of 16 November about the handling of the series of reports on Northern Ireland which Committees of the Council of Europe are shortly to start preparing.

The Prime Minister concurs in the Northern Ireland Secretary's view that it would be best to handle this matter in a low-key manner. However, she thinks it would be a mistake for Mr. Hurd to attend a lunch with the PAC rapporteur and that this would be better done by a Junior Minister in the NIO.

I am sending a copy of this letter to Colin Budd (Foreign and Commonwealth Office).

Yours sincerely,

Charles Powell

Graham Sandiford, Esq.,
Northern Ireland Office.

AMBASÁID NA hÉIREANN, LONDAIN



IRISH EMBASSY, LONDON

17, GROSVENOR PLACE,
SW1X 7HR

Telephone: 01-235 2171

TELEX: 916104

16 November 1984

Dear Private Secretary,

I have been asked by the Taoiseach, Dr. Garret FitzGerald TD, to transmit the enclosed letter to the Prime Minister. I should be grateful if you would see that it is brought to her attention.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Noel Dorr', is written above the typed name.

Noel Dorr
Ambassador

Mr. Charles Powell
Private Secretary to the Prime Minister
No. 10 Downing Street
London SW1

510

CONFIDENTIAL

ELP



NORTHERN IRELAND OFFICE
WHITEHALL
LONDON SW1A 2AZ

SECRETARY OF STATE
FOR
NORTHERN IRELAND

The Rt Hon Margaret Thatcher MP
Prime Minister
10 Downing Street
LONDON
SW1

*Time limit
Agree to the
proposed low
key approach?
16 November 1984
CDP
16/xi*

Dear Prime Minister,

THE COUNCIL OF EUROPE AND NORTHERN IRELAND

I am writing to let you know how I propose to handle a series of reports on Northern Ireland which the committees of the Council of Europe are shortly to start preparing.

In May a number of members of the Council of Europe's Parliamentary Assembly, led by Irish members, tabled a motion "recognising" the New Ireland Forum Report, and calling for reports from three of the Assembly's committees - the Political Affairs Committee (PAC), the Legal Affairs Committee (LAC), and the Economic Affairs and Development Committee (EADC). Despite valiant attempts by Freddie Bennett to have the motion dropped, it was referred to the committees by the Assembly. The three committees have now each appointed a rapporteur and we understand that they are likely to begin work soon. Their reports could be debated by the committees in January, and by the Parliamentary Assembly later that month, though it is very unlikely that work will proceed so swiftly. We need now to consider what attitude to take to their work and how we should respond to any approaches they may make to us.

There is something of a precedent in the recent Haagerup Report on Northern Ireland which he produced for the European Parliament. We opposed that on the grounds that the Parliament had no competence to deal with the internal affairs of a member state and publicly refused it any help at all. We were able to ensure, however, that the Government's case was well understood through the good offices of the EDG and, with the help of a sympathetic rapporteur, the final report was reasonably helpful.

CONFIDENTIAL

The/....

CONFIDENTIAL



The Council of Europe's initiative is less likely to gain public attention outside Ireland North and South, but it could also turn out tiresome. The presence of 3 rapporteurs, not all of whom are sympathetic to us, will make the approach which we adopted on Haagerup much less likely to succeed. With our help, Freddie Bennett and his colleagues have done their best to frustrate progress. But since the Council is technically able to consider subjects like Northern Ireland, and indeed did so in 1975 without the then British Government objecting, we are not on particularly strong grounds in opposing it on principle.

I think we should do our best to avoid attracting too much attention to the Council of Europe's efforts. A low key response is likely to ~~best~~ achieve this. We should make clear that we cannot see anything helpful coming out of the Reports since this is essentially a matter for the British Government in consultation with others most closely involved. There may nevertheless be opportunities to influence the rapporteurs and if so we should take them. In the first instance, I am ensuring that Freddie Bennett and our other colleagues are well briefed and that the UK Representative in Strasbourg can respond fruitfully and convincingly to any approaches he receives. I am giving Freddie Bennett some factual material on Northern Ireland, for him to pass on to the rapporteurs. I would also take advantage of any other low key opportunities which may offer. In particular Freddie Bennett has it in mind to arrange an informal lunch for me in London with the PAC rapporteur, (an Italian Christian Democrat) whom he believes to be sympathetic.

This would be a mistake. A similar thing is possibly known by S.J.S.

Freddie Bennett believes that you were made aware of the background to this by Jim Prior. I am of course in close touch with him and have worked out this line in concert with him. F.B.

I am copying this letter to Geoffrey Howe and would be glad to know that you and he are content to proceed in this way.

Lower,

Douglas

NORTHERN IRELAND

PS
PS/LADY YOUNG
PS/PUS
MR GOODALL

HD/RID
Dep. HD/PUSD (2)
HD/INFO DEPT
HD/NEWS DEPT
RESIDENT CLERK

PS/ S of S
PS/MR R ANDREW, QAB 1/56
MR BRENNAN
MR BURNS
MR J LYON

NIO

SIR R ARMSTRONG)
DIO) CABINET OFFICE
PS/ NO 10 DOWNING STREET (3)

14.11.84

IMMEDIATE

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DESKBY 151400Z
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TELEGRAM NUMBER 656 OF 15 NOVEMBER

OPINION POLL

THE LANSDOWNE POLL ON OPINION ON NORTHERN IRELAND CARRIED IN TODAY'S IRISH INDEPENDENT (SEEMPT) ALSO INCLUDED A QUESTION ON THE STATE OF THE PARTIES IN THE REPUBLIC. THE ANSWERS GIVEN BY THE SAMPLE OF 1317 VOTERS IN EARLY NOVEMBER IS REMARKABLY SIMILAR TO THE FINDINGS OF THE MRBI/IRISH TIMES POLL PUBLISHED IN MID OCTOBER (FIGURES IN BRACKETS):

FIANNA FAIL	52%(51)
FINE GAEL	36%(36)
LABOUR	6%(7)
WORKERS PARTY	4%(5)
OTHER	2%(1)

2. IN OTHER WORDS FINE GAELS SUPPORT IS CONTINUING TO HOLD UP RELATIVELY WELL (IT GAINED 39% OF FIRST PREFERENCES IN THE LAST GENERAL ELECTION) WHILST LABOUR'S DECLINE AND FIANNA FAIL'S LEAD ARE BOTH MAINTAINING THEIR RESPECTIVE TRENDS. ON THEIR PERFORMANCE IN THIS POLL FIANNA FAIL WOULD WIN AN OVERALL MAJORITY IN AN ELECTION.

STIMSON

NNNN

File



ms

10 DOWNING STREET

Prime Minister ①

NII B has been saved

(i) The Inland Revenue
inspector waived his claim
to be past liability of £1.7
million

(ii) Northern Bank, who
started the run on NII B,
have offered an indemnity
of £1.5 million which will
cover the future tax liability

(iii) Bank of Ireland will take
NII B over and will
comply with IR's request
for the names of Isle of Man
depositors.

In short, something was conceded
by everyone.

AT

15/11

Line to takeFullNIIBLicensing of individual deposit takers
is a matter for the Bank of England

DEFENSIVE BRIEFING

Treat rest as backgroundRevenue has unreasonably forced NIIB into liquidation

It is the duty of companies to manage their tax affairs properly or face the consequences. This applies to deposit-taking companies as much as anybody else. Decline to comment on the Revenue's dealings with a specific taxpayer.

Bank didn't supervise NIIB properly

The Bank of England has statutory responsibility for the operation of the Banking Act 1979 and so must take its own decisions. The Banking Act imposes strict confidentiality requirements so it would be wrong anyway to go into details. Understand from the Bank that strenuous efforts have been made to arrange a takeover for NIIB but these have not so far been successful. The Bank has a duty to revoke licenses where this is necessary for the protection of depositors.

Surely an institution licensed by the Bank of Englandmust be safe

Cannot emphasise too strongly that Banking Act licenses

authorise their holders to take deposits but they do not in any way confer a recommendation by the Bank of England to potential depositors. It is the responsibility of depositors to take a view on the safety of the institution with which they choose to deposit their funds. [There have been a number of other cases in which licensed deposit takers have failed].

What is the purpose of a license?

It is illegal to take deposits without a license. Licenseholders have to satisfy certain minimum criteria and are supervised by the Bank of England but it remains the responsibility of the management to manage prudently and of the depositor to assess the risks he is taking. The system provides some safeguards but it would neither be right nor possible for the Bank to intervene in the duties of management to the point where failure becomes impossible.

How much money will depositors lose?

No comment on possibility of loss until facts have emerged in Belfast. Thereafter - premature to speculate.

This depends on how the situation develops. In the worst possible case, the Deposit Protection Fund will make good 75% of each depositor's loss on the first £10,000 of deposits

with the Northern Ireland company (not the Isle of Man company).

Has the Bank revoked NIIB's licence?

This is a matter between the Bank and the institution concerned. Prejudicial to interests of depositors to say anything more at this stage. [IF PRESSED Under the Banking Act 1979 the Bank of England must give two weeks' notice of intent to revoke a license. As the Bank must consider any representations which the license-holder may make and the license-holder may subsequently appeal to the Chancellor, the Bank does not as a matter of policy disclose whether it has issued notice of intention to revoke. This is a matter the Bank must decide under its own powers.]

Why did the Bank rescue Johnson Matthey Bankers (JMB) and not NIIB

This is a matter for the Bank of England which has full responsibility under statute for its own resources. [IF PRESSED.

↙
The Chancellor has already explained the circumstances behind the Bank of England's decision to rescue JMB. The Bank acted on that occasion on its own responsibility, under its own powers, and at a contingent cost to its own

resources. The Bank took the view that the failure of JMB would have had serious consequences particularly for other members of the London gold market. The Bank did not act alone. As part of the total package, JMB's former shareholders contributed a £50 million capital injection before selling JMB to the Bank of England for £1; private sector banks, including the other members of the gold market, have contributed £75m towards an indemnity against possible losses at JMB beyond its capital and reserves. In the case of NIIB the Bank took the view that the implications for the banking system were not such as to justify the use of central bank resources.

Background Note

NIIB (not an abbreviation) is a Northern Ireland institution with an Isle of Man subsidiary of a similar name. The NIIB Group has got into difficulty because it has mismanaged its tax affairs, essentially by attempting to set up an off-shore operation as a vehicle for tax evasion by Northern Ireland residents and then failing to establish the bona fides of the Isle of Man end of the operation.

2. Attempts to find a buyer for NIIB have failed. The Bank is proposing today to issue notice of intention to revoke NIIB's licence on the grounds that (following its unforeseen and unprovided tax liabilities) NIIB has insufficient capital to maintain its business. The notice will be handed over when the proprietor of NIIB calls at the Bank. NIIB is now ~~likely~~^{likely} to seek liquidation and depositors (including a Protestant church building fund and other sensitive depositors) will almost certainly lose up to half of their funds.

3. The Bank will not make the revocation public knowledge until it comes into effect (~~previously~~^{cisely} when will depend on NIIB's use of the representations and appeals procedures) but it is very likely that NIIB will make the position known before that time, and indeed may go into voluntary liquidation. Neither Ministers or the Bank should however make any comment in public on the

NIIB affair until it is clear that NIIB has itself
disclosed hte position.

CONFIDENTIAL

FROM: MR M A HALL
14 November 1984

CHANCELLOR

c c: Economic Secretary
Sir Peter Middleton
Mr Cassell
Mr Lankester
Mr Ilett
Mr Quinn B of E
Mr Turnbull No 10 ✓

NIIB

You should know of the involvement of Mr Edward du Cann in this case.

Mr du Cann, who knows the proprietor of NIIB, made it clear to the Bank of England some time ago that he was prepared to act as go-between on behalf of a group of Northern Irish business men who might be interested in bailing out NIIB. Mr du Cann was told that other arrangements were under discussion, but that nothing irrevocable would be done if these negotiations broke down without prior discussion with him.

As main note explains, this is one last avenue to be explored.

When negotiations with the Bank of Ireland did in fact break down, Mr du Cann was told. He said however that the proprietor of NIIB had told him that it was too late, and that he (Mr du Cann) did not wish to take further action in the matter.

The Bank of England report that Mr du Cann has shown a constructive attitude to the affair.

M A HALL

SECRET

PRIME MINISTER

Northern Ireland Industrial Bank

You may like warning of the possible collapse of a licensed deposit taker in Northern Ireland. The Northern Ireland Industrial Bank is a licensed deposit taker engaged mainly in hire purchase operations. It has deposits of £35 million, roughly £10 million from the private sector in Northern Ireland, and £25 million through a subsidiary in the Isle of Man.

It has been operating on the assumption that it is not liable for withholding tax on monies transferred from the Isle of Man. Indeed, the health of the business seems to be dependent on obtaining tax-free deposits. Inland Revenue have ruled that NIIB are liable to tax on these deposits, and that £1.7 million is due now plus a further £1.5 million next year.

NIIB does not have the capital and reserves to meet these liabilities. It is therefore insolvent. The Bank of Ireland considered taking over NIIB provided:-

(i) Inland Revenue waived both the £1.7 million and £1.5 million.

(ii) Inland Revenue dropped its insistence that the Bank of Ireland provide a list of depositors with the Isle of Man subsidiary.

The Inland Revenue Inspector was prepared to waive the £1.7 million, and the Bank of Ireland has been advised by its accountants that it should so arrange its affairs that it could avoid incurring the liability for £1.5 million. Inland

SECRET

Revenue is not prepared to drop its insistence on the list of depositors which it is entitled to have in order to establish the bona fides of the Isle of Man subsidiary.

In the absence of a rescue and with NIIB insolvent, the Bank of England would proceed to serve notice of its intention to revoke NIIB's licence. NIIB would then have a right of appeal but it would almost certainly mean the end of NIIB. The Treasury and the Northern Ireland Office agreed that it would not be right to rescue NIIB, either by taking it over, or by forcing the Inland Revenue to drop its demands for a list of Isle of Man depositors (this would undermine Inland Revenue's efforts to curtail tax avoidance).

There is one last ray of hope. It is possible that the outgoing proprietor of NIIB may agree to provide the list of Isle of Man depositors, relieving B.I. of the obligation to do so, in which case the rescue might be rescued. The Bank of England has stayed its hand until tomorrow.

If, however, NIIB folds, there could be some unpleasant consequences. Smaller depositors up to £10,000 will receive up to 75% of their deposits from the Deposit Protection Fund. Larger depositors may get only about 45 - 65%. Regrettably, amongst these is the Congregational Church who have £690,000 million at risk. This represents money accumulated to replace a church which was burned down.

It is possible that the story will break tomorrow as NIIB has not been taking or repaying deposits today. I have asked for briefing to answer the following questions:-

1. Is NIIB going to fold?
2. Has the Bank of England revoked its licence?

SECRET

- 3 -

3. Why is it being allowed to fold when JMB was rescued?
4. Why have Inland Revenue harried NIIB to the point of collapse?
5. What can be done to protect depositors?

Some of these questions will need to be answered very carefully if you are not to infringe NIIB's right to appeal, or extinguish what faint chance remains of a rescue. You may like to discuss some of the issues with the Chancellor at your bilateral.

Finally, you should be aware of the constructive though unsuccessful, involvement of Mr. Du Cann - see attached.

14 November 1984

Ref. A084/3016

MR POWELL

Anglo-Irish Relations: Northern Ireland

There have been two further developments with the Irish, of which Ministers will need to take stock at tomorrow afternoon's briefing meeting.

2. First, the Irish Government were clearly alarmed by the fact that, at my last meeting with Mr Nally, the British side took the position that the introduction of a measure of devolution on an acceptable basis was an integral part of the "balanced" sets of proposals which we had been discussing in my talks with Mr Nally. They do not disagree upon the necessity of a measure of devolution. Their fear is that, if the rest of the proposals are made conditional upon the introduction of an acceptable measure of devolution, they will find themselves committed to a referendum on a change in their constitution in anticipation of a measure of devolution which we are then unable to deliver because of Unionist resistance to any measure of devolution which might be acceptable to the nationalists. In this context they have reminded us that a measure of devolution could be more acceptable to Unionists, in so far as it removed devolved matters out of the range of consultation with the Irish Government; and they have reasserted the advantages of making the Secretary of State, or another British Minister, the chief executive of a devolved government.

3. At the same time they have expressed serious concern that we should be thinking in terms of a devolved government in Northern Ireland on a majority rule rather than a power-sharing basis. They understand the difficulty of persuading the Unionists to accept anything like "power sharing"; but they believe that devolution on a majority rule basis would compound the "alienation" of the nationalist community and preclude its participation in or acceptance of devolution arrangements.

4. They have now further suggested that, until such time as devolution took effect, functions which would otherwise be devolved should be remitted to an interim executive chaired by the Secretary of State and including a number of persons nominated from outside the Northern Ireland Assembly - including the Irish Government's proposed representative in Belfast. They do not see the Irish representative involved in this way as being a participant in decision making or as detracting from the British Government's ultimate power of decision.

5. They also revive a suggestion made earlier that, in cases of disagreement between the Secretary of State for Northern Ireland and the Irish representative, there should be a right of recourse to the Prime Minister and the Taoiseach.

6. These points were made to Mr Goodall by Mr Lillis yesterday; Mr Lillis left with Mr Goodall an Irish speaking note, a copy of which I attach. The same points were made to me by the Irish Ambassador this morning.

7. Mr Lillis also emphasised, under instruction, that, although the Irish side accepted that the essence of the proposed arrangements was consultative and would not involve joint authority, the use of the word "consultative" as a description of those arrangements continued to be a serious obstacle from the Irish Government's point of view.

8. The fact is that they are looking for something which can face both ways: an arrangement which they can present as giving the Irish Government "an effective say" in decision making in Northern Ireland, and something which we can present as not detracting from the ultimate power of the British Government to make the decisions.

9. The second development is that the Irish have now come back with a revised version of the draft communique passage on Northern Ireland. It is much longer than our draft, and it amounts to a proposal for an agreed declaration by the Prime Minister and the Taoiseach. I attach a copy of the Irish draft herewith.

10. In presenting it, the Irish Ambassador emphasised to me that there were considerable expectations, at any rate in Ireland, for the outcome of this Summit, following the Forum Report, Mr Prior's speech of 2 July and the various proposals of the political parties in Northern Ireland; and that his Ministers felt that our draft would be seen as an inadequate response from Heads of Government at this time. Their draft represented their attempt to set out a position which they thought was agreed between the two Governments.

11. I said that I should have to consult the Prime Minister and her colleagues, both about whether they were prepared to contemplate a draft communique passage as long as this and, if they were, about the drafting of it. I went through a number of points which, at first reading, seemed to me likely to present the British Government with difficulties.

12. At the Prime Minister's meeting tomorrow she will wish to consider with her colleagues whether they would be prepared to go along with a declaration on the lines suggested by the Irish Government. I have gone through the draft, and I attach a version of it with manuscript amendments which seem to me to be the minimum required to make it tolerable from our point of view.

13. One possibility for handling this might be for Ministers to authorise me to indicate to the Irish Ambassador that the Prime Minister would wish herself to discuss with the Taoiseach when they meet whether to go for the shorter British version or something on the lines of the longer Irish version; and also to indicate to him, without prejudice to that discussion, the amendments that we would require to make to the Irish draft, if the Prime Minister and the Taoiseach were to decide that something on those lines should go ahead.

14. I am sending copies of this minute to the Private Secretaries to the Foreign and Commonwealth Secretary and the Secretary of State for Northern Ireland.

RA

ROBERT ARMSTRONG

13 November 1984

Speaking Note

1. The Irish side have reflected carefully on the exchanges which took place in Dublin on 2nd and 3rd November and have sought instructions.

2. The following suggestions, which do not imply any commitment on the part of the Irish Government, are intended to ensure that the British side have the clearer understanding of our position in several important respects which has emerged as a result of the last round of exchanges and of our subsequent consideration of them.

3. It now seems clear to us - and this was partly acknowledged on the 3rd November by the British side - that there have been two important developments in the British position in recent weeks, both of which, on reflection, must cause us grave concern. The first relates to the condition suggested by the British side for the introduction of the measures which would give the Irish Government an institutionalised role in relation to Northern Ireland, namely, that this might depend on the establishment of a devolved government for Northern Ireland. We see this as a new and unheralded element in your approach. We would ask you to consider its possible implications for the Irish Government, and indeed for the British Government, if it were to be followed in practice.

4. As we would see it, the implementation of the measures that it is envisaged that the British Government would undertake could thus depend on two formal conditions:
(a) successful action by the Irish Government to change certain provisions of the Irish Constitution and (b) the successful introduction by the British Government of a measure of devolved government in Northern Ireland "on an acceptable basis" and with the support of the Irish Government.

5. It is our belief that, in the launching of a new effort to bring lasting peace and stability to Northern Ireland, as it is now being discussed between us, it is the Irish Government and indeed the Irish State which must face all at once the greater dangers inherent both in the campaign itself and in the possibility of a defeat in the constitutional referendum on which the Government would be strongly, obdurately and perhaps violently opposed. We fully accept that the British Government would itself face very great political and security difficulties in the pursuit of progress on this issue but your Government has significantly greater political room for manoeuvre than ours on the issue and your Government, moreover, would not face dangers comparable in their scale or their nature to those our Government would face. Nor would the United Kingdom as a whole face threats comparable to those which would confront the Irish State.

6. The British side have, we believe, correctly understood the view of the Irish side that the Irish Government would be prepared, as part of a balanced set of proposals, to take action to change the Irish Constitution. The introduction of devolved government in Northern Ireland is, in the view of public opinion both North and South, a difficult and, in the eyes of many, an impossible prospect. The Irish side believes that it must be obvious that it would be madness for an Irish Government to call on the Irish electorate to take the enormous step of changing the Constitution in order to secure the implementation of certain measures by the British Government which would, however, only happen in the highly uncertain event that devolved government could be established in Northern Ireland. We strongly believe, moreover, that it would be against the interest of the British Government that an Irish Government should be put in the position of undertaking such a foolhardy venture.

7. This first development which we perceive in your position is compounded by another related development, namely, that the British side, while insisting on the introduction of devolved

government for Northern Ireland, seems to doubt the feasibility of a form of executive being established which would have participation by political representatives from both sides of the community divide in Northern Ireland, and at the same time, seems to suggest that a devolved government could be established without such support which would yet be both "acceptable" in Northern Ireland and have the support of the Irish Government. Should this interpretation of the British side's position on these two points be correct, one conclusion might be that the Irish Government would be expected to embark on a constitutional referendum against a background whereby the British Government's hitherto admirably consistent commitment to cross-community participation in devolved government for Northern Ireland would be abandoned for a readiness to implement devolution on the basis of majority rule (which would be seen in itself as a significantly retrograde development in British policy viewed from a nationalist standpoint). Should those circumstances arise, the Irish side believes that it would be impossible and indeed irresponsible for an Irish Government to undertake a referendum.

8. Throughout these exchanges our side has stressed the importance of devolved government on an acceptable basis and we can readily agree that this should be central to any new arrangements if they are to succeed and if they are to endure. You have correctly interpreted our understanding that any form of devolved government to be "acceptable" must be on a power-sharing basis. At one point in this series of exchanges we explained, in response to a query as to whether we could agree to "majority rule" in the context of the consultative arrangements now envisaged by the British side, that we could only contemplate "majority rule" in the context of "Joint Authority". In other words, as we explained, it was essential that the Irish nationalist role be that of an equal participant in decision-making either at the Ministerial Commission level or at the level of devolved government; otherwise we believe that the arrangements would not be adequate in themselves to reverse the problem of alienation or adequate to provide

sufficient political grounds for an Irish Government to win a constitutional referendum. That remains the position of the Irish side and should be noted as such.

9. We recognise that there would be considerable unionist opposition to joining with the SDLP in a power-sharing executive and we have sought to overcome this serious difficulty by making two complementary suggestions:

- first by arguing that it is necessary that the j o i n t arrangements should involve all the functions which might be devolved unless and until an Executive were established to deal with them; this we argued would provide an powerful incentive to unionists to participate in a devolved government (and we believe that it would similarly be a significant incentive to the SDLP);

- second, believing as we do that the fear of Irish unity which inhibits unionists from contemplating participation in a power-sharing arrangement or supporting other measures of reassurance to Northern Ireland nationalists, is at heart grounded in a lack of certainty about British rather than Irish intentions, we have argued that it would help to reassure unionists in this sense if the Secretary of State or some other British Minister were to undertake for as long as might be necessary the role of Chief Executive or Chairman in a devolved government; we have also argued that such a measure would serve to overcome the considerable practical difficulty of bringing the two sides together.

10. Following reflection, it now seems to us that it would add considerably to the effect of the first of these two incentives if the role of the Irish Government's Ministerial representative in those functions intended in principle to be devolved to a devolved executive ^{was} to be, pending such devolution, that of a participant in decision-making possibly within an interim executive chaired by the Secretary of State and including a number of other

persons nominated to the executive from outside the Northern Ireland Assembly - unless and until a devolved executive based on the Assembly were formed. We do not see the involvement of an Irish Minister or representative in this or in other matters as a participant in decision-making as being inconsistent with the British position that ultimate power of decision would continue to lie with the British Government. We would wish you to register this as our position.

11. In regard to the institutional arrangements for the involvement of the Irish Government in the affairs of Northern Ireland, the Irish side believes that a British suggestion made at an earlier stage in the dialogue has considerable merit, namely that there might be in cases of disagreement between the Secretary of State and the Irish Minister a right to exercise an appeal to the Prime Minister and the Taoiseach, meeting together. The Irish side would wish this suggestion to be noted.

12. We have also given some thought to the exchanges which took place on the Joint Security Commission, exchanges which we believe made some progress towards clarifying the positions of the two sides and even reducing some of the differences between them. It occurs to us now that there might be considerable practical merit in contemplating two different institutions within the AIIC to deal with the two different sets of ideas which we discussed on the 2nd and 3rd November viz. security cooperation and security within Northern Ireland. We would accordingly suggest that, if the overall set of measures were agreed, the best approach might be to establish a Joint Security Commission for Northern Ireland within the Ministerial Commission for Northern Ireland of the AIIC to accommodate the role of the Irish Minister in that Commission in respect of security matters in Northern Ireland while at the same time organising Anglo-Irish meetings on security ^[cooperation] separately within the AIIC. We believe that such a dual structure would be more workable and more "transparent" and would more effectively promote the two distinct goals of maximum security cooperation and

maximum confidence in the security system within Northern Ireland on the part of the nationalist minority which we both desire, than to attempt to contain both within a single institution.

13. While wishing in this paper to avoid the details of policing which we agree should be matters for security experts, we think it essential to register the conviction of our side that the extremely difficult relationship between the UDR and the nationalist minority in Northern Ireland is an area crucial to the question of minority confidence in any new arrangements. We believe that the issues involved in setting up a more acceptable military establishment based on the local population (if such an establishment is necessary) should again be discussed by experts.

14. There are three other items which are of importance to the Irish side and which we would wish to have noted accordingly:

- we would wish the Joint Security Commission for Northern Ireland to have an important role in relation to a police complaints procedure in addition to the other items which the British side has correctly noted;
- we believe that the Flags and Emblems Act should be repealed;
- we further hold that legislative obstacles to Members of the Northern Ireland Assembly being elected to and sitting in the Houses of the Oireachtas should be removed.

IRISH DRAFT

12 November 1984

DRAFT SECTION ON NORTHERN IRELAND

They had a full exchange of views on developments in relation to Northern Ireland since their last major bilateral meeting one year ago. In their discussions they took fully into account the report of the New Ireland Forum; the position of the British Government as set out in the debate in the House of Commons on 2 July 1984; and the proposals of the constitutional, democratic parties in Northern Ireland as set out in the respective documents which each has published in recent months.

Following this detailed exchange of views the Taoiseach and the Prime Minister agreed on the following declaration:

1. There is a conflict of identity in Northern Ireland. This conflict has found expression in community division, instability and violence within Northern Ireland; and the consequences affect all of the people of both islands.

2. A majority of the people of Northern Ireland want to maintain its present status as part of the United Kingdom. On the other hand a substantial minority within Northern Ireland identify with the majority, nationalist tradition in the island as a whole. They share the aspiration of that tradition, affirmed again in the Report of the New Ireland Forum, to bring the two parts of the island together, by agreement, in a new and sovereign Ireland.

3. It is strongly in the interest of all of the people of Northern Ireland, of both our Governments and of all of the people whom we represent that there be lasting peace, based on justice and tolerance, within Northern Ireland and in Ireland as a whole.

4. As leaders of the two sovereign Governments in these islands, we seek to encourage and promote this aim. We believe that it can be furthered by the strengthening and development of the existing close relations between our two countries and peoples. This will help to set a broader context for dialogue based on mutual acceptance and accommodation.

5. Violence or the threat of violence cannot achieve this. On the contrary, it creates new hostility and anger; it increases division; and it brings great human suffering and pain.

6. As democratically chosen leaders of democratically elected Governments, we repudiate violence. We are strongly committed to the democratic process and to democratic values; and we are

determined, with the support of our peoples, to defend and sustain democracy against attack. We therefore reject any attempt to promote political objectives by violent means or by the threat of violence; and we will cooperate to the full in opposing those who adopt or support such methods.

7. The democratic process in our countries rests on consent, freely given, and on a broad base of community support for the institutions of government. We believe that a recognition of this reality is crucial - both in relation to the present situation in Northern Ireland and in relation to any future political development which may take place in the island of Ireland.

8. It is quite clear that a majority of the population of Northern Ireland want to maintain its present status as a part of the United Kingdom. Recognizing this as a reality, we both join in stating clearly on behalf of our Governments, that any change in the present constitutional status of Northern Ireland within the United Kingdom would only come about with the free consent of a majority of the people of Northern Ireland.

9. Equally, in accordance with the principle of consent, we both accept that if, in the future, a majority of the people of Northern Ireland wish and consent to join in establishing new political structures within the island of Ireland as a whole, then that wish should be supported and given effect. It is clear of course that new political arrangements of this kind within the island could work only if they were freely negotiated and agreed to by the people of the North and by the people of the South.

10. It is evident that the need for consent and broad community support for the democratic process applies too in Northern Ireland. We believe that the immediate and urgent necessity is to find a way to accommodate the legitimate rights of both communities in Northern Ireland in political structures acceptable to both. The identity of both communities must be recognised and accommodated to an extent that will encourage full confidence and participation in the democratic political

process and full support for the security forces which uphold democratic institutions.

11. We commit ourselves and our Governments, in consultation with democratic, constitutional, parties in Northern Ireland, to a new effort to create these necessary conditions for peace, justice, stability and reconciliation. To that end, we have agreed to maintain a close and continuing dialogue between our two Governments over the coming months in the framework of the Anglo-Irish Intergovernmental Council with a view to working towards a set of proposals to achieve our aims. We call on all who want peace in Ireland and close and friendly relations between our two countries for support and help in this endeavour.

IRISH DRAFT
with minimum changes
(changes underlined)

12 November 1984

DRAFT SECTION ON NORTHERN IRELAND

The Prime Minister and the Taoiseach

They had a full exchange of views on developments in relation to Northern Ireland since their last major bilateral meeting a ~~one~~ year ago. In their discussions they took fully into account the report of the New Ireland Forum; the position of the British Government as set out in the debate in the House of Commons on 2 July 1984; and the proposals of the constitutional ~~constitutional & democratic~~ political parties in Northern Ireland as set out in the ~~respective~~ documents which each has published in recent months.

Following this detailed exchange of views the ^{Prime Minister and the} ~~the~~ Taoiseach and the ~~Prime Minister~~ agreed on the following declaration:

The conflict of identity between the two communities

1. ~~There is a conflict of identity~~ in Northern Ireland. ~~This conflict~~ has found expression in community division, instability and violence within Northern Ireland; ~~and the consequences affect all of the people of both islands.~~

2. A majority of the people of Northern Ireland want to maintain its present status as part of the United Kingdom. On the other hand a substantial minority within Northern Ireland identify with the ~~majority~~ nationalist tradition in the island ~~as a whole~~. ^{and} They share the aspiration of that tradition, affirmed again in the Report of the New Ireland Forum, to bring the two parts of the island together, by agreement, in a new and sovereign Ireland.

Inish

3. It is strongly in the interest of all of the people of Northern Ireland, of both our Governments and of all of the people whom we represent that there ~~be~~ lasting peace, based on justice and tolerance, within Northern Ireland and in Ireland as a whole.

should

4. As leaders of the two sovereign Governments in these islands, we seek to encourage and promote this aim. We believe that it can be furthered by the strengthening and development of the existing close relations between our two countries and peoples. ~~This will help to set a broader context for dialogue based on mutual acceptance and accommodation.~~

5. Violence or the threat of violence cannot achieve this. On the contrary, it creates new hostility and anger; it increases division; and it brings great human suffering and pain.

6. As democratically chosen leaders of democratically elected Governments, we repudiate violence. We are strongly committed to the democratic process and to democratic values; and we are

determined, with the support of our peoples, to defend and sustain democracy against attack. We therefore reject any attempt to promote political objectives by violent means or by the threat of violence; and we will cooperate to the full in opposing those who adopt or support such methods.

7. The democratic process in our countries rests on consent, freely given, and on a broad base of community support for the institutions of government. We believe that a recognition of this reality is crucial - both in relation to the present situation in Northern Ireland and in relation to any future political development which may take place in the island of Ireland.

and processes /

8. It is quite clear that a majority of the population of Northern Ireland want to maintain its present status as a part of the United Kingdom. ~~Recognizing this as a reality,~~ We both join in stating clearly, on behalf of our Governments, that any change in the present constitutional status of Northern Ireland within the United Kingdom could only come about with the free consent of a majority of the people of Northern Ireland.

9. Equally, in accordance with the principle of consent, we both accept that if, in the future, a majority of the people of Northern Ireland wish and consent to join in establishing new political structures within the island of Ireland as a whole, then that wish should be supported and given effect. It is clear of course that new political arrangements of this kind within the island could work only if they were ~~freely negotiated and agreed to~~ by the people of the North and by the people of the South.

were to /

10. It is evident that the need for consent and broad community support for the democratic process applies too in Northern Ireland. We believe that the immediate and urgent necessity is to find a way to accommodate the legitimate rights of both communities in Northern Ireland in ~~political structures acceptable to both.~~ The identity of both communities must be recognised and accommodated ~~to an extent that will~~ encourage full confidence and participation in the democratic political

a process of government which both can accept

the majority and the minority

So as to

process and full support for the security forces which uphold democratic institutions.

11. We commit ourselves and our Governments ~~in consultation with democratic, constitutional, parties in Northern Ireland~~ to a new effort to create these necessary conditions for peace, justice, stability and reconciliation. To that end, we have agreed to maintain a close and continuing dialogue between our two Governments over the coming months in the framework of the Anglo-Irish Intergovernmental Council with a view to working towards a set of proposals to achieve our aims. We call on all who want peace in Ireland and close and friendly relations between our two countries, for support and help in this endeavour.

The constitutional
political parties
in Northern
Ireland, and
all those

SECRET



NBPM

12

Ref. A084/3015

MR BUTLER

Irish Terrorism

Thank you for your minute of 5 November.

2. I have taken action as recorded in the second paragraph of your minute.

ROBERT ARMSTRONG

13 November 1984

SECRET

DEPARTMENT/SERIES <i>PREM 19</i> PIECE/ITEM <i>1289</i> (one piece/item number)	Date and sign
Extract/Item details: <i>Law Officers' Department Note dated 12 November 1984</i>	
CLOSED FOR YEARS UNDER FOI EXEMPTION	
RETAINED UNDER SECTION 3(4) OF THE PUBLIC RECORDS ACT 1958	
TEMPORARILY RETAINED	<i>8/10/2007</i> <i>S. Gray</i>
MISSING AT TRANSFER	
MISSING	
NUMBER NOT USED	

Instructions for completion of Dummy Card

Use **Black Pen** to complete form

Use the card for one piece/item number only

Enter the Department, Series and Piece/Item references clearly
e.g.

DEPARTMENT/SERIES
PIECE/ITEM <i>GRA 168</i>
(ONE PIECE/ITEM NUMBER ONLY) <i>49</i>

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Prime Minister
The fact that
the Taoiseach's objection
it does not necessarily
mean it's a bad
thing. But there are
other more serious
objections. C.D.P. 9/11

Ref. A084/2327

MR POWELL

Since the Prime Minister has once or twice mentioned the possibility of repartition in Northern Ireland, you may care to draw her attention (if you have not already done so) to paragraph 4 of telegram no 599 from Dublin on 6 November, which confirms that the Irish Government would be strongly against repartition. It quotes the Taoiseach as saying:

Attached

That's why
he doesn't
like it.

"It would lead to a more permanent division of the island than hitherto, and it would be likely to be accompanied by violence. I've always opposed it absolutely as the very last thing we want to see. I doubt very much if anything of that kind is being seriously considered by the British Government".

RIA

ROBERT ARMSTRONG

9 November 1984

IMMEDIATE

PS
PS/LADY YOUNG
PS/VP RENTON

PS/S DE E
PS/ MR R. ANDREW
OAB 1/56

PS/PCS

VP BERNAN

~~SIR J. SULLIVAN~~

VP ~~ANDREW~~ Burns

VP J. J. JONES

J. LYON
VP ~~BOYLE~~

NIO

SIR E. ARMSTRONG

CABINET

DIO

D/PSD

D/PSD (2)

D/INFO D

D/NEWS D

PS/NO 10 DOWNING STREET (3)

GRS 220
UNCLASSIFIED
FM DUBLIN 061212Z NOV 84
TO IMMEDIATE FCO
TELEGRAM NUMBER 599 OF 6 NOVEMBER 1984
INFO ROUTINE TO NIO(L) NIO(B)



HOT PURSUIT ZONE AND REPARTITION

1. THE DUBLIN NEWSPAPERS OF 5 NOVEMBER REPORTED AN ARTICLE IN "FORTNIGHT" BY BOYLE AND HADDEN PROPOSING A HOT PURSUIT ZONE ACROSS THE BORDER.
2. THE PAPERS OF 6 NOVEMBER REPORT THAT, ON HIS RETURN TO DUBLIN THE PREVIOUS EVENING, THE TAOISEACH SAID HE HAD ALWAYS RULED OUT SUCH A SUGGESTION. HE IS QUOTED AS SAYING "A HOT PURSUIT ZONE WOULD BE POLITICALLY DANGEROUS AND WOULD ONLY CREATE TWO MORE BORDERS THAT PEOPLE COULD NOT CROSS". HE AGREED THAT HE HAD IN THE PAST SUGGESTED THE IDEA OF A SECURITY FORCE FOR THE ISLAND AS A WHOLE BUT THAT WOULD HAVE TO OPERATE WITHIN THE FRAMEWORK OF A POWER-SHARING GOVERNMENT IN THE NORTH WORKING TOGETHER WITH THE GOVERNMENT IN THE REPUBLIC IN THE SECURITY AREA. THE IRISH TIMES QUOTE HIM AS SAYING "THAT WOULD BE A VERY LONG DISTANCE IN THE FUTURE, I AM AFRAID. WE ARE A LONG WAY FROM THE POSITION WHERE WE WOULD HAVE A POWER SHARING GOVERNMENT IN NORTHERN IRELAND WITH CONTROL OF SECURITY".
3. THE IRISH TIMES ALSO REPORTS THAT AN IRISH GOVERNMENT SPOKESMAN SAID LAST NIGHT THAT THE BOYLE/HADDEN DOCUMENT DID NOT HAVE ANY OFFICIAL STATUS. IT WAS THE WORK OF PROFESSOR BOYLE AND DR HADDEN, WITH WHOM THE GOVERNMENT HAD NOT BEEN IN CONTACT. IT HAD NOT BEEN DISCUSSED BY THE GOVERNMENT BEFORE DURING OR SINCE ITS PRODUCTION.
4. THE QUESTION OF REPARTITION WAS ALSO REFERRED TO BY THE TAOISEACH ON HIS RETURN TO DUBLIN: "IT WOULD LEAD TO A MORE PERMANENT

4. THE QUESTION OF REPARTITION WAS ALSO REFERRED TO BY THE TAOISEACH ON HIS RETURN TO DUBLIN: "IT WOULD LEAD TO A MORE PERMANENT DIVISION OF THE ISLAND THAN HITHERTO, AND IT WOULD BE LIKELY TO BE ACCOMPANIED BY VIOLENCE. I'VE ALWAYS OPPOSED IT ABSOLUTELY AS THE VERY LAST THING WE WANT TO SEE. I DOUBT VERY MUCH IF ANYTHING OF THAT KIND IS BEING SERIOUSLY CONSIDERED BY THE BRITISH GOVERNMENT".

5. PRESS CUTTINGS FOLLOW BY BAG.

GOODISON

NNNN



bc PC JF

10 DOWNING STREET

From the Private Secretary

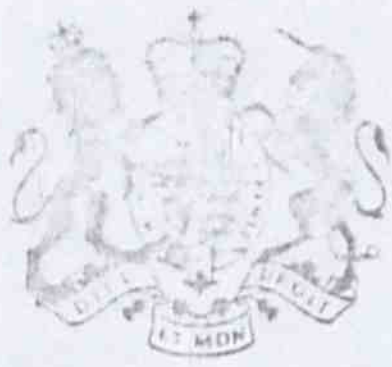
7 November 1984

Thank you for your letter of 5 November about Mr. Cushnahan's wish to call on the Prime Minister.

The Prime Minister is, in principle, ready to see him early next year. Would you please get in touch with me again after Christmas to discuss possible dates.

(C.D. POWELL)

Neil Ward, Esq.,
Northern Ireland Office.



hlc
CCPC 9.

10 DOWNING STREET

From the Private Secretary

SIR ROBERT ARMSTRONG

Anglo-Irish Relations: Northern Ireland

The Prime Minister has noted your minute of 5 November reporting on your discussions in Dublin at the end of last week. She looks forward to seeing your proposals for further changes to the draft communique to take account of her comments.

I am sending copies of this minute to Len Appleyard (Foreign and Commonwealth Office), Graham Sandiford (Northern Ireland Office), Sir Antony Acland, Mr Robert Andrew and Mr David Goodall.

C.D.P.

C D Powell

mg

6 November 1984

D10

From: THE PRIVATE SECRETARY

cc/KC ①



NORTHERN IRELAND OFFICE
WHITEHALL
LONDON SW1A 2AZ

Charles Powell Esq
10 Downing Street
LONDON
SW1

Prime Minister
Agree in principle
re fee
Mr. Cushman
early in the New Year?

5th November 1984

CDP 6/xi To Mr

Dear Charles,

We have recently received representations from Mr John Cushman the newly appointed leader of the Alliance Party, that it would help him in consolidating his position, if he could have an early meeting with the Prime Minister. His predecessor, Mr Oliver Napier, had such a meeting and other party leaders see the Prime Minister from time to time, if only because they are Westminster MPs. We may well want to enlist the support of the middle-of-the-road Alliance Party in our attempts to establish devolved government in Northern Ireland and the Secretary of State feels that it would be helpful in this connection if the Prime Minister were willing to have a short meeting with Mr Cushman.

Mr Hurd would prefer that this meeting be clearly separate from his own dealings with Party Leaders before or immediately after the forthcoming Summit. This points to a date early in the New Year. If the Prime Minister is willing in principle, we will offer further advice on timing a little later.

Yours Sincerely

Neil Ward.

N D WARD



Prime Minister 8. /

This is RTA's account of his discussion with the Irish last week-end. You have already seen the attached document.

You should see my letter giving your comments on the draft

Ref. A084/2948

PRIME MINISTER

Anglo-Irish Relations: Northern Ireland

communiqué [B]. RTA will now produce revisions.

CDP 5/xi

I visited Dublin on 2 and 3 November 1984, while you were in New Delhi, for a further round of talks with Mr Nally. I was accompanied by Mr Goodall (Foreign and Commonwealth Office), Mr Bourn and Mr Brennan (Northern Ireland Office) and Mr Goodison, the British Ambassador in Dublin. Mr Nally was accompanied by Mr Sean Donlon and Mr Michael Lillis (Department of External Affairs), Mr Andrew Ward (Ministry of Justice), Mr Declan Quigley (Attorney General's Department) and Mr Noel Dorr, Irish Ambassador in London.

2. The main purposes of our meeting were:

- (1) to show the Irish side the draft British statement of position as amended in the light of Ministerial discussion last week;
- (2) to discuss with the Irish side the possible contents of a paragraph in the draft communiqué from the next Anglo-Irish Summit on Northern Ireland.

3. It was clear that Mr Nally and his colleagues were relieved when they found that we were still talking to them: I thought that there had been some genuine fear, following the visit which Mr Hurd and Mr Andrew paid to Dublin, that the British Government, and in particular you, might have lost interest in the process. There was no disposition to underrate the difficulties, and I think no certainty on the Irish side that what we could offer would be substantial enough to carry the Irish Government through a referendum on the constitution. But the process of discussing a text clarified thinking in many respects;



and I was left with the impression that, while there are still matters on which they will be pressing us to go further than we have so far gone, they very much want an agreement and are prepared to accept that they are not going to get as much as they would like in order to get it.

4. They also moved significantly on timing. Here, they appeared to recognise that it was unrealistic to expect that any new arrangements which might be agreed should be in place in time for the local elections in Northern Ireland in May 1985. They accepted that it would be premature to look for definitive or detailed decisions from the two Heads of Government at the forthcoming bilateral Summit. What they are hoping for is that further work will be commissioned at the Summit and that this will be sufficiently far advanced in the next few months for it to be possible before May 1985 to give some firm public indication of the outline of the arrangements towards which the two Governments will be working.

5. As to the proposals for consulting the Irish Government about Northern Ireland affairs, I have no doubt that they have accepted that the relationship will be purely consultative and that the final power of decision will continue to rest with the British Government. The differences that remain are semantic and procedural. The Irish Government would prefer not to use the word "consultation" but some such phrase as "contribute to the formulation of policy". On the procedural side, they have not withdrawn their proposal for carrying out the process of consultation in a Ministerial commission, but my impression is that that is in the end a matter of form rather than substance and that they would in the end be prepared to accept what we are proposing.

6. There remain some important differences on the role and functions of the proposed Joint Security Commission, but in my judgment none of which are incapable of resolution.



7. On the question of practical policing measures, the Irish side again showed some signs of movement. They still think that our proposals do not go far enough, and the statement of the Irish side's position still includes a reference to the idea of establishing locally based police forces. But I am sure that in practice they know that that is not going to happen; and towards the end of our meeting they even abandoned their proposal for some "restructuring" of the RUC; it is now described as some "change" in the RUC. They made the point that there was some trade-off between what happens on practical policing and what happens elsewhere: the better the deal we can offer them on other matters, the less they will need to press for on practical policing. My own judgment is that, if we could say that we agreed that the aim should be to have an RUC in which the proportion of Catholics to Protestants was comparable with that for the population as a whole, and that in the long run the aim should be that predominantly nationalist areas should be policed primarily by people from the nationalist community, and if we could indicate the possibility of early practical measures to begin giving effect to that, they would probably in the end accept the position.

8. Perhaps the main difficulty for the Irish side that emerged from the weekend's meeting was a new one, which resulted from our insistence that a system of devolved government based on an elected assembly and on a Northern Ireland executive would be integral to the set of proposals we have in mind. They do not disagree in principle that a measure of devolution is desirable in the context of these proposals, but they are clearly very fearful lest the attempt to achieve a measure of devolution might fail and that, because of purely timetable considerations, they might have gone ahead with arrangements for a referendum on a change in the constitution and then find that it was not going to be possible to reach agreement on devolution after all. It is this fear that explains the second sentence of paragraph 8



of the British statement of position, which records the Irish side as saying that they would not wish the introduction of consultative arrangements to be blocked if it should prove impossible to get devolved government under way.

9. As to the draft passage for inclusion in the Summit communique the main change from the draft which emerged from Ministerial discussion last week is to the first sub-paragraph. The Irish side pressed hard for a different form of words derived from the Forum report. We said that it was absolutely essential that the constitutional guarantee should be unambiguously reasserted in the traditional wording: anything else would arouse deep suspicions among the unionists. The Irish side then asked that the constitutional guarantee should be preceded by a reference to the Irish Government's wish that the two parts of Ireland should come together by freely negotiated agreement and in peace. In the form in which it now stands we thought that it would be difficult to object to this restatement of the Irish aspiration, in a form which makes clear that it is only an aspiration or a wish and not a claim and that its realisation depends upon a freely negotiated agreement. The Irish side also said that, if the constitutional guarantee had to be restated in the traditional wording, it would also be useful to repeat from earlier communique the statement of the British Government's readiness to accept any decision of the majority of people in Northern Ireland in a poll conducted in accordance with the 1973 Act.

10. The other change to the draft communique was to run together the third and fourth sub-paragraphs of our earlier draft. The change of substance is that the new sub-paragraph (iii) contains an agreement that the identities of the two communities in Northern Ireland should be reflected in the institutions of government in Northern Ireland.



11. Finally, the reference to close and continuing dialogue has been taken from the preamble and put at the end of the passage so as to signal more clearly that these are matters of current discussions between the two Governments.
12. We now have your comments on the revised draft. I shall be sending you a submission in a day or two's time with proposals for further changes to the draft which I will then (if you are content) put to Mr Nally.
13. As to procedure, the Irish side will now produce for their Ministers an Irish statement of position. Given the discussion over the weekend, it should be possible for them to produce a document which properly reports the British Government's positions; but they will give us an opportunity to comment on and propose alterations to their draft before it goes to Irish Ministers.
14. It is also the duty of the Steering Committee of the Anglo-Irish Intergovernmental Council to agree upon the other elements in the draft communique which will emerge from the Summit. The other elements will presumably include a reference to the continuing work of the Anglo-Irish Intergovernmental Council and some reference to discussions between the Prime Minister and the Taoiseach on outstanding European Community issues, notably enlargement. Arrangements are in hand for drafting this material. Mr Nally and I hope that all this can be done without a further meeting between him and me; but of course we stand ready to have such a meeting if it is required.
15. I am sending copies of this minute, and of the latest drafts of the British statement and position and the draft communique passage, to the Secretaries of State for Foreign and Commonwealth Affairs and Northern Ireland, and to Sir Antony Acland, Mr Robert Andrew and Mr David Goodall.

ROBERT ARMSTRONG

5 November 1984

SECRET AND PERSONAL

NORTHERN IRELAND: BRITISH STATEMENT OF POSITION

1. The agreed purpose of the current confidential discussions between British and Irish officials is to see whether it is possible hypothetically to identify a set of proposals on which both sides might agree as a means of promoting lasting peace and stability in Northern Ireland and, as a necessary element in that process, helping to strengthen the confidence of the minority community in the forces of law and order and in the political institutions of Northern Ireland. It is agreed that this will necessarily involve the strengthening of Anglo-Irish relations within the existing institutional framework.

2. It is accepted by both sides that the discussions are exploratory, and are being conducted without commitment; and that any set of proposals which may be identified will be for consideration by the two Governments, each of which will have to make its own judgement on whether and, if so, on the extent to which the set of proposals may be acceptable.

3. It is also accepted by both sides that any set of proposals which might be agreed upon should be adequate to achieve the objectives set out in para. 1; should be durable and thus remove uncertainty; and transparent, in the sense that it should contain no hidden provisions and no features which might generate suspicions on either side of the border that there were hidden provisions.

4. A fundamental idea emerging from the discussions is that the proposals might be built on two central and reciprocal elements: on the one hand, action by the British Government to accord the Irish Government a right to contribute, on a systematic and institutionalised basis, to the consideration by the British Government of a range of policy matters including security as a means of strengthening the confidence of the minority community in Northern Ireland in the institutions of

government; on the other hand, action by the Irish Government formally to reassure the majority community in Northern Ireland: to achieve this, the Irish Government would be prepared as part of a balanced set of proposals to change the present Irish Constitution so as to make it plain that although there is an aspiration to Irish unity there is no territorial claim on Northern Ireland. It is also a part of the central concept that the British Government would seek to introduce a measure of devolved government in Northern Ireland based on an elected Assembly and a Northern Ireland Executive, and that this would have the support of the Irish Government.

5. As the Prime Minister made clear in her conversation with the Taoiseach on 3 September, any question of joint authority is excluded: what might be envisaged is a formal obligation on the British Government to consult and a right for the Irish Government to be consulted. The Irish side, while accepting the British position that the ultimate power of decision would continue to lie with the British Government, believes that any arrangements for involving the Irish Government in the affairs of Northern Ireland must be such as to give it opportunities for making a substantive contribution to the formulation of policy, including security policy. The British side envisages that the British Government could accept a formal obligation to allow the Irish Government a right to contribute to the formulation of policy on an agreed range of matters and would give full weight to the Irish Government's views.

Irish territorial claim

6. The Irish side envisages that the Irish Government would, if the balance in this set of measures were right, be prepared to embark on a referendum to repeal Articles 2 and 3 of the present Irish Constitution and to replace these two articles with wording which would: substitute an aspiration to unity for what is now seen as a territorial claim; confirm that violence in pursuit of that aspiration was absolutely abjured; and emphasise that the aspiration could not be realised without the consent of a majority of the people of Northern Ireland.

Consultative arrangements

7. There is agreement that consultation as a matter of right would not apply to external defence, foreign affairs or finance, which would continue to be the sole responsibility of the British Government, though the possibility of informal consultation on occasion and on request on these matters would not be excluded. Similarly the right of consultation would not apply to matters which had been devolved to a Northern Ireland Assembly or Executive. In addition to security (which is treated separately - see paragraphs 11-13 below), the right of consultation would in principle apply to all areas of government and administration which do not fall into either of the two foregoing categories (defence, foreign affairs and finance on the one hand; devolved matters on the other) and which fall within the executive responsibility of the Secretary of State for Northern Ireland. Examples advanced by the Irish side to which the right of consultation should apply include nominations by the Secretary of State to public bodies and institutions and to any bodies set up to give effect to these arrangements; nominations to a devolved Executive; issues affecting the identity of the two communities in Northern Ireland (flags and emblems, the use of the Irish language etc.); and broadcasting, posts and communications.

8. Both sides agree that an acceptable system of devolved government should be integral to the set of proposals. The Irish side, however, would not wish the introduction of the consultative arrangements to be blocked if it should prove impossible to get devolved government under way.

9. Both sides accept that the process by which the Irish Government participated in consideration of matters falling within the arrangements envisaged would be within the framework of the existing Anglo-Irish Intergovernmental Council (AIIC). But there is a divergence of view about the institutional machinery to be created for the purpose. The Irish side would wish to see a Ministerial Commission for Northern Ireland, comprising the Secretary of State for

Northern Ireland and a member of the Irish Government; and see this Commission as having overall responsibility for considering all the areas of policy envisaged, including security. The British side would not wish to see the institutional structure described as a Commission. It accepts, however, that the Government of the Republic would appoint a representative in Northern Ireland (whose style and title would be for further consideration) who would have supporting staff and with whom the Secretary of State for Northern Ireland, and any officials acting on his behalf or subject to his direction, would consult on relevant matters. A liaison unit would be established at Stormont to monitor, coordinate and encourage contacts with the Irish representative and to act as a channel for communication with him. He would, however, be free to contact Northern Ireland Office Ministers or Departments on his own initiative.

10. The Irish side has pointed out that, in the event that an Executive were formed, it would be of practical benefit to have a mechanism whereby the Executive and the Irish Government could consult on practical matters of mutual interest.

Security

11. It is agreed that there should be a Joint Security Commission (JSC) comprising the Secretary of State for Northern Ireland and an Irish Minister, assisted as necessary by advisers who might include the Chief Constable of Northern Ireland and the Commissioner of the Garda Siochana or other appropriate senior police officers. It is also agreed that the JSC should have no operational responsibilities: responsibility for police operations would remain with the heads of the respective police forces.

12. The Irish side sees the functions of the JSC as limited to Northern Ireland; the British side, while accepting that measures discussed in the JSC would relate primarily to

Northern Ireland, believes that there should be scope for the application by the Republic of some such measures where that would enhance security cooperation. The divergence here, however, relates only to the question whether the JSC would be the appropriate forum in which to discuss issues of cross-border cooperation. The Irish side agrees that arrangements for such discussions are appropriate (though not within the JSC) and agrees also that measures discussed in the JSC in relation to Northern Ireland might at times be such that they could appropriately and usefully be applied also in the South either in the interests of security cooperation or for other reasons. The Irish side sees the Ministerial component in the JSC as comprising their proposed Ministerial Commission for Northern Ireland (i.e. the Secretary of State for Northern Ireland plus the Irish representative in Northern Ireland) and the JSC itself as having an important role in the establishment of security policy guidelines, including operational guidelines for the security forces and the prison services in Northern Ireland, in the appointment of the principal officers of the police force and the prison service in Northern Ireland, and the recruitment and training of police and prison officers, and in the appointment of members of Boards of Visitors for the prisons in Northern Ireland.

13. The British side, while accepting that the JSC would be within the framework of the AIIC, sees its Ministerial component as comprising the Secretary of State for Northern Ireland and the Irish Minister for Justice (who is responsible in the Republic for law and order) and its primary function as being to improve security cooperation between the two sides in the fight against terrorism. The British side has proposed that the JSC's initial work programme should cover such matters as e.g. the exchange of intelligence, technical cooperation (in training, forensic matters and the control of explosives), the exchange of personnel, joint inspection arrangements, the planning of coordinated operations and the development of a programme of action designed to affirm the position of the police as an accepted part of the whole community. (This work programme overlaps to some extent with the propositions put forward by the Irish side and requires further discussion.)

Practical Policing Measures

14. Both sides accept that (a) the operational effectiveness of policing arrangements in Northern Ireland should not be impaired; and (b) measures are in principle needed to help the minority community to identify with and support the police to a greater extent than at present. The British side has proposed a number of practical measures designed to improve the recruitment of Catholics into the RUC and improve relations between the RUC and local communities. While welcoming these proposals, the Irish side is strongly of the view that they do not go far enough, and that early and visible measures, including some change in the RUC, are needed in order to attract support from the minority community. One suggestion that they have put forward to that end is the idea that predominantly nationalist areas should be policed primarily by people drawn from the nationalist community and, more broadly, the establishment of locally based police forces in Northern Ireland. In response to British objections, the Irish have asked whether arrangements of this kind might be introduced and announced as being on a temporary basis - e.g. for a period of five to ten years - with the avowed purpose of restoring minority confidence in the police force. A suggestion from the British side to establish joint regional crime squads which could be employed in either jurisdiction has not found favour with the Irish side as part of the initial proposals; but the Irish would not object to it as a possible subject for study by the proposed Joint Security Commission at some time in the future.

15. In general, it is accepted by both sides that practical policing arrangements would be one of the key areas in any set of proposals but that further discussion, involving experts on both sides, is needed in order to establish whether mutually acceptable arrangements could be worked out.

Mixed Law Courts

16. The Irish side has suggested that persons tried whether in Northern Ireland or in the Republic for terrorist crimes might be tried by a single court comprising three judges for each case. These would be drawn from a panel of judges half of whom would be from each jurisdiction. When sitting in Northern Ireland, one of the three judges would be from the Republic and the Court would exercise its jurisdiction under the law of the United Kingdom. When sitting in the Republic, one of the three judges would be from Northern Ireland and the Court would exercise its jurisdiction under the law of the Republic. The British side has agreed that the feasibility of mixed courts should be examined and a number of implications have been tentatively explored. Both sides agree that the study of these ideas should continue, but the British side has emphasised that the formulation and operation of any scheme would require the cooperation of the Northern Ireland judiciary, which has not yet been consulted.

All-Ireland Law Commission

17. The British side has suggested the establishment of an All-Ireland Law Commission to examine whether there are areas of the criminal law, applying respectively in Northern Ireland and the Republic, which could be harmonised with advantage to both countries. The British proposals envisage that the Commission's first task would be to define the areas to which harmonisation would apply and thereafter to agree on joint machinery for studying those areas and putting forward recommendations for reform. The Irish side has welcomed the British suggestions and has proposed in addition that the Commission would be required to devise proposals for the steps to be taken to establish the following:

- a single criminal court with the possibility of a jury which could be selected on an all-Ireland basis;

- a single court both for the North and for the South which would have sole jurisdiction in relation to human rights in both jurisdictions;
- a common legal regime in the area of human rights;
- a single appellate division of the All-Ireland Court;
- a uniform criminal law for the two jurisdictions.

The British side has expressed reservations about these proposals particularly so far as they relate to human rights.

An Anglo-Irish Parliamentary Body

18. The Irish side believes that a joint Parliamentary body of the kind adumbrated in the Anglo-Irish Studies Report of November 1981 could be a useful element in any set of proposals. The British side believes that any such body should evolve pragmatically from the existing Anglo-Irish Parliamentary contacts. There has been no detailed discussion of the possibilities; but the Irish side has expressed general agreement with the idea that a start could be made by systematising the existing contacts and making provision for more regular meetings leading to the establishment of a consultative body; this could receive reports from each Government on the progress of Anglo-Irish relations; and could itself make recommendations to the two Governments or the two sovereign Parliaments which, together with the Northern Ireland Assembly, would then be free to act on them.

Bill of Rights

18. The Irish side wishes to see the enactment of a Bill of Rights for Northern Ireland and believes that this would be of significant symbolic and political value in securing the support of the minority community and the SDLP for any agreed set of measures. The Irish side has drawn attention to the fact that all the Unionist parties in Northern Ireland and the

SDLP now favour such a proposal; and suggest that the most practical way to proceed would be to incorporate the European Convention of Human Rights into Northern Ireland law. The British side has taken note of the Irish proposal, while drawing attention to the practical difficulties including the implications for the rest of the United Kingdom.

Devolution

20. As noted above, both sides are agreed that a system of devolved government in Northern Ireland based on an elected Assembly and on a Northern Ireland Executive would be integral to the proposals discussed in this note. Such a system would have to be acceptable to both communities in Northern Ireland and would depend upon the cooperation of the Northern Ireland political parties and the support of the Irish Government. The Irish side believes that the SDLP and the minority community would require this system to be established on a power-sharing basis. The British side believes that the Unionists would oppose this; that they would be most unlikely to participate in power-sharing arrangements; and that involving the Republic in the affairs of the Province on the basis proposed would intensify the hostility of the Unionists to any form of power-sharing. The Irish side has suggested that Unionist objections might be overcome if the functions of Chief Executive in a devolved government in which both communities were represented were to be exercised by the Secretary of State for Northern Ireland or by another Minister, who would thus provide a visible assurance of continuing United Kingdom authority over the government of the Province. The British side has expressed serious reservations about this proposal, which, however, remains on the table for further study.

Legal basis for any accord between the two countries

21. The British side has said that detailed discussion of this question is premature. It has been assumed for purposes of the discussion, however, that the measures agreed on would

be spelt out in a formal agreement between the two Governments, which would incorporate a statement of objectives and would provide for the establishment and implementation of the measures agreed on. The agreement would have to be ratified by both Parliaments and registered with the United Nations; and it would enter into force only after Articles 2 and 3 of the Irish Constitution had been amended following a referendum. Legislation would be required in both countries.

SECRET AND PERSONAL

DRAFT PASSAGE ON NORTHERN IRELAND FOR INCLUSION
IN SUMMIT COMMUNIQUE

The Prime Minister and the Taoiseach agreed that it was a major interest of both their countries that there should be lasting peace and stability in Northern Ireland. With this in view they further agreed as follows:

- (i) recognising that it remains the wish of the Irish Government that the two parts of Ireland should come together by freely negotiated agreement and in peace, any change in the constitutional status of Northern Ireland as part of the United Kingdom would only come about with the consent of a majority of the people of Northern Ireland. If that consent were to be expressed as a result of a poll conducted in accordance with the Northern Ireland Constitution Act 1973, the British Government would accept that decision and would support legislation in the British Parliament to give effect to it;
- (ii) any attempt to promote political objectives by means of violence or the threat of violence must be rejected, as must those who adopt or support such methods;
- (iii) the identities of both the majority and the minority communities in Northern Ireland should be recognised and respected and should be reflected in the institutions of Government in Northern Ireland.

SECRET AND PERSONAL

These institutions should be such as to provide the people of both communities with the confidence that their rights will be safeguarded.

The Prime Minister and the Taoiseach agreed that there should be close and continuing dialogue on these subjects between the two Governments over the coming months in the framework of the Anglo-Irish Intergovernmental Council.

Ref. A084/2949

MR POWELL

Anglo-Irish Relations: Forthcoming Summit

As I reported briefly to you in the telegram which I sent to New Delhi, I put to Mr Nally the proposal that the forthcoming Summit meeting between the Prime Minister and the Taoiseach should be held at Chequers. They had no problem with this: indeed, my strong impression was that they welcomed it, on the grounds of the strains which a visit to Ireland would have imposed upon the Irish security forces.

2. I said that the Prime Minister proposed that the arrangements should be similar to those which were envisaged if she had visited Ireland. If the Taoiseach would like to come over on the Sunday evening, she would welcome him to a working dinner at Chequers and to stay the night. There could then be discussions on the morning of Monday 19 November, followed by a working lunch, which would conclude the proceedings. I presumed that there would be no joint press conference, though I recognised that the Taoiseach might wish to give his own press conference.

3. I said that the Prime Minister would be accompanied by the Foreign and Commonwealth Secretary and the Secretary of State for Northern Ireland, and that the officials present (apart from Private Secretaries) would probably be me and Mr Goodall, and Mr Andrew or Mr Brennan from the Northern Ireland Office. Mr Nally said that the Taoiseach would be accompanied by Mr Peter Barry, the Minister for External Affairs, and probably also by the Tanaiste, Mr Dick Spring. His officials would probably be Mr Nally, Mr Donlon and Mr Lillis. No doubt the two Ambassadors would also be present.

4. Mr Nally said that the Taoiseach would undoubtedly hope to spend as much time as possible tete-a-tete with the Prime Minister (tete-a-tete including Mr Nally and me and you). We thought that European Community matters might be discussed mainly between the two Foreign Ministers, and that the two Secretaries of State should meet Mr Spring and Mr Barry while the Prime Minister and the Taoiseach were holding their tete-a-tete meeting. Mr Nally said that for domestic political reasons the Taoiseach might ask that the Tanaiste should be present for the first five or ten minutes of his tete-a-tete with the Prime Minister (this has happened once or twice before); but it might well be that Mr Spring would not insist upon that.

5. I suggest that the organisation of the visit might now be put into the usual channels. The Prime Minister will no doubt wish to decide whether she wishes to entertain anybody else at Chequers besides Dr FitzGerald. Mr Donlon indicated to me that they would probably like to put up those who did not stay at Chequers at hotels nearby; but there could be security difficulties about that, I suppose.

ROBERT ARMSTRONG

ROBERT ARMSTRONG

5 November 1984

SECRET AND PERSONAL

file

089
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2 November 1984

PIRA FUNDS

Thank you for your letter of 1 November about the Northern Ireland Secretary's discussion with Mr. Barry and Mr. Noonan about a substantial transfer of funds to the IRA. The Prime Minister has noted this.

Charles Powell

Graham Sandiford, Esq.,
Northern Ireland Office.

SECRET AND PERSONAL



10 DOWNING STREET

From the Private Secretary

2 November 1984

NORTHERN IRELAND: REPORT OF AN INDEPENDENT
INQUIRY

Thank you for your letter of 1 November about the British/Irish Association's report.

The Prime Minister has read this with interest.

I am copying this letter to the Private Secretaries to the Lord President, the Foreign Secretary and Sir Robert Armstrong.

Charles Powell

Graham Sandiford, Esq.,
Northern Ireland Office.

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SECRET AND PERSONAL



4
CMM

70 WHITEHALL, LONDON SW1A 2AS

01-233 8319

From the Secretary of the Cabinet and Head of the Home Civil Service

Sir Robert Armstrong GCB CVO

Ref. A084/2922

1 November 1984

Dear Len,

Anglo-Irish Relations: Northern Ireland

--- Further to my letter of 31 October, I now attach copies of:

1. the "position paper" (now described as "British Statement of Position") which will be the basis for the next round of Armstrong-Nally talks this weekend;
2. a possible paragraph on Northern Ireland for the communique from the next Anglo-Irish Summit;

in the form in which they were agreed after discussion at your Secretary of State's meeting on the afternoon of 1 November.

I am sending copies of this letter and the enclosures to Graham Sandiford; and, for information, to Charles Powell.

Yours ever

Robert Armstrong

L V Appleyard Esq

SECRET AND PERSONAL

DRAFT OF 2 NOVEMBER 1984

NORTHERN IRELAND: BRITISH STATEMENT OF POSITION

The agreed purpose of the current confidential discussions between British and Irish officials is to see whether it is possible hypothetically to identify a set of proposals on which both sides might agree as a means of promoting security and stability in Northern Ireland and, as a necessary element in that process, helping to strengthen the confidence of the minority community in the forces of law and order and in the political institutions of the Province.

2. It is accepted by both sides that the discussions are exploratory, and are being conducted without commitment; and that any set of proposals which may be identified will be for consideration by the two Governments, each of which will have to make its own judgment on whether and, if so, on the extent to which the set of proposals may be acceptable.

3. It is also accepted by both sides that any set of proposals which might be agreed upon should be transparent, in the sense that it should contain no hidden provisions and no features which might generate suspicions on either side of the

/border

border that there were hidden provisions; and durable, in the sense that it would be seen as lasting and not as paving the way for the unification of Ireland.

4. The Irish side, for its part, has stressed that the proposals must also be adequate to check and if possible reverse what it sees as the alienation of the minority community in the North.

5. The starting point for the discussions has been that the proposals might be built on two central and reciprocal elements: on the one hand, action by the British Government to accord the Irish Government a right to contribute, on a systematic and institutionalised basis, to the consideration by the British Government of policy on security and other matters affecting the interests of the minority community in Northern Ireland, and to introduce a measure of devolved government in Northern Ireland based on an elected Assembly and Executive, and on the other hand, action by the Irish Government formally to waive the territorial claim on Northern Ireland which is embodied in the present Irish Constitution and to encourage the introduction of a measure of devolution in Northern Ireland.

6. As the Prime Minister made clear in her conversation with the Taoiseach on 3 September, any question of joint authority is excluded: what
/might be

might be envisaged is a formal obligation on the British Government to consult and a right for the Irish Government to be consulted. The Irish side, while recognising that joint authority is not acceptable to the British Government, and that the ultimate power of decision on all matters pertaining to the government of Northern Ireland would continue to lie with the British Government, believes that any arrangements for involving the Irish Government in the affairs of the Province must be such as to give it opportunities for making a meaningful contribution to the formulation of security policy and of policy in other areas affecting the minority; and would like to find a more positive alternative to "consultation" as a description of those arrangements.

Irish territorial claim

7. The Irish Government would propose to implement its hypothetical undertaking to waive the Republic's territorial claims by means of a referendum to repeal Articles 2 and 3 of the present Irish Constitution and to replace these two articles with wording which would: substitute an aspiration to unity for the present territorial claim; make it clear that violence in pursuit of that aspiration was absolutely abjured; and emphasise that the aspiration could not be

/realised

realised without the consent of the majority of the people of Northern Ireland.

Consultative arrangements

8. There is agreement that any right of consultation would not apply to external defence, foreign affairs or finance, which would continue to be the sole responsibility of the British Government. Similarly the right of consultation would not apply to matters devolved to a Northern Ireland Assembly or Executive. In addition to security (which is treated separately - see paragraphs 10-12 below), the right of consultation would in principle apply to all areas of government and administration which do not fall into either of the two foregoing categories (defence, foreign affairs and finance on the one hand; devolved matters on the other) and which fall within the executive responsibility of the Secretary of State for Northern Ireland. The British side have made it clear that these proposals are predicated on the introduction of an acceptable system of devolved government in Northern Ireland. Examples advanced by the Irish side to which the right of consultation should apply include nominations by the Secretary of State to public bodies and institutions and to any bodies set up to give effect to these arrangements; nominations to a devolved Executive;

/issues

issues affecting the identity of the two communities in Northern Ireland (flags and emblems, the use of the Irish language etc); and broadcasting, posts and communications.

9. Both sides accept that the process by which the Irish Government participated in consideration of matters falling within the arrangements envisaged would be within the framework of the existing Anglo-Irish Intergovernmental Council (AIIC). But there is an important divergence of view about the institutional machinery to be created for the purpose. The Irish side would wish to see a Ministerial Commission for Northern Ireland, comprising the Secretary of State for Northern Ireland and a member of the Irish Government; and see this Commission as having overall responsibility for considering all the areas of policy envisaged, including security. The British side would not wish to see the establishment of a Ministerial Commission, on the grounds that it would give an unacceptable impression of equality of responsibility suggestive of joint authority. The British side accepts however that the Government of the Republic would appoint a resident representative in Northern Ireland (whose style and title would be for further consideration) who would have supporting staff and with whom the Secretary of

/State

State for Northern Ireland, and any officials acting on his behalf or subject to his direction, would consult on relevant matters. A liaison unit would be established at Stormont to monitor, co-ordinate and encourage contacts with the Irish representative and to act as a channel for communication with him. He would however be free to contact Northern Ireland Office Ministers or Departments on his own initiative. The British side has stressed that executive responsibility on matters which might be the subject of consultation would remain with the Secretary of State for Northern Ireland, as would the ultimate right of decision in each case.

Security

10. It is agreed that there should be a Joint Security Commission (JSC) comprising the Secretary of State for Northern Ireland and an Irish Minister, assisted as necessary by advisers who would include the Chief Constable of Northern Ireland and the Commissioner of the Garda Siochana. It is also agreed that the JSC should have no operational responsibilities: responsibility for police operations would remain with the heads of the respective police forces.

11. Thereafter, views diverge. The Irish side sees the functions of the JSC as limited to Northern Ireland; the British side, while

/accepting

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accepting that measures discussed in the JSC would relate primarily to Northern Ireland, believes that there should be scope for applying some such measures in the Republic where that would enhance security co-operation. The Irish side sees the Ministerial component in the JSC as comprising their proposed Ministerial Commission for Northern Ireland (ie the Secretary of State for Northern Ireland plus the Irish Minister resident in Northern Ireland) and the JSC itself as having a consultative role in the establishment of security policy guidelines, including operational guidelines for the security forces and the prison services in Northern Ireland, in the appointment of the principal officers of the police force and the prison service in Northern Ireland, and the recruitment and training of police and prison officers, and in the appointment of members of Boards of Visitors for the prisons in Northern Ireland. The British side, while accepting that the JSC would be within the framework of the AIIC, sees its Ministerial component as comprising the Secretary of State for Northern Ireland and the Irish Minister for Justice (who is responsible in the Republic for law and order) and its primary function as being to improve security co-operation between the two sides in the fight against terrorism. The British side has proposed that the

/JSC's

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JSC's initial work programme should cover such matters as the exchange of intelligence, technical co-operation (in training, forensic matters and the control of explosives), the exchange of personnel, joint inspection arrangements, the planning of joint operations, the establishment and operation of joint units, and the development of a programme of action designed to affirm the position of the police as an accepted part of the whole community. (This work programme overlaps to some extent with the propositions put forward by the Irish side and requires further discussion.)

12. The Irish side accepts the desirability of establishing a joint body to promote security co-operation as advocated by the British side, but would prefer such a body to be separate from the proposed JSC. But it has made no proposals as to the membership and function of the separate body, or its relationship to the JSC; and this idea remains to be explored.

Practical Policing Measures

13. Both sides accept that (a) the operational effectiveness of policing arrangements in the Province should not be impaired; and (b) measures are in principle needed to help the minority community to identify with and support the police to a greater extent than at present. The British side has proposed a number of practical measures

/designed

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designed to improve the recruitment of Catholics into the RUC and improve relations between the RUC and local communities. While welcoming these proposals, the Irish side is strongly of the view that they do not go far enough, and that early and visible measures, including some restructuring of the RUC, are needed in order to attract support from the minority community. The Irish want to see predominantly Catholic areas policed by Catholic policemen and have pressed for the establishment of locally based police forces in Northern Ireland. In response to British objections, the Irish have asked whether arrangements of this kind might be introduced on a temporary basis - eg for a specified period of five years - with the avowed purpose of restoring minority confidence in the police force. A suggestion from the British side to establish joint regional crime squads which could be employed in either jurisdiction has not found favour with the Irish side as part of the initial package; but the Irish do not exclude such a development in the longer term, nor would they object to it as a possible subject for study by the proposed Joint Security Commission.

14. In general, it is accepted by both sides that practical policing arrangements would be one of the key areas in any package but that further

/discussion

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discussion, involving experts on both sides, is needed in order to establish whether mutually acceptable arrangements could be worked out.

Mixed Law Courts

15. The Irish side has suggested that persons tried in Northern Ireland for terrorist crimes might be tried by a panel of three judges, one of whom would be from the Republic; and that trials for such crimes in the Republic would be by a similar panel of three judges including one from Northern Ireland. The British side has accepted this proposal as a basis for discussion, and a number of implications have been tentatively explored. Both sides agree that these ideas are worth following up but that detailed proposals cannot be formulated without the advice and agreement of the judiciaries of both jurisdictions.

All-Ireland Law Commission

16. The British side has suggested the establishment of an All-Ireland Law Commission to examine whether there are areas of the criminal law, applying respectively in Northern Ireland and the Republic, which could be harmonised with advantage to both countries. The British proposals envisage that the Commission's first task would be to define the areas to which harmonisation would apply and thereafter to agree /on joint

on joint machinery for studying those areas and putting forward recommendations for reform. The Irish side has welcomed the British suggestions as a basis for further discussion.

An Anglo-Irish Parliamentary Body

17. The Irish side believes that a joint Parliamentary body of the kind adumbrated in the Anglo-Irish Joint Studies Report of November 1981 could be a useful element in any package. The British side believes that any such body should evolve pragmatically from the existing Anglo-Irish Parliamentary Group. There has been no detailed discussion of the possibilities; but the Irish side has expressed general agreement with the idea that a start could be made by enhancing the role of the existing Group, making provision for more regular meetings and giving it a higher profile as a consultative body; that it could receive reports from each Government on the progress of Anglo-Irish relations; and that it could itself make recommendations to the two Governments or the two sovereign Parliaments which, together with the Northern Ireland Assembly, would then be free to debate them or let them lie.

Bill of Rights

18. The Irish side wishes to see the enactment of a Bill of Rights for Northern Ireland and believes that this would be of significant symbolic and

/political

political value in securing the support of the minority community and the SDLP for any package of agreed measures. The Irish side has drawn attention to the fact that all the Unionist parties in Northern Ireland and the SDLP now favour such a proposal; and suggest that the most practical way to proceed would be to incorporate the European Convention of Human Rights into Northern Ireland law. They have indicated that parallel action by the Republic to incorporate the Convention into domestic law in the South would not be excluded. The British side has taken note of the Irish proposal, while drawing attention to the practical difficulties including the implications for the rest of the United Kingdom.

Devolution

19. Both sides are agreed that the introduction of a system of devolved government into Northern Ireland based on an elected Assembly and Executive is not merely desirable in itself but would be an indispensable concomitant of the other proposals discussed in this note. The Irish side believes that the SDLP and the minority community would expect this to be done on a power-sharing basis; but the Irish recognise that the Unionists would be fiercely opposed to this and would be most unlikely to participate in power-sharing arrangements. The British side has pointed out

/that

that the establishment of a system of devolved government acceptable to both communities would depend upon the co-operation of the Northern Ireland political parties and the support of the Irish Government; and that involving the Republic in the affairs of the Province on the basis proposed would intensify the hostility of the Unionists to any form of power-sharing. The Irish side has suggested that Unionist objections might be overcome if the functions of Chief Executive in a devolved government in which both communities were represented were to be exercised by the Secretary of State for Northern Ireland or by another Minister, who would thus provide a visible assurance of continuing United Kingdom control over the government of the Province. The British side has expressed serious reservations about this proposal, which however remains on the table for further study.

Legal basis for any accord between the two countries

20. The British side has made it clear that detailed discussion of this question would be premature. It has been assumed for purposes of the discussion, however, that the measures agreed on would be spelt out in a formal agreement between the two Governments (which for historical reasons the Irish side would not want described as /a treaty),

SECRET AND PERSONAL

a treaty), which could incorporate a statement of objectives and would provide for the establishment and implementation of the measures agreed on. The agreement would have to be ratified by both Parliaments and registered with the United Nations; and it would enter into force only after Articles 2 and 3 of the Irish Constitution had been amended following a referendum. Legislation would be required in both countries.

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DRAFT PASSAGE ON NORTHERN IRELAND FOR INCLUSION IN
SUMMIT COMMUNIQUE

The Prime Minister and the Taoiseach agreed that it was a major interest of both their countries that there should be peace and stability in Northern Ireland. They also agreed that this should be the subject of close and continuing dialogue between the two Governments. In this context they further agreed that:

1. There can be no change in the constitutional status of Northern Ireland as part of the United Kingdom without the consent of the majority of its people.
2. Any attempt to promote political objectives by means of violence or the threat of violence must be rejected, as must those who adopt or support such methods.
3. The social and cultural traditions of both the majority and the minority communities in Northern Ireland should be recognised and respected.
4. The institutions of government in

SECRET AND PERSONAL

Northern Ireland should be such as to provide both communities with the confidence that their rights will be safeguarded.

SECRET AND PERSONAL

From: THE PRIVATE SECRETARY



NORTHERN IRELAND OFFICE
WHITEHALL
LONDON SW1A 2AZ

Charles D Powell Esq
10 Downing Street
LONDON
SW1

1st November 1984

MW

*Prime Minister
CDP/1/11*

Dear Charles,

NORTHERN IRELAND: REPORT OF AN INDEPENDENT INQUIRY

.....
Following the publication of the New Ireland Forum Report, the British/Irish Association established under Lord Kilbrandon an independent inquiry financed by the Rowntree Trust, to consider the Forum's proposals and make their own recommendations. I attach a full list of the members. The Report was published today.

The Report considers and dismisses the three Forum options of the unitary state, federation/confederation and joint authority. The overall tenor of the Report may, however, be summed up in the following extract: "there can be no realistic prospect of peace and stability unless there is a substantial political change within Northern Ireland." This leads the committee on to put forward two "models of co-operation."

Here the committee split. The majority propose an elaborate form of co-operative devolution with the Republic which would involve a five member executive including the Secretary of State for Northern Ireland and the Irish Minister for Foreign Affairs, an Assembly largely responsible for local authority functions and a security authority on which would sit the Minister of Justice from the Republic. Those supporting this proposal consider there might be some right for the UK Government to maintain a veto on the decisions of these joint groups.

The minority of the inquiry propose a rather less radical form of functional co-operation with the Republic. The minority are not named, but we understand that they were Mr Howell, Mr Jenkins, Dr Peele and Dr Stewart. Their proposal is for a joint security consultative committee with no executive powers, a standing advisory committee on legal matters and a devolved administration in Northern Ireland responsible for local government functions with the majority having the main say.



The whole committee consider that the Republic should amend Articles 2 and 3 of their constitution; that there should be a Bill of Rights for Northern Ireland; that the RUC should remain and be considerably expanded to take over eventually the functions of the UDR; and that there should be more measures to recognise the minority identity in Northern Ireland.

It seems unlikely that the Report will make much impact. Nationalists are unlikely to see it going far enough to reflect their views. Unionists will be quick to point that, whatever the Report claims, some of its proposals go a long way to infringing British sovereignty.

.....

Attached is a line to be drawn on in dealing with any immediate press inquiries.

I am copying this letter to the private secretaries to the Lord President, the Foreign and Commonwealth Secretary, and Sir Robert Armstrong.

Yours sincerely,

Graham Sandiford

G K SANDIFORD

NORTHERN IRELAND: REPORT OF INDEPENDENT INQUIRYGovernment response

1. We have noted with interest publication of the report of an independent inquiry under Lord Kilbrandon on Northern Ireland. It is an interesting and useful analysis of some of the ideas which have come forward in recent months and follows on from a series of documents produced by political parties and others since the spring.
2. We welcome the inquiry's recognition of the reality that Northern Ireland will remain part of the United Kingdom with the consent of the majority of people there. We recognise too the inquiry's concern to take account of the identity and aspirations of the minority within Northern Ireland.
3. As the inquiry itself found, it is easier to identify the problem than it is to put forward practical and effective proposals that are likely to be acceptable to all those whose support is necessary to make them work. The Government will certainly give careful consideration to the Report's analysis and ideas as we continue our discussions with the political parties in Northern Ireland and as we continue the regular contacts we have with the Irish Republic.

THE MEMBERS OF THE INQUIRY

- The Rt Hon Lord Kilbrandon - former Lord of Appeal in Ordinary and
[Chairman] Chairman of the Royal Commission on the
Constitution which reported in 1973.
- Dr Anthony Kenny - Master of Balliol College, Oxford.
[Deputy Chairman]
- Paul Arthur - Senior Lecturer in Politics, University
of Ulster.
- Alf Dubs MP - Labour; an Opposition Spokesman on Home
Affairs.
- Lady Ewart-Biggs - Life Peer.
- The Rt Hon David Howell MP - Conservative; formerly Secretary of State
for Energy and for Transport.
- Simon Jenkins - Political Editor, The Economist.
- Mrs Sara Morrison - director of GEC; non-executive director
of Channel Four Television.
- Dr Gillian Peele - Fellow and Tutor in Politics, Lady
Margaret Hall, Oxford.
- John Roberts - solicitor; former Chairman of the Welsh
Liberal Party.
- Dr A T Q Stewart - Reader in History, The Queen's
University, Belfast.
- Lord Underhill - Deputy Leader of the Opposition, House of
Lords

John Lyttle
[Secretary]

File 3



10 DOWNING STREET

From the Private Secretary

SIR ROBERT ARMSTRONG

ANGLO/IRISH RELATIONS: NORTHERN IRELAND

The Prime Minister read the draft position paper enclosed with your letter of 31 October to Len Appleyard last night. She has indicated disagreement on three points:

- (i) Towards the end of paragraph 6 she has made clear that she will not accept the Irish ambition to have "an effective say" in "other areas of policy affecting the minority".
- (ii) At the end of paragraph 9 she absolutely excludes the notion that the two Governments would accept a formal obligation "to seek agreement" on all issues which might become subjects for the consultative process.
- (iii) In paragraph 11 she continues to find the Irish wish for the Joint Security Commission to have a consultative role in the establishment of operational guidelines unacceptable.

I am copying this minute to Mr. Appleyard (Foreign and Commonwealth Office) and Mr. Sandiford (Northern Ireland Office).

C.D.P.

C.D. POWELL

1 November 1984

SECRET AND PERSONAL
From: THE PRIVATE SECRETARY

2
1) FERB
2) Prime Minister



NORTHERN IRELAND OFFICE
WHITEHALL
LONDON SW1A 2AZ

CDP
1/xi

Charles Powell Esq
10 Downing Street
LONDON
SW1

1st
November 1984

Dear Charles,

PIRA FUNDS

This is to record that, when the Secretary of State dined recently with Mr Peter Barry and Mr Michael Noonan in Dublin, the two Irish Ministers said they were pretty sure that Mr Weston knew of the transfer of £2 million through a series of accounts towards an IRA destination even though he had probably not authorised it himself. The Secretary of State told the Irish Ministers that it was very important that the bulk of the money should remain beyond the reach of the PIRA as at present. Mr Noonan said that he agreed, and would continue to do his best, but that he was operating on the fringes of the law. If usable evidence could be produced that the money was destined for the PIRA then he would be in a stronger position.

Yours sincerely,

G K SANDIFORD

ssd

SECRET AND PERSONAL

covering SECRET AND PERSONAL



Ref. A084/2913

MR POWELL

CDP
1/xi

When the Prime Minister brought forward her meeting on Northern Ireland, I sent you a copy of the draft of the brief which I had prepared.

2. For the sake of good order, I am enclosing herewith a fair copy of the brief for your records. I am not attaching the annexes, which were attached to the letter which I sent Len Appleyard yesterday, with a copy to you.

RIA

ROBERT ARMSTRONG

1 November 1984

covering SECRET AND PERSONAL



Ref. A084/2918

PRIME MINISTER

Anglo-Irish Relations: Northern Ireland

The purposes of your meeting at 2.30 pm are:

1. To take stock of progress in the talks which I have been holding with Mr Nally.
2. To assess the prospects of an acceptable outcome to those talks, and (more narrowly) the prospects for your meeting on 19 November with the Taoiseach.
3. To give me instructions for my next meeting with Mr Nally, 3 November.
4. To consider, in the light of that, what line the Secretary of State for Northern Ireland should take with the parties in Northern Ireland.

2. Since I reported to you on the last meeting with Mr Nally, we have been engaged in the preparation of a "position paper" --- (Annex A), a copy of which I attach. The talks with Mr Nally have of course been entirely exploratory and without commitment on either side. The position paper seeks to sum up, from the British point of view, where it seems that the possibility exists of a measure of agreement with the Irish Government, and what the outstanding points of disagreement are.

3. The key question is whether you and your colleagues think that there is sufficient prospect of reaching an acceptable agreement to justify continuing the process; or whether there is not in your view such a prospect and you should use your meeting with the



Taoiseach to say in effect that it is all too difficult.

4. As you know, the Irish Government, and particularly the Foreign Minister, have been tending to build up expectations of movement on the Northern Ireland question. In their public speeches they have expressed impatience at the British Government's slowness at producing a British "answer" to the report of the Forum for a New Ireland, though the Taoiseach has been careful to say that the substance of the answer is more important than speed of response. They are deeply, and I think genuinely, concerned about the alienation of the minority in Northern Ireland, and anxious to make visible progress to reverse that alienation before the local elections in Northern Ireland in May 1985. They fear the prospect that, as a result of those elections, the PIRA could supplant the SDLP as the legitimately elected spokesman of the minority community; and that political success in Northern Ireland could also lead to greater political success for Provisional Sinn Fein in the Republic. I am told that the Taoiseach is increasingly optimistic about his prospects of winning a referendum for a change in the Irish Constitution to waive the territorial claim. What he needs in exchange for that is as significant as possible an "Irish dimension" in the Government of Northern Ireland, particularly but not only in the field of security; and some changes in practical policing which would restore the confidence of the minority community in the police in their areas.

5. On our side, the political case for continuing the process remains the same as the case for embarking upon it. It is essentially that we cannot afford to do nothing, and that the risks of doing nothing are as great as or greater than the risks that would be attendant upon an agreed package; that Unionist opinion in Northern Ireland is readier than formerly for some movement; and that you, recently re-elected with a substantial majority and enhanced political authority, in combination with this Taoiseach, have an opportunity of a kind which has not occurred for many years and may not occur again for some time.



6. The Irish Government undoubtedly think that their willingness to go for a referendum to amend the Constitution in order to waive the territorial claim constitutes a very large and, from their point of view, risky step on their part. They see it as a step which they could not take without movement of corresponding magnitude on our side. They would in the end, I believe, settle for "institutionalised consultation" and no more: but they will keep up the pressure on us to go as far as we can within that framework. They will also keep up the pressure for some "restructuring" of the RUC, even if only on a temporary and cosmetic basis, since they see this as indispensable to improving the confidence of the minority community in policing. I gather that the Taoiseach and his colleagues were thrown into considerable gloom by the visit of the Secretary of State for Northern Ireland and Mr Andrew on 25 October: the Secretary of State and Mr Andrew pointed out that among Unionists the waiving of the territorial claim would be seen as little more than a recognition of reality, and emphasised the practical difficulties and objections surrounding the kind of measures that had been discussed in the Armstrong/Nally talks. This seems to have led the Taoiseach to wonder whether your own position had changed, either as a result of the Brighton bombing or for some other reason, and whether you now no longer hoped for or wanted a positive outcome to the talks. He is said to feel that, if you have lost interest, it would be better not to have the Summit meeting on 19 November.

7. What we have been discussing in those talks is a package of measures which has an "Irish dimension": that is to say, one which would give the Irish Government some sort of say in the affairs of the Province of Northern Ireland. It is a high risk exercise on both sides: for them because of the waiver of the Republic territorial claim, for us because of the risks of violent Unionist reaction to any form of "Irish dimension".



8. If you and your colleagues think that the risks are too great, the question is whether there is any alternative. It would be possible to think in terms of a package which was purely internal to Northern Ireland, with an intensified security campaign, measures to meet symbolic minority concerns (flags, use of the Irish language, and such things), and a renewed attempt to establish a devolved government with minority participation. All the indications are, however, that such a package would stand little or no chance of success, in terms of being conducive to greater peace and stability: the Irish Government and the SDLP would be very unlikely to go along with it, and the risks of greater polarisation in Northern Ireland would be increased, with all that that would mean for the violence and for the progress of the Provisionals.

9. I recognise your concern that the contacts with the Irish Government may be moving too far and too fast. As I have said, the Irish representatives have both publicly and privately been keeping up the pressure for movement. But we shall not now be making any significant further progress before your meeting with the Taoiseach. The next meeting with Mr Nally will in effect be confined to refining the position we have reached, for the purpose of setting it out for you and the Taoiseach to consider at the Summit. Even if it is agreed that the process is to continue thereafter, there is a great deal more work to be done before we are in sight of an agreed package. In my judgement, the question for the forthcoming Summit is not whether to go ahead with a package, but whether to continue discussions so that the question of whether to go ahead can be considered at a subsequent Summit meeting. In that case you would need to reach some understanding with the Taoiseach about the pace and timetable of further discussions.

10. You would also need to discuss with him whether there is any general statement that you and he could issue from the Summit. Unless the talks are to be discontinued, the Taoiseach is likely to press for some kind of communique which holds the door open to the future. You will wish to consider with your colleagues



whether something on the lines of the draft attached (Annex B) might provide a possible basis for this.

HANDLING

11. If the agenda in paragraph 1 is agreed, and subject to any suggested additions to it, the discussion might be structured in the following way:

(i) The Armstrong/Nally Exchanges

You may wish to ask me to open the discussion by summarising the position reached following my last round of talks with Mr Nally. [I would base myself on the Position Paper which has been prepared by officials for submission to the Secretaries of State for Foreign and Commonwealth Affairs and for Northern Ireland.] You should ask the Foreign and Commonwealth Secretary and the Northern Ireland Secretary for their views on whether the elements of agreement already achieved at official level between the two sides could in themselves (i.e. if no further progress were to be made) constitute a package which would be politically saleable in the South and politically acceptable in the North. If the view is taken that the package would have to be more substantial, which potential ingredients offer the best prospects for enlarging the area of agreement? (You have already recorded your reservations about the Irish proposal for a Ministerial Committee on Northern Ireland and on the possibility of an operational element in the consultative role of a joint security commission.) What would be the political impact, both on the Irish Government and on the IRA, of any signal from the British side that they see no realistic prospect of a useful outcome from the current secret exchanges? The Foreign and Commonwealth Secretary should be invited to comment.

(ii) Summit Declaration

Subject to the views expressed in the discussion up to this point, you should invite the views of the Foreign and Commonwealth Secretary and the Northern Ireland Secretary on the "Draft Joint Declaration on Northern Ireland" (text attached below) which might be issued at the Anglo-Irish Summit. How would the Unionists be likely to react to it? Should I be authorised to hand over a copy of this draft, amended as necessary, to Mr Nally during my next round of talks with him?

(iii) Line to be taken with political leaders in Northern Ireland

Would an adverse reaction in the North to a Summit declaration on the lines of the attached draft be to any extent defused if the leaders of political parties in Northern Ireland were to be given some general indication of our thinking on the desirability of an Irish dimension: or would any lifting to trigger hostile or unhelpful statements in the North which would in themselves reduce the Summit's chances of success? The Northern Ireland Secretary should be asked to comment, and to give his views on current expectations in the North concerning the Summit. The Foreign and Commonwealth Secretary should also be asked to comment.

RA

ROBERT ARMSTRONG

1 November 1984

● PART 17 ends:-

CAP to AMB. 31/10/84.

PART 18 begins:-

RTA to CAP A084/2913 1/11/84.