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PART 8

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CONFIDENTIAL FILING

MEETINGS WITH THE TAOISEACH
ANGLO-IRISH SUMMIT

IRELAND

ANGLO-IRISH RELATIONS

PART 1 May 79

PART 8 NOV 84

Referred to	Date	Referred to	Date	Referred to	Date	Referred to	Date
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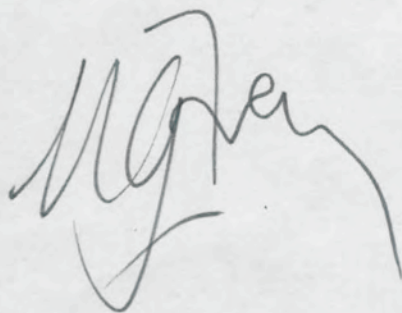
COP to NIO (Mtg Record) 29/6/85

PART 9 begins:-

COP to NIO 1/7/85

KEEP AT TOP OF FILE

Please note that NOBODY
(incl. Sir P.C.) other than
* ~~AJE~~^{C.P.} should see papers
on Anglo-Irish relations and
visit by the Taoiseach.

A handwritten signature in black ink, appearing to be 'M. J. P.' or similar, written in a cursive style.

* amended 14/6/80

M.J.P.

TO BE RETAINED AS TOP ENCLOSURE

Cabinet / Cabinet Committee Documents

Reference	Date
OD(I) (85) 2nd Meeting, Minutes	23.5.85
OD(I) (85) 3	21.5.85
OD(I) (85) 2	19.4.85

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 Wayland

Date 24 June 2014

PREM Records Team



10 DOWNING STREET

From the Private Secretary

29 June 1985

Dear Jim,

PRIME MINISTER'S MEETING WITH THE TAOISEACH
IN THE CASTELLO SFORZESCO, MILAN ON 29 JUNE

The Prime Minister had an hour's discussion with the Taoiseach on the morning of the second day of the European Council in Milan. The Taoiseach was accompanied by Mr. Nally.

The Taoiseach began by congratulating the Prime Minister on the police success in detaining an IRA Active Service Unit. The Irish authorities were ready to help in any way they could. They had been looking for McGee for a long time. They would be interested to know whether we thought the ASU was the only one active on the mainland. The Prime Minister said that she had no precise information on this.

The Taoiseach said that he also wanted to thank the British Government for its help in the search and recovery operations following the crash of the Air India jet.

Anglo-Irish Agreement

The Taoiseach said that a certain amount of progress had been made on the draft agreement. The Prime Minister interjected that it would be more accurate to say that a lot of progress had been made. The Taoiseach continued that, in his view, it ought to be possible to reach agreement on the basis of the document now under discussion. The Irish side still had some points to raise and there was a lot of detailed work to be done. But the basis for agreement existed. The major issue was that of the associated measures which would be needed to create confidence in the agreement on both sides of the border. The Irish Government had put their proposed measures on the table. The first was public acceptance of the self-evident position that there could be no change in the status of Northern Ireland without the consent of the majority of the people and the fact that this consent did not exist. The second was a commitment to send a task force to the border. This would be difficult for the Irish Government to implement. There was intense concern about the level of crime in Dublin and diversion of police resources to the border would be highly unpopular. The third measure would be signature of the European Convention on Terrorism to

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which the Irish Government were now in a position to agree. What was required of the British Government were measures to help the minority community in Northern Ireland support the agreement. He wanted to stress what a difficult position the Irish Government would be in without such associated measures. The agreement under discussion depended on good faith. The Irish Government would be accepting responsibility without power. If once the agreement was in force the British Government decided to ignore Irish advice the Irish Government would be left high and dry. It was for this reason that they needed specific evidence of the improvements for the minority which would accompany the agreement. They had therefore put forward suggestions for joint courts, and for the changes in the RUC and the UDR which they considered essential. He would like to add one additional measure, that was the possibility of a major review of sentences if the violence was brought to an end. If some commitment on these lines could be given, it would be possible to get families of those in jail to bring pressure to bear on the IRA to halt terrorism.

The Prime Minister said that she and the Taoiseach both had the same problem in mirror image. He was worried that he had gone too far in the negotiations and would lose support. She was fearful of the reactions of the Unionists to the proposed agreement. They would say that the Government had conceded a permanent foot in the door to the Irish Government in Northern Ireland without receiving anything worthwhile in return. Equally it would be very damaging now not to go ahead with the proposed agreement. She very much wanted the agreement to go into effect and the British Government would implement it fully. But the concept of associated measures to be announced at the same time as the agreement were bound to alienate the Unionists. She would like the Taoiseach to go through the specific suggestions which he had to make.

Joint Courts

The Taoiseach said that he had known Lord Lowry all his life. Lord Lowry had consistently taken the position that all the judges in Northern Ireland would resign if joint courts were introduced. However, the Irish Government's information was that one of the Northern Ireland judges had called a meeting last week to confront Lord Lowry with his alleged view and that subsequently it had been agreed unanimously to write to the Lord Chancellor saying that the Northern Ireland judges would accept whatever Parliament decided. The Prime Minister said that she had no knowledge of any such letter though she knew that Northern Ireland judges had earlier expressed misgivings about bringing the courts into politics. The Taoiseach said that his worry was that Lord Lowry was not informing the British

Government correctly of the views of Northern Ireland judges. The Prime Minister countered that her discussions with the Taoiseach would run into acute difficulties if he purported to tell her what went on in judges' meetings in part of the United Kingdom.

The Taoiseach said that he had consulted judges in the Republic who saw no constitutional or other problems with joint courts and would be ready to serve on them. The Prime Minister said it must be absolutely clear that she could not agree to do more than consider the possibility of such courts. The Taoiseach said that he could not put his name to this unless he had an assurance in advance that the outcome of that consideration would be the establishment of joint courts. The Prime Minister said that she must make absolutely clear that there was no possibility of her agreeing to this. If the Taoiseach stuck to his view then we were in very real difficulty. The Taoiseach said that he needed to be confident there were no inherent obstacles to such courts. There would be complete reciprocity, with joint courts in the Republic as well. The Prime Minister commented that the Taoiseach greatly underestimated the sensitivity in the North about bringing in judges from an alien jurisdiction. Verdicts would be regarded as political. The Taoiseach said that he thought the Prime Minister exaggerated the difficulties. There was concern about the views and attitudes of certain judges in Northern Ireland. But no-one seriously questioned or criticised the judgements reached in Northern Ireland courts and there were no grounds to suppose that the addition of judges from the Republic would change this. The Prime Minister repeated, with great emphasis, that she could do no more than agree to consider the possibility of joint courts without any guarantee about the outcome.

UDR

The Taoiseach said that the Irish Government also wanted to see changes announced in the UDR. There should be British officers down to company level and better NCOs. Part-timers should be abolished: many of them indulged in freelance harassment of Catholics. The UDR should operate only in support of the police and not on their own. The Prime Minister said that the UDR was now British officered. The Taoiseach should remember how exposed many of its members were, the risks they ran and the many murders of UDR members which had taken place.

RUC

The Taoiseach said that his officials had put forward some suggestions for changes in the RUC. In general they were a highly professional force. But their reputation could be spoiled

by a few incidents or insensitive appointments. He wished to draw a particular point to the Prime Minister's attention. Many years ago he had been assured by Sir Frank Cooper that only about 20 RUC officers involved in the events in 1969 remained and they would all be out of the force within a year. He had been angered and distressed to discover very recently that a member of the RUC whose conduct had been censured in the Scarman Report (though not by name) had been appointed an Assistant Chief Constable. How could the system allow such appointments to be made without the Northern Ireland Secretary or the Prime Minister being aware of the background? He was bound to wonder whether the Northern Ireland Office kept Ministers properly informed. The Prime Minister said that she knew nothing of the appointment but would enquire into it.

The Taoiseach said that he was not happy with the reply he had received to his representations on the Police Authority but agreed that this should be pursued separately.

Associated Measures

Taking up the general discussion of associated measures again, the Prime Minister said that announcing such measures at the same time as an agreement would jeopardise the agreement itself by causing a sharp Unionist reaction. Rather than talk of associated measures or announcements, she would prefer to concentrate on the pace at which the agreement would be implemented. The Taoiseach said that he had to have more than this. Unless there was a simultaneous announcement of certain measures to provide reassurance to the minority community, he and the Prime Minister were wasting their time. The SDLP had to be persuaded to fight for the agreement against the IRA. His Government had been putting forward their suggestions for confidence-building or associated measures for six months without any adequate response. His colleagues were becoming increasingly sceptical of the value of an agreement. Unless there could be a simultaneous announcement of associated measures it would not be possible to go on. The Prime Minister said that the Taoiseach should try to see things from her point of view. We were giving the Irish Government an institutional right of consultation and we knew how ardently that right would be used. There were quite a number of areas in which changes could be considered in their own right: an improved police complaints procedure, a new code of conduct for the RUC, restrictions on parades, increased recruitment of Roman Catholics into the RUC. These were steps which could be taken without fanfare and over time. But it would be fatal to link them with the agreement.

Speaking with considerable emotion the Taoiseach said that he wanted the Prime Minister to understand that the Irish Government and people did not want a role in Northern Ireland. He was regarded as eccentric because of the time and effort which

he was devoting to reach an agreement. He was the only person willing to take risks and force the Irish people to face up to the need for an agreement. He did so because he believed that otherwise the Sinn Fein would gain the upper hand amongst the minority in the North, and provoke a civil war which would drag the Republic down as well. There were people on the sidelines like Colonel Gaddafi ready to put up millions of pounds to achieve this aim. For 800 years Britain had occupied Ireland to protect its flank. There was now a serious risk of ending up with what we had always tried to avoid, an Ireland under hostile and sinister influence. All he wanted were minimal steps to protect the minority. The Nationalists wanted to abolish the UDR but he knew perfectly well that this was out of the question. He was asking only that it should be made into an efficient and disciplined force. He believed that fundamental changes were required in the police. But he was prepared to settle for much less and recognised that the Oath of Allegiance could not be abolished. He was no less interested than the Prime Minister in avoiding a Unionist revolt. He and the Prime Minister were the only two people able to reach an agreement. If they failed the opportunity would be lost, possibly forever. He was ready to take the risk whatever it might cost him personally and politically.

The Prime Minister said that of course she shared the Taoiseach's aim of preventing Ireland from coming under hostile and tyrannical forces. She understood his need for some visible measures to demonstrate that the agreement was being implemented from the very first day, measures which would reassure the Nationalist minority and not provoke the Unionists. These should not be associated measures so much as prompt implementation of the agreement itself. She would give further consideration as to how this could be achieved. But she did not want to mislead the Taoiseach into thinking that publicly announced steps of the sort he had described were in any way feasible.

Timing of a possible agreement

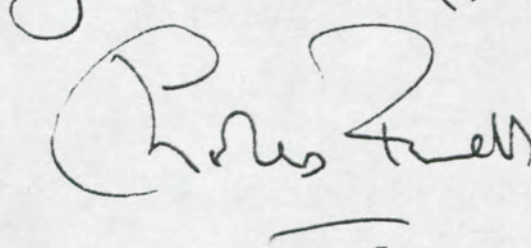
The Taoiseach said there would be advantages in trying to complete an agreement by the end of July: otherwise there was a risk that leaks would lead to its unravelling. Equally he realised the difficulties of moving so fast. His preferred option was therefore the end of August. People would not be expecting an agreement at that time and there was a great deal to be said for an element of surprise. The Prime Minister said that she had been thinking more in terms of mid-October. She was already heavily committed in September. The Taoiseach said that this was too late. He did not think the position could be held until then. The Prime Minister said she would discuss the matter further with the Northern Ireland Secretary.

The Prime Minister asked if the Taoiseach had any views on where an agreement might be signed. The Taoiseach said that he naturally hoped it would be Dublin. The Prime Minister said that this would go down very badly with the Unionists. The Taoiseach said that he was perfectly prepared to go to Belfast. The important thing for him was that it should be on the Irish side of the sea. The Prime Minister said that she had been thinking more in terms of a place with no particular connotations. She would reflect.

Summing up the discussion the Prime Minister said that the main point she retained was that the Taoiseach needed to be able to demonstrate that the proposed agreement was being implemented from day one. This would of course heighten the profile of the agreement and increase the risk of a hostile and possibly violent Unionist reaction. She would consider with her colleagues whether prompt implementation of the agreement offered some scope for meeting the Taoiseach's need for reassurance to the minority community. But she must repeat that she could not agree to associated measures. The Taoiseach said that the important thing was to have visible progress: he did not mind what it was called.

The Prime Minister and the Taoiseach agreed the enclosed statement for the Press which was subsequently released.

I am sending copies of this letter to the Private Secretary to the Foreign and Commonwealth Secretary and to Sir Robert Armstrong.

Yours sincerely,


(Charles Powell)

Jim Daniell, Esq.,
Northern Ireland Office.

The Prime Minister, Mrs. Thatcher, and the Taoiseach, Dr. FitzGerald, today met for about an hour in Milan immediately before the European Council resumed.

The meeting was part of the continuing contacts between the two Prime Ministers. They reviewed the progress being made in the talks between the two countries under the aegis of the Anglo-Irish Intergovernmental Council.

The two Prime Ministers reaffirmed their commitment to make progress in relation to the Northern Ireland situation through their continuing contacts, their condemnation of all forms of terrorism and their determination to do everything possible to defeat it.

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TELEGRAM NUMBER 7 OF 28 JUNE

PERSONAL FOR PS/PRIME MINISTER AND PS/FOREIGN SECRETARY FROM
BRENNAN, NIO

JOINT ANGLO-IRISH COURTS

1. THE BRIEF WHICH SIR ROBERT ARMSTRONG SUBMITTED FOR THE PRIME MINISTER'S MEETING WITH THE TAOISEACH TOMORROW REPORTED IN PARAGRAPH 6 THAT (QUOTE) DR FITZGERALD MAY TELL THE PRIME MINISTER THAT HE HAS HEARD THAT AT A RECENT MEETING OTHER MEMBERS OF THE NORTHERN IRELAND JUDICIARY REFUSED TO ENDORSE LORD LOWRY'S OPPOSITION TO JOINT COURTS, TAKING THE VIEW THAT IT WOULD BE THEIR DUTY TO UNDERTAKE ANY FUNCTIONS OR CHARGES LAID UPON THEM BY PARLIAMENT (UNQUOTE). WE UNDERSTAND THAT MR NALLY HAS CONFIRMED THAT THE TAOISEACH WILL MAKE THIS POINT.

BACKGROUND AND COMMENT

2. THE ONLY KNOWLEDGE WHICH THE NORTHERN IRELAND OFFICE HAS OF THE VIEW ATTRIBUTED TO THE NORTHERN IRELAND JUDICIARY, AS SET OUT ABOVE, IS A REMARK MADE BY MR LILLIS OF THE DEPARTMENT OF FOREIGN AFFAIRS TO MR GOODALL OF THE FCO WHEN HE VISITED DUBLIN ON 24 JUNE. THE NIO IS AWARE THAT THERE ARE WEEKLY MEETINGS OF THE SUPREME COURT JUDGES IN NORTHERN IRELAND BUT IS NOT PRIVY TO WHAT TAKES PLACE IN THEM. HOWEVER, THERE WOULD BE NOTHING SURPRISING IN A NUMBER OF NORTHERN IRELAND JUDGES TAKING THE

VIEW THAT IT WOULD BE THEIR DUTY TO ABIDE BY ANY DECISION OF PARLIAMENT TO INTRODUCE MIXED COURTS. THE NIO HAVE NEVER BELIEVED OR SUGGESTED THAT SUCH A DEVELOPMENT WOULD LEAD TO A WHOLESALE (REPEAT WHOLESALE) RESIGNATION OF THE NORTHERN IRELAND JUDICIARY. MR HURD RECORDED IN HIS MINUTE OF 2 MAY TO THE PRIME MINISTER, REPORTING ON A CONVERSATION WITH LORD LOWRY, THAT LORD LOWRY HAD EXPRESSED THE BELIEF (QUOTE) THAT ALL HIS FELLOW JUDGES IN NORTHERN IRELAND, INCLUDING THE CATHOLICS, WOULD ALSO BE HOSTILE TO THE PROPOSAL: AT LEAST ONE OF THEM WOULD PROBABLY RESIGN TOO, THOUGH MOST WOULD CONTINUE (UNQUOTE).

3. THE NORTHERN IRELAND OFFICE HAS NO REASON TO THINK THAT ANY OF THE JUDGES HAVE CHANGED THEIR OPPOSITION TO THE PROPOSAL. LORD LOWRY REPORTED IN A LETTER TO MR HURD OF 21 MARCH THAT AT A WEEKLY JUDGES' MEETING ON 7 MARCH, ATTENDED BY ALL THE SUPREME COURT JUDGES, (QUOTE) THE UNANIMOUS VIEW WAS THAT THE MERE INTRODUCTION OF JOINT COURTS WOULD BRING THE BENCH INTO POLITICS IN A VERY UNDESIRABLE WAY (UNQUOTE).

4. IN ANY EVENT, THE BRITISH POSITION ON JOINT COURTS IS NOT DEPENDENT ON THE COOPERATION OF THE NORTHERN JUDGES, IMPORTANT THOUGH THAT WOULD BE. IT RESTS ON DIFFICULTIES OF PRINCIPLE AND PRACTICE (DESCRIBED IN PARAGRAPH 6 OF THE MAIN BRIEF). IT IS ALSO CLEAR FROM UNIONIST REACTIONS TO RECENT LEAKS (WHICH WE DEPLORE) THAT IMMEDIATE COMMITMENT TO JOINT JUDICIAL ARRANGEMENTS, EVEN IF WE COULD WORK THROUGH THE PRACTICAL DIFFICULTIES, WOULD SERIOUSLY WORSEN THE PROSPECT OF GETTING UNIONIST ACQUIESCENCE IN AN AGREEMENT.

NOT FOR USE

5. *Passage deleted and retained under Section 3(4),
Wayland. 24/6/14*

ON 25 JUNE THAT THERE HAD BEEN A HEARTENING DEVELOPMENT IN THE NEGOTIATIONS WITH THE BRITISH: THE NORTHERN JUDICIARY HAD SENT A LETTER SAYING THEY WOULD NOT OBSTRUCT ANY PARLIAMENTARY DECISION ON IRISH JUDGES SITTING IN FOR TRIALS IN THE NORTH. IT IS UNCLEAR FROM THE REPORT BY WHOM AND TO WHOM SUCH A LETTER IS SUPPOSED TO HAVE BEEN SENT. THE NIO HAS NO KNOWLEDGE OF IT.

LINE TO TAKE

6. WE HAVE NOT TAKEN OUR OWN POLL OF THE NORTHERN JUDICIARY BUT WE WOULD HOPE AND EXPECT THAT, IF PARLIAMENT WERE TO APPROVE NEW JUDICIAL ARRANGEMENTS, MANY OF THEM WOULD SEE IT AS THEIR DUTY TO WORK THE ARRANGEMENTS LOYALLY. IT WOULD NOT, OF COURSE, FOLLOW THAT THEY DID SO WITH ENTHUSIASM: MY INFORMATION IS THAT, AS RECENTLY AS MARCH, THE SUPREME COURT JUDGES AGREED UNANIMOUSLY THAT A JOINT COURT WOULD BRING THE BENCH INTO POLITICS IN A VERY UNDESIRABLE WAY.

7. BUT, IMPORTANT AS THE COOPERATION OF THE JUDICIARY WOULD BE, WE HAVE CONSTANTLY TRIED TO MAKE CLEAR TO THE IRISH SIDE THAT OUR DIFFICULTIES ABOUT JOINT COURTS GO WIDER THAN JUDICIAL ATTITUDES. WE ARE NOT CONFIDENT THAT THEY WOULD ACHIEVE THE OBJECTIVE OF RECONCILING THE MINORITY TO THE CRIMINAL JUSTICE SYSTEM: THEY WOULD CERTAINLY ANTAGONISE MUCH MAJORITY OPINION: AND WE SEE REAL PRACTICAL DIFFICULTIES ABOUT THEM. WE DO NOT APPROACH THE IDEA WITH CLOSED MINDS, BUT FOR ALL THESE REASONS, THE SUBJECT SEEMS TO US EMINENTLY SUITABLE FOR DISCUSSION WITHIN THE PROPOSED INTERGOVERNMENTAL STANDING COMMITTEE SO THAT WE CAN CONSIDER TOGETHER THE CONSIDERABLE PROBLEMS THAT ARISE.

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10 DOWNING STREET

From the Private Secretary

27 June 1985

ANGLO-IRISH TALKS: POLICE AUTHORITY FOR NORTHERN IRELAND

The Prime Minister has considered the Foreign Secretary's minute of 26 June about the Taoiseach's suggestion that an announcement should be made at the time of signature of the proposed Anglo-Irish agreement to the effect that steps would be taken to reconstitute the police authority for Northern Ireland in consultation with the Irish Government.

The Prime Minister disagrees with the Foreign Secretary. She believes that any announcement on this matter at the time of signature of an agreement would have a very bad effect on the Unionists. She does not think that we could do more than confirm in answers to questions that appointments to the police authority were one area in which the Irish Government could express a view.

I am copying this letter to Jim Daniell (Northern Ireland Office).

C D POWELL

Len Appleyard, Esq.,
Foreign and Commonwealth Office

SECRET

Prime Minister

Prime Minister

We must have a talk with D-H following

You of course spoke in line with Taoiseach. This will be done by you see the Taoiseach. CD 30/6

ANGLO-IRISH TALKS: POLICE AUTHORITY FOR NORTHERN IRELAND

What with the Taoiseach

Attached

I have seen a copy of Geoffrey Howe's minute to you of 26 June about the Taoiseach's reaction to the timing of the appointment of the new Police Authority for Northern Ireland.

2. We cannot go to the extent of announcing at the time of any agreement that the Police Authority will be reconstituted in consultation with the Irish Government. Nor can we now agree that John Hume should be given such an undertaking - on that I agree with Geoffrey Howe. For me to accept the intention of making such announcement would mean that I had decided in advance of appointing the people whom I am fully satisfied are proper persons to become members of the Police Authority for the statutory period of three years, that I would shortly introduce legislation (which would be necessary to terminate their tenure) to appoint new members in consultation with the Irish Government. This would lead to turmoil in the RUC, and in the Police Authority. I would rightly be severely criticised. I do not think we can go along with the Taoiseach's suggestion.

3. In general the temperature among Unionist politicians has risen sharply in the last fortnight, and the Anglo-Irish talks are one main cause of their feverishness. I continue to believe that we can secure enough acquiescence in the arrangements which we have so far put to the Irish. If we were to begin to accept additional substantial proposals in the guise of associated measures, the balance of judgement would have to tip the other way.

4. I realise the seriousness of the Taoiseach's concern, and have considered how within the above limitation we could find some way of alleviating it. I have two suggestions. First, we have not yet filled the final 17th place on the Authority. I shall therefore be announcing 16 appointments, plus the Chairman and Vice-Chairman, at the end of this week. In the normal course I would have continued to approach one or two well-qualified candidates in the coming days,

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in the hope that they might accept. In view of the wider political considerations, however, I am prepared that we should tell the Taoiseach that this final place will be left open for the time being - making four places which might be filled following an agreement with the Irish.

5. Secondly, I think we should draw his attention again to the final paragraph of the note which the Ambassador gave him on 24 June (Telegram No 140 of 24 June, amended by Telegram No 141 of the same date). That made clear that the Irish could put forward views and proposals of the structure, composition and powers of the Police Authority once an agreement was in place. I see no need to tell Mr Hume this now, but it might reassure the Taoiseach if we were to suggest that some reference to this could be made in any agreed statement we issue at the time an agreement is published.

6. It is notable that although I had a full talk recently with Mr Hume he never mentioned the Police Authority although I gave him every opportunity. Nor did he in yesterday's debates in the Commons. He knows of course that the Police Authority of Northern Ireland is at present a more modest body than Dr FitzGerald supposes.

7. I am copying this minute to Geoffrey Howe and to Sir Robert Armstrong.

DH.

27 June 1985

SECRET

44
Prime Minister
CDP
26/6

Ref. A085/1753

MR POWELL

Anglo-Irish Relations: Northern Ireland

--- I attach a brief for the Prime Minister's meeting with the Taoiseach in Milan on 29 June.

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

3. Annex A to the brief contains a holding line on the Taoiseach's suggestion (Dublin telegram No 400) that we announce when an agreement is signed that the Police Authority will be reconstituted. }
I understand that the Foreign and Commonwealth Secretary may shortly address a minute on this to the Prime Minister.

4. I have made recommendations in a separate minute about the timing, manner and place of conclusion of an agreement.

Rosalind Armstrong

for ROBERT ARMSTRONG
(dictated by Sir Robert Armstrong
and signed in his absence)

26 June 1985

Brief for the Prime Minister's meeting with Dr Garret
Fitzgerald in Milan on Saturday, 29 June 1985

Introduction

The Taoiseach will seek to review with the Prime Minister the progress made in the negotiations for an Anglo-Irish agreement. He will want to stress the importance of accompanying the announcement of any agreement with the announcement of associated measures designed to improve the confidence of the minority community in the security forces.

Progress of the Talks

2. We have not yet had the comments of Irish Ministers on the latest British proposal for a draft agreement. The Irish may be waiting for us to let them have an indication whether the minor points which they made at their last meeting are acceptable to British Ministers. But, unless there is some major new snag which we cannot foresee, it looks as if we are well within sight of an acceptable agreement which could be presented as a useful, if modest, contribution to the improvement of peace and stability in Northern Ireland for this generation. The problem lies in this modesty. It will need to be reasonably modest if we are to have any chance of persuading the Unionists to acquiesce in it (they would never welcome it). The opposite danger, of which the Taoiseach will be acutely sensitive, is that it will be condemned by the opposition in Ireland and particularly by Mr Haughey, as being totally inadequate. If he is to be able to meet that opposition, the Taoiseach must be able to count on the support of the SDLP. In order to do that, he will state his need to accompany the agreement with associated measures on our part to improve the confidence of the minority community in the administration of law and order in Northern Ireland. The danger of announcing any such measures, even if there were some which we could take, at the same time as

the agreement, would be that they would be seen by the Unionists as part of the "price" paid by the British Government and as undermining their confidence in the security forces; and that that could lead to outright and possibly violent unionist opposition to the whole process.

Our Objective

3. To convince the Taoiseach that, though we are already taking or considering some measures in relation to the security forces which would be desirable in themselves and would (we believe) help to make them more acceptable to the minority community, and we should be ready to consult the Irish Government on such measures once an agreement on the lines proposed had been concluded, we should needlessly antagonise the Unionists and seriously prejudice our chances of bringing them to acquiesce in an Anglo-Irish agreement if, at the same time as announcing the agreement, we announced associated measures which they could affect to see as undermining the effectiveness of the security forces.

Arguments to use

4. The proposed agreement would bring significant change: for the first time the Irish Republic would be able to advance views and proposals on a range of Northern Ireland matters in a forum specially created for the purpose.

5. We want the new Standing Intergovernmental Committee to work well. We are not thinking in terms of purely formal consultation: we shall listen carefully and pay great attention to Irish views. The Committee's discussion can lead to further changes, including new measures designed to increase the Roman Catholics' confidence in the security forces. Important not to jeopardise this whole process by going for too much at the start. Simultaneous announcement of changes regarding the

security forces could prevent Unionists acquiescence, which is essential to the agreement's effectiveness. Much better to work for changes over time and without great fanfare. (Detailed arguments about what is possible in the security field and what is not are at Annex A).

[Defensive]

[6. Dr Fitzgerald may tell the Prime Minister that he has heard that at a recent meeting other members of the Northern Ireland judiciary refused to endorse Lord Lowry's opposition to joint courts, taking the view that it would be their duty to undertake any functions or charges laid upon them by Parliament.] We cannot commit ourselves at this stage to establish joint courts. Many difficulties of principle and practice. Not just opposition of Lord Lowry. For example, only enough judges in Northern Ireland to man present system on one-Judge courts and very hard to recruit more. Doubtful that minority community's confidence in judicial system would be increased. For instance, when a verdict went against a member of the minority community in a controversial case in the north, it might automatically be assumed that the Southern Judge had not agreed with the verdict. This difficult subject eminently suitable for discussion in the new Standing Intergovernmental Committee, as our joint text foresees. There may also be other ideas in the judicial field which we should consider.

[Defensive]

8. Mr Hurd could not avoid the subject of Anglo-Irish talks in his meetings with Unionist leaders on 20 June. To have refused to say anything would only have fanned suspicion. But Mr Hurd spoke only in generalities and gave nothing away.

Tactical Argument

9. Now that our officials have virtually agreed the text for an agreement, it will look bad domestically and internationally if we fail to conclude it.

Irish Objectives

10. To persuade the Prime Minister that associated measures in the security field, to be announced at the same time as signature, are essential in order to secure SDLP support for an Anglo-Irish agreement [Mr Hurd's meeting with Mr Hume showed that this reflected the SDLP position], and that the Irish Government therefore cannot conclude the agreement without such measures.

11. To persuade the Prime Minister that Lord Lowry's objections to joint courts are political rather than practical, and are not supported by the Northern Ireland Judiciary as a whole.

12. To persuade us to announce, at the time of signature of an agreement, that the Police Authority for Northern Ireland would be reconstituted in consultation with the Irish Government.

26 June 1985

Measures Concerning the Security ForcesArguments to use

Many measures to increase the confidence of the minority community in the security forces are already in hand. For instance, the Royal Ulster Constabulary (RUC) are increasingly able to operate without routine support from the regular army or the Ulster Defence Regiment (UDR). This trend will continue. Roman Catholic recruitment into the RUC has been increasing; it was 12 per cent in 1984. The police complaints system is being improved. All battalions of the UDR are commanded by British regular officers, and no unit smaller than a company operates from a separate base.

2. We plan to do more. Although a declaration by existing members of the security forces recognising the validity of the two traditions in Northern Ireland would be politically very difficult, we are seriously considering a new Code of Conduct which would enshrine and spell out the need for non-discrimination and respect for both traditions.

[3. A recent telegram from Dublin suggested that the Taoiseach wanted us to drop the ^{?oath} Order of Allegiance to the Queen. There is of course a long history in Ireland of orders of allegiance to the Crown, and one can understand the sensitivity of the issue. But nothing could be better designed to excite the suspicions of the Unionists about the British Government's intentions. To combine dropping the oath with announcing an agreement would kill the agreement's prospects stone dead.]

4. The idea of unarmed neighbourhood police forces (mentioned by the Taoiseach to the Prime Minister on 30 March) is impractical under present conditions; not least because such forces would be very vulnerable to attack and might be infiltrated by terrorists.

5. The RUC have begun to impose restrictions on Parades, when this is necessary in order to keep them away from the most sensitive areas. More will probably be done in this direction. This is an example both of our desire to make progress and of how publicity would make progress much more difficult and would increase the risk of violence.

6. We look carefully case by case at the duration of life or other indeterminate sentences, especially with regard to young prisoners. When possible, we set a date for release a year or so in advance. As time goes on, there will probably be an increasing rate of release. But we are ^{deliberately} delaying with terrorists, so there are limits to what we can and should do. (Defensive: the conversion of life sentences to fixed term sentences would require United Kingdom-wide legislation).

[Defensive] We understand your concern about appointments to the Police Authority for Northern Ireland. But the Police Act requires appointments by the end of June. That cannot be overridden, except by new legislation which, if we had introduced it in a rush under complex special procedures, would have caused political controversy and damaged the prospects for our agreement. We have deliberately left three places open on the Authority, and shall be glad to hear your views in the Standing Intergovernmental Committee on nominations for these and on the successor to the present Chairman, who will stay only for eighteen months. You could also put forward views and proposals on the structure, composition and powers of the Authority which, if agreed, could lead to fresh legislation in due course.



[Defensive] Your idea of an announcement, at the time of signature of an agreement, that the Authority will be reconstituted present us with difficulties; we are examining it carefully.

CONQUEROR

Prime Minister 43



1 disagree with the F.C.S. This would have a very bad effect on the Unionists

You will want to be aware that Dr. Fitzgerald will raise this in Dáil. I cannot see that we could possibly make the sort of announcement which Dr. Fitzgerald wants. The most we could do would be to confirm in answer to questions that appointments to the Police Authority were one area in which the Republic could express a view.

PM/85/61

PRIME MINISTER

Anglo-Irish Talks: Police Authority for Northern Ireland

COP 26/6

1. We discussed Dr FitzGerald's concerns about the reappointment of the Police Authority for Northern Ireland at your meeting on 20 June. Our reply, as you have no doubt seen from Dublin telex 400 and 401, has not been sufficient to meet his anxieties. But he has suggested that his difficulties would be eased if we were prepared to make an announcement at the time of the signature of the proposed agreement that steps would be taken to reconstitute it in consultation with the Irish Government and if he could tell John Hume that this would be done.

2. I am bound to say that I believe that his request covers a serious point. The substance of the proposed agreement will oblige us to take any Irish proposal about the powers, scope and composition of the Authority seriously. Nevertheless, unless we draw attention to this aspect of the agreement, nationalist opinion is likely to conclude that on the contrary we have cynically made sure that on an important subject covered by the agreement there will be no chance for the consultation process to take effect in the first three years of its operation. I do not see how that can help the selling of the agreement to nationalist opinion in either part of Ireland. On the other side we shall probably be criticised by Unionist opinion in any case.


3. Secondly, as you know, we are under pressure from the Irish Government to make announcements about "associated measures"

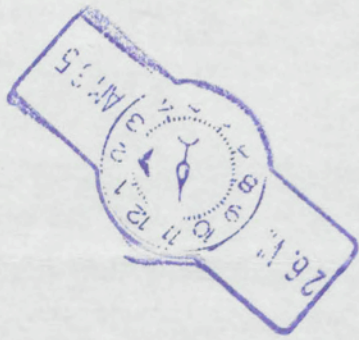


which would come into effect at the same time as signature of the agreement. For good domestic political reasons we would prefer to avoid such announcements, but introduce the necessary measures gradually and without much fanfare. Provided it was carefully worded, an announcement going some way to meet Dr FitzGerald's concern (eg making clear what would already have been agreed that the Irish would be able, under the agreement, to make proposals in this area which we would consider very carefully) would not make our position significantly worse with the Unionists, but would defuse a serious bone of contention with the Irish Government. It would simultaneously provide us with a concession, which might enable us to resist greater concessions on the related point of associated measures in general.

4. Dr Fitzgerald is likely to raise both these areas of difficulty with you in Milan. A quick, favourable response on the Police Authority would not harm our interests in substance, and would strengthen your hand in other areas of the negotiations. I think however that it would be a bad idea for Dr Fitzgerald to tell John Hume at this stage.

5. I have sent a copy of this minute to Douglas Hurd.







10 DOWNING STREET

Prime Minister

You will not want to reach a firm decision on these points yet. Too much remains to be settled on the substance for that. But if Dr. Fitzgerald presses you, I suggest you point to:

- mid-October
 - signature at a bilateral meeting between you & him
 - ideally at Chepers (which has the virtue of being familiar).
- Agree in principle. CDP.

Ref. A085/1755

MR POWELL

Anglo-Irish Relations: Northern Ireland

--- I attach a note by Mr Mallaby on the timing, method and venue for the conclusion of the Anglo-Irish agreement.

Timing

2. No timing is ideal. The Irish are fearful lest delay until after the summer holiday should cause the agreement to become unravelling, and have been pressing for conclusion next month. We think that it may well not be practicable to complete the work before the end of July, and that it would in any case be better to wait until after the marching season. Late August avoids that danger, but is not perhaps an ideal time in other respects. Late September is a possibility: but is that too close to the party conferences in Britain? Perhaps mid-October would be safer: but the Taoiseach will not want such a long delay.

Method of Conclusion

3. I hope that the Prime Minister would put the weight of her authority behind any agreement by signing it herself. I am sure that that would give it the best chance of the greatest possible degree of support, both in this country (including Northern Ireland) and in the Republic of Ireland. The agreement could subsequently be debated in Parliament: that could be related to a motion to ratify the agreement, but UK-Irish agreements have not hitherto contained provision for ratification, and it may be preferable not to provide for it this time.

4. The alternative would be that the agreement should first be initialled, by the Foreign Ministers or by me and Mr Nally; then

debated in Parliament; then signed. The fact that it would not yet be binding at the time of debate could encourage its opponents to attack it harder, in order to try to overthrow it; or it could be presented as giving Parliament a chance to pronounce on it before it became binding.

Venue for Signature

5. I would exclude Dublin and Belfast, and probably London. I would also exclude a third country - either a European country or the United States at the time of the United Nations General Assembly. One of the other "national" capitals in Britain - Cardiff or Edinburgh - might be a possibility. The other possibility is the Isle of Man or the Channel Islands. They are not part of the United Kingdom. The Isle of Man is roughly half way between England and Ireland; but is believed to be a regular holiday haunt of members of the IRA. An outside possibility might be Caernarvon or Anglesey - the bits of Great Britain geographically closest to Ireland.

6. 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.

ROBERT ARMSTRONG

26 June 1985

SECRET AND PERSONAL

B.07035

SIR ROBERT ARMSTRONG

cc R J Andrew Esq CB, NIO
A D S Goodall Esq CMG, FCO

Anglo-Irish Relations: Northern Ireland

Mr Powell's letter of 20 June asked the Cabinet Office to prepare a brief for the Prime Minister's meeting with the Taoiseach in Milan next weekend and also a range of options for the timing and method of conclusion of an agreement which the Prime Minister could explore with the Taoiseach. Since the latter aspect has not yet been addressed formally by officials, I am dealing with it in this minute, separately from the general brief for the Prime Minister's meeting with the Taoiseach. I have consulted the Foreign and Commonwealth Office and the Northern Ireland Office.

The timing of the conclusion of an agreement

2. The Irish side have spoken recently of late July or late August. Late July is open to the objection that two major demonstrations take place in early August - the Loyalist march of the Apprentice Boys of Derry and the Roman Catholic anti-internment demonstration (in which Galvin featured last year). These could become the focus of criticism of an agreement. There is also the consideration that we still have quite a lot of work to do before conclusion of any agreement: agreeing the exact arrangements for the Standing Intergovernmental Committee, working out the public line on each element, devising our first moves in the Committee. Late July and August are also open to the objection that there would be a long lapse of time from the conclusion of an agreement until Parliament could debate it after resuming in late October. This might antagonise the Unionist MPs at Westminster, and

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would give the Unionists a long time to mount a campaign against the agreement. The timing of late September, which we have had in mind, seems preferable, despite the Irish fears that leaks might make it hard to hold the package together throughout the summer.

The method of concluding an agreement

3. The Irish will want an agreement to be signed at a bilateral Summit. This will probably also be the general expectation in the media. Signature at another level would be unlikely to reduce the publicity surrounding the agreement. Indeed, it might add an unwelcome element of speculation on the lines that the Prime Minister was not committed to the agreement.

4. It would be possible to initial an agreement some time before it was signed. This could be done by the two Foreign Ministers, by you and Mr Nally, or by Foreign Ministers and Ambassadors in both capitals. Initialling would not make the agreement politically or legally binding: it would merely denote completion of negotiation on the text. If we chose to publish the agreement before signature and possibly to debate it in Parliament (which would be unusual but possible), the fact that it was not yet binding might encourage its opponents to attack it all the harder in the hope of making signature impossible. This was roughly what happened to the Sunningdale Agreement in 1974.

5. It would probably be preferable to leave aside the idea of initialling and move straight to signature. The latter would represent a firm political commitment but, if the agreement provided for ratification, would not make it legally binding. Not all international agreements provide for ratification. UK/Irish agreements hitherto have not done so.

SECRET AND PERSONAL

But such a provision in this case would present a natural way of giving Parliament a say. A debate could be arranged early in the new session, and could be followed by ratification.

The place for a Summit

6. The choice of Dublin for a Summit would be unsuitable for security reasons and because it would tend to antagonise the Unionists. The latter objection would also apply to Belfast. A Summit in London might not attract the Taoiseach; critics of the agreement in the Republic might exploit his journeying here to sign it.

7. Chequers is an obvious possibility, but the Taoiseach might object to holding a third Summit running there. If he did object, Manchester or Cardiff might be suitable alternatives; there should be reasonable conference facilities, but Manchester is affected by the local government legislation and in both cities security would need careful consideration. Leeds Castle is another possibility. Signature in the Irish Republic elsewhere than Dublin would also present some security problems. Signature in a third country would be unusual for a bilateral agreement. The Prime Minister and the Taoiseach are not due to meet again at a European Community meeting until the European Council in December. Signature at the United Nations, if Mrs Thatcher and Dr Fitzgerald were both to be there in October, might attract the Irish but might work to our disadvantage, by encouraging United Nations interest and the habit of Warsaw Pact and many Third World countries to criticise us about Northern Ireland regardless of the facts.

Line to take with the Taoiseach

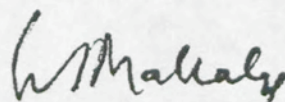
8. I suggest that the Prime Minister should take the following line with Dr Fitzgerald:

- late September seems to be the best time for concluding the agreement, not least because

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of the need for a debate in Parliament reasonably soon afterwards.

- Will the Irish want conclusion to take the form of signature at a Summit? For Parliamentary reasons, we think that should be followed by ratification.
- We should like the Summit to be in the United Kingdom. Would London or Chequers suit Dr FitzGerald? Failing those, perhaps Cardiff?



C L G Mallaby

25 June 1985

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From: THE PRIVATE SECRETARY

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NORTHERN IRELAND OFFICE
WHITEHALL
LONDON SW1A 2AZ

C Powell Esq
10 Downing Street
LONDON SW1

NBD
CDP
25th June 1985
26/6

Dear Charles,

ANGLO-IRISH RELATIONS: BRIEFING THE US ADMINISTRATION

The Secretary of State has seen Len Appleyard's letter to you of 20 June and your reply of 21 June about Mr Goodall's forthcoming visit to Washington. He has no objection to what the Foreign and Commonwealth Secretary proposes but would wish Mr Goodall to tread extremely carefully in exploring American ideas about funding: it is essential that no suggestion should become public that the prospect of such funding has any part to play in our judgment on the Anglo-Irish negotiations.

I am copying this to Len Appleyard (FCO) and Richard Hatfield (Cabinet Office).

Yours sincerely
Neil Ward

N D WARD

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Prime Minister
CDP 25/6
mh

Prime Minister

ANGLO-IRISH NEGOTIATIONS: REACTIONS OF PARTY LEADERS

I have now completed the confidential soundings of the party leaders in Northern Ireland on the proposed Anglo-Irish agreement which I was asked by OD(I) to undertake.

2. Mr Hume, as we expected, has been kept informed in general terms of the progress of the negotiations. Like the Dublin Government, his view is that an agreement of the sort being considered, which would not give the Republic a direct share in authority in the North, would have to be accompanied by a series of "confidence building measures" in the law and order field, including radical changes in the UDR and RUC. He believes that the nationalist community need clear signs of a change of policy and attitude in security matters, and that this requires more than cosmetic and gradualist changes. Given a satisfactory agreement, he did not close the door on some form of devolved government, although he doubts whether the Unionists will ever agree genuinely to share power, particularly in the light of their intemperate reaction to the Sinn Fein successes in the recent local elections. His most interesting suggestion was that if we reached agreement it should be presented in a low key manner to public opinion in both North and South as a modest and sensible achievement.

3. I think this is as much as we can expect from him. Even if there is an Anglo-Irish agreement, the SDLP will hardly sign up for a scheme of devolution until they know what Unionist attitudes are going to be, and the signs here are not encouraging at the moment. As regards the agreement itself, Hume's attitude to the security forces is in line with the public statements of the SDLP. Dublin have made it very clear that for internal political reasons they could not sign an agreement unless it was fully supported by

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the SDLP. It remains to be seen whether the latter will be satisfied by what we can offer and how much pressure Dublin can put on them.

4. Dr Paisley, predictably, totally rejected the Anglo-Irish initiative. He would not accept my assurances that the constitutional position of Northern Ireland within the UK would be unchanged because he believes that the long-term objective of any government in Dublin is the achievement of Irish unity and that the purpose of signing an agreement of the sort currently proposed is simply to get a foot in the door. My emphasis on the value of improved security co-operation met with the response that we ought to be able to count on co-operation against terrorism without having to pay a price for it and in this case the price of the eventual absorption of Northern Ireland into the Republic was too high. Secret negotiations were generating suspicion of a sell-out among the majority and this was creating instability, which in turn would lead to a Protestant backlash and to people taking the law into their own hands. Serious disorder could be triggered off by this summer's marching season if the RUC tried to interfere with traditional Orange processions. He also made it clear that in his view the Protestant majority would refuse to recognise joint courts or separate unarmed community police forces.

5. Mr Molyneaux spoke on similar lines but in much more moderate terms. He too is worried by reports of the negotiations and the unsettling effect that this is having, coming on top of a number of nasty security incidents and the arrival of Sinn Fein councillors in local government. But he is disposed to accept the present Government's assurance that it is not selling out to Dublin, although he is apprehensive about what might happen under a different government.

6. Mr Cushnahan was generally supportive of an approach on seeking to negotiate consultative machinery with the Irish within the parameters set out at the Chequers summit. His impression

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was that the level of concern in the Province about the Anglo-Irish negotiations was rather less than unionist politicians were seeking to suggest. However he was critical of the Irish Government for raising expectations over the likely outcome of the talks.

7. The Unionist reactions were no more than was to be expected. Dr Paisley was vehement in his denunciation of the negotiations; but the apocalyptic vision and the rhetoric of betrayal and backlash are his regular stock in trade. He did not walk out of my meeting and summon a press conference to denounce the Anglo-Irish talks, still less call his followers out on the streets in protest. Nor did he make specific threats, eg about another Protestant workers' strike. I do not think that he will take active steps to try to stop the negotiations, though he will no doubt continue to denounce them and there is a risk that suspicion of betrayal will be an ingredient in the disorder which may well accompany this summer's marches. I believe that the RUC can cope with this, but I shall be keeping the matter under careful review with the Chief Constable. If an agreement is eventually signed it will certainly be denounced by the Unionists and there may well be some disorder. Much will depend on the prevailing security situation and on the way in which any agreement is presented: the prospect of enhanced security co-operation will be an important selling point with the Unionists and if it can be shown to be producing results could help to reconcile them to the agreement.

8. There are clearly dangers ahead. We cannot yet be sure that an agreement of the sort proposed will secure the degree of support from the SDLP that we want, nor that the Unionists can be persuaded to acquiesce in it without violence. But on the whole I found my meetings with the party leaders encouraging, rather than the reverse. Nothing emerged which causes me to suggest any change in the policy which we are now following. To promise immediate and radical changes in the security forces

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to please the SDLP, quite apart from the operational consequences, would I am sure provide a very serious reaction from the Unionist majority.

9. I am copying this minute to the Foreign and Commonwealth Secretary and to Sir Robert Armstrong.

N. Howard
Private Secretary
for^{DH}

(Approved by the Secretary of State and signed in his absence in Belfast)

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GRS 400
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DEDIP
DESKBY 241700Z
FM DUBLIN 241540Z JUN 85
TO IMMEDIATE FCO
TELEGRAM NUMBER 400 OF 24 JUNE 1985

FOLLOWING PERSONAL FOR CLARK RID

YOUR TELS NOS 139 AND 140: NI POLICE AUTHORITY

1. THE TAOISEACH CAME AT 1300 ON 24 JUNE TO THE DFA, WHERE GOODALL AND I HAD BEEN ON OTHER BUSINESS, AND SAW US BOTH WITH LILLIS.
2. I SPOKE IN FULL AS INSTRUCTED, AND HANDED OVER THE TEXT OF YOUR TELNO 140. I STRESSED THAT WE COULD HARDLY HAVE INTRODUCED EMERGENCY LEGISLATION WITHOUT REFERENCE TO THE AGREEMENT, WHICH WOULD HAVE PUT ITS PROSPECTS IN DANGER. I EMPHASISED THE SUBSTANTIAL REPRESENTATION OF THE MINORITY WHICH WAS IN ANY CASE ENVISAGED. I MADE THE POINTS IN PARA 7 OF TUR WITH PARTICULAR CARE.
3. DR FITZGERALD SAID THAT WHAT I HAD SAID WAS VERY DISTURBING. HE UNDERSTOOD THE REASONS FOR THE BRITISH DECISION BUT IT WAS DIFFICULT TO SEE HOW IT COULD BE PRESENTED AS ANYTHING OTHER THAN A SLAP IN THE FACE. HE DID NOT SEE HOW HE COULD EXPLAIN IT. I SAID THAT SINCE THE TEXT OF THE AGREEMENT WAS NOT KNOWN THERE WAS NO REASON WHY THE PUBLIC SHOULD EXPECT ANY COMMENT FROM THE IRISH GOVERNMENT ON THE COMPOSITION OF THE POLICE AUTHORITY. DR FITZGERALD SAID HE WAS MEETING THE WHOLE IRISH CABINET ON 25 JUNE TO DISCUSS OUR RELATIONS (AS FORECAST IN PARA 1 OF MY TELNO 349). SOME WERE VERY SCEPTICAL OF OUR INTENTIONS AND WOULD FIND EVIDENCE IN THIS MATTER TO SUPPORT THEIR VIEWS.
4. HE WAS ALSO CONCERNED ABOUT THE REACTIONS OF THE SDLP LEADERS WHO WERE, OF COURSE, AWARE OF THE REFERENCE TO THE AUTHORITY IN THE DRAFT AGREEMENT. HUME'S PRIMARY POLITICAL PREOCCUPATION WAS WITH THE FUTURE CONTROL OF THE POLICE, AND HE ATTACHED DISPROPORTIONATE IMPORTANCE TO THESE ISSUES. HE WAS CONCERNED NOT TO DESTABILIZE HUME, WHO WAS HAVING DIFFICULTY WITH HIS COLLEAGUES. I POINTED OUT THAT THE AUTHORITY HAD NO OPERATIONAL CONTROL. LILLIS OBSERVED THAT THE COMPOSITION OF THE AUTHORITY WAS NOT A TOPIC OF WIDE INTEREST IN NORTHERN IRELAND.
5. DR FITZGERALD SAID THAT HE THOUGHT THAT THE DIFFICULTIES OVER THE POLICE AUTHORITY WOULD BE ALLEVIATED IF IT WERE TO BE ANNOUNCED AT THE TIME OF SIGNATURE OF THE AGREEMENT THAT STEPS WOULD BE TAKEN TO RECONSTITUTE IT IN CONSULTATION WITH THE IRISH GOVERNMENT AND IF HE COULD NOW TELL HUME THIS WOULD BE DONE. I SAID THAT PARA 7 OF MY SPEAKING NOTE MADE IT CLEAR THAT THE

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IRISH WOULD BE FREE TO MAKE PROPOSALS OF THIS KIND AFTER SIGNATURE OF THE AGREEMENT, BUT THERE WAS NOTHING WHICH WOULD AUTHORIZE HIM TO SPEAK TO THE SDLP AS HE PROPOSED. GOODALL SAID HE DID NOT THINK BRITISH MINISTERS WOULD BE LIKELY TO FAVOUR SUCH AN ANNOUNCEMENT. DR FITZGERALD PRESSED ME TO REPORT THIS PROPOSAL TO HMG.

6. DR FITZGERALD SAID IT WOULD BE VERY HELPFUL IF HE COULD BE GIVEN IN ADVANCE THE NAMES OF THOSE WHOM IT WAS PROPOSED TO APPOINT TO THE NEW AUTHORITY. I HOPE THIS CAN BE DONE.

7. HE IS ALSO ANXIOUS TO KNOW WHEN THE APPOINTMENTS WILL BE ANNOUNCED.

8. LILLIS POINTED OUT THAT THE PROPOSALS FOR CHANGING THE PROCEDURE OVER POLICE COMPLAINTS NOW UNDER DISCUSSION ALSO RELATE TO THE AUTHORITY. IT WOULD BE VERY HELPFUL IF, WHEN THE APPOINTMENTS WERE ANNOUNCED, THE NIO COULD SAY THAT IT WILL OBVIOUSLY BE NECESSARY TO REVIEW THE FUNCTIONS OF THE AUTHORITY IN THE LIGHT OF LATER DECISIONS ABOUT THE POLICE COMPLAINTS PROCEDURE. (I ASKED IF THE IRISH WERE GOING TO OFFER OBSERVATIONS ON THE COMPLAINTS PROCEDURE. HE SAID THEY DID NOT THINK IT APPROPRIATE TO DO SO BEFORE SIGNATURE OF THE AGREEMENT BUT THEY BELIEVED WE WERE NOT INTENDING TO INTRODUCE NEW MEASURES BEFORE THE AUTUMN REASSEMBLY OF PARLIAMENT. DR FITZGERALD SAID THEY WOULD NEED TO HAVE THEIR COMMENTS READY AS SOON AS SIGNATURE HAD TAKEN PLACE).

GOODISON

LIMITED
HD RID
PS
PS/PUS
MR GOODALL

COPIES TO:

SIR R ARMSTRONG, CABOFF
MR MALLABY " "
PS/SOS NIO
MR BRENNAN "
MR ANDREWS "
MR LYON "
MR POWELL NO 10 DST

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GRS 250
S E C R E T
DESKBY 241700Z
FM DUBLIN 241620Z JUN 85
TO IMMEDIATE FCO
TELEGRAM NUMBER 401 OF 24 JUNE 1985

FOLLOWING PERSONAL FOR CLARK RID

MIPT: DISCUSSION WITH THE TAOISEACH

1. WE WENT OVER THE GROUND SEVERAL TIMES AND GOODALL STRESSED THE DIFFICULTY FOR BRITISH MINISTERS, IN THE LIGHT OF THEIR STATUTORY OBLIGATIONS, OF TAKING ANY ACTION IN THE LIGHT OF AN AGREEMENT WHICH HAD NOT BEEN SIGNED. WE WERE BOTH CONCERNED TO STRESS THE IMPORTANCE WHICH HMG NEVERTHELESS ATTACHED TO THIS AGREEMENT. I MADE THE POINT THAT BECAUSE IT SEEMED SO IMPORTANT TO OUR MINISTERS THEY WERE LESS CONVINCED OF THE NEED FOR ASSOCIATED MEASURES IN ADDITION. DR FITZGERALD SAID THAT IT WAS NOT A MATTER OF THE NEEDS OF THE IRISH GOVERNMENT BUT A QUESTION OF HOW TO PERSUADE THE MINORITY COMMUNITY IN THE NORTH TO SUPPORT THE AGREEMENT. HE FELT THAT WE WERE NOT SUFFICIENTLY AWARE OF THE DEGREE OF CYNICISM AMONG THE MINORITY COMMUNITY ABOUT BRITISH INTENTIONS. WE HAD TO CONVINCED THEM IN ONE LEAP, OTHERWISE THE AGREEMENT WOULD FAIL.

2. IN THIS CONNECTION, DR FITZGERALD SAID HE WAS DISTURBED THAT DESPITE THE INTRODUCTION OF A CODE OF CONDUCT FOR THE RUC IT WAS INTENDED TO CONTINUE THE PRACTICE OF REQUIRING AN OATH OF ALLEGIANCE TO THE QUEEN FROM NEW RECRUITS. HE CONSIDERED THAT THE OATH SHOULD BE TO THE TWO COMMUNITIES OF NORTHERN IRELAND. WE REMINDED HIM THAT WE HAD TO OBTAIN THE AQUIESCENCE OF THE UNIONISTS TO THE AGREEMENT AND THAT DISMANTLING THE OATH WOULD VERY GREATLY DAMAGE THEIR CONFIDENCE.

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3. HE SEIZED ON THE STATEMENT IN PARA 2 OF THE SPEAKING NOTE THAT THE AUTHORITY WAS RESPONSIBLE FOR APPOINTING SENIOR OFFICERS, INCLUDING THE CHIEF CONSTABLE OF THE RUC, BUT ONLY WITH THE APPROVAL OF THE SECRETARY OF STATE FOR NORTHERN IRELAND. HE SAID THAT HIS GOVERNMENT HAD BEEN ASSURED THAT THE SECRETARY OF STATE WAS NOT RESPONSIBLE FOR THE APPOINTMENT OF D A C C CUSHLEY (WHOM HE DESCRIBED BUT DID NOT NAME). THEY HAD BEEN SERIOUSLY MISLED IF WHAT I HAD SAID WAS TRUE. THERE WAS THEN SOME CONFUSED DISCUSSION ABOUT WHAT ASSURANCES THEY HAD ACTUALLY RECEIVED. LILLIS SAID THAT THE SECRETARY OF STATE FOR NORTHERN IRELAND HAD SPOKEN TO MR BARRY. I SAID I KNEW NOTHING OF THIS. DR FITZGERALD ASKED ME TO FIND OUT WHETHER OR NOT THE SECRETARY OF STATE WAS RESPONSIBLE. GRATEFUL FOR INSTRUCTIONS.

GOODISON

LIMITED

HD RID

PS

PS/PUS

MR GOODALL

COPIES TO:

SIR R ARMSTRONG, CAB OFF

MR MALLABY " "

PS/S of S N10

MR ANDREWS "

MR BRENNAN "

MR LYON "

MR POWELL, NO 10 D ST

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10 DOWNING STREET

From the Private Secretary

21 June 1985

ANGLO-IRISH RELATIONS: BRIEFING THE
UNITED STATES ADMINISTRATION

Thank you for your letter of 20 June in which you propose that Mr. Goodall should brief a senior member of the US National Security Council Staff on our talks with the Irish Government on Northern Ireland.

The Prime Minister agrees that Mr. Goodall should give Admiral Poindexter an account of the negotiations on the lines proposed and at the same time explore US willingness to contribute to an economic development fund for Northern Ireland. But we must require the strictest confidentiality of the Americans given that the talks with the Irish Government will not be brought to a conclusion until September at the earliest.

The Prime Minister may also wish to give Vice-President Bush an account of the stage reached in the talks.

I am copying this letter to Jim Daniell (Northern Ireland Office) and Richard Hatfield (Cabinet Office).

(C.D. POWELL)

L. V. Appleyard, Esq.,
Foreign and Commonwealth Office.

SWH

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bc PC

10 DOWNING STREET

From the Private Secretary

20 June 1985

Dear Jim,

ANGLO-IRISH RELATIONS: NORTHERN IRELAND

The Prime Minister held a meeting after Cabinet this morning with the Northern Ireland Secretary, the Foreign Secretary and Sir Robert Armstrong to consider points arising from the most recent round of discussions with Irish officials (Sir Robert Armstrong's minute of 18 June); the line to be taken by the Northern Ireland Secretary in briefing leaders of the Unionist parties (Mr. Hurd's minute of 19 June); and our response to the Irish Government's representations on appointments to the Northern Ireland Police Authority (Sir Robert Armstrong's minute of 19 June).

Anglo/Irish Talks

It was noted that the Irish Government continued to seek a commitment to Joint Courts and were also asking for confidence-building measures requiring some changes concerning the Security Forces, to be announced at the same time as the agreement. Their motives were unclear. One possible explanation was that they were deliberately upping the ante because they did not want the negotiations to go further. Another interpretation was that the Taoiseach was worried about the saleability of the Agreement itself in Ireland, and needed some additional signs of helpfulness from the United Kingdom to justify acceptance of it.

It was agreed that there could be no flexibility over Joint Courts. The most which we could agree to was to study the possibility of such Courts. The Prime Minister would make this clear to the Taoiseach when they met at the Milan European Council.

As regards the confidence-building measures sought by the Irish side, it was agreed that the Taoiseach's scheme for a local community police force was impracticable and that he should be told so. Similarly there could be no question of expecting existing members of the RUC to sign declarations recognising the validity of the two traditions in the North. The right way to improve the confidence of the minority in the Security Forces was to build up the Catholic component of the RUC. There might be a number of minor steps to be taken, for instance introduction of a Code of Conduct for the RUC, restrictions on parades, early release of prisoners, which were justified on their merits.

But it would be politically highly damaging to announce these at the same time as an Agreement, since they would appear to have been taken under pressure from the Irish Government.

It was agreed, therefore, that the Prime Minister should make clear to the Taoiseach that we were willing to look at confidence-building measures which could be introduced quietly and over time, and would be ready to listen to suggestions for such measures from the Irish Government. But we could not agree to any public announcement of these at the time of an Agreement.

Briefing for Unionist Leaders

The Northern Ireland Secretary said that he was bound to give the Unionist leaders some account of the Anglo-Irish talks, if only because Mr. Hume had been fully briefed by the Irish side. He had circulated a speaking note which might form the basis of his briefing, though it was not intended as a formal statement. He proposed to point out in particular to the Unionist leaders the contradiction between their desire to see improved security and their opposition to co-operation with the Republic.

It was agreed that the Northern Ireland Secretary should brief the Unionist leaders in the terms proposed, stressing in particular that the talks with the Irish Government were being conducted in the framework of the communique of the last Chequers Summit and the Prime Minister's subsequent press conference. It should be stated categorically that the Republic would not have an executive role in the North.

Northern Ireland Police Authority

The Northern Ireland Secretary said that the formal approach made by the Irish Government urging him not to proceed with appointments to the Northern Ireland Police Authority was surprising. The Authority was a modest body with limited powers. Mr. Hume had not raised the question of appointments to it during their recent meeting, despite being given an opportunity to do so. In effect, the Irish Government were asking us to comply with an Agreement which had not yet been reached. It would be impossible to override the statutory provisions and delay making the appointments without provoking a strong reaction from the Unionists.

It was agreed that a reply should be made to the Taoiseach's representations which explained why we could not override the statutory requirements and at the same time demonstrated the flexibility which the present arrangements allowed. It should reaffirm that we would be willing to consider Irish views on appointments once an agreement in the terms of the existing draft had been reached. We could also indicate privately that the Chairman of the Authority was unlikely to serve a full three year term and that we would leave three (not six as suggested in Sir Robert

Armstrong's minute) places on the Authority vacant until it was clear whether an Agreement would be concluded or not.

Timing of an Anglo/Irish Summit


The Taoiseach was said to be worried over leaks about the Anglo/Irish discussions which could make it hard to hold the package under discussion together through the summer. He might therefore raise with the Prime Minister the advantages of concluding the Agreement in July. Against this a great deal of work remained to be done; and it would be better to delay any attempt to reach a conclusion until after the marching season. It was also suggested that it might be better to initial an Agreement at a level lower than Head of Government, presenting it in a low key fashion. This might make the handling of the Unionists easier, though against this it might not meet the Taoiseach's political requirements. Signature of an Agreement might follow later either at an Anglo-Irish Summit (which should not be in Dublin) or in the margins of some other international meeting, such as the UN 40th Anniversary celebrations or a European Council.

It was agreed that the Prime Minister would need to explore this aspect when she met the Taoiseach during the European Council. A range of options should be prepared for her to discuss.

Follow-up

I should be grateful if the Cabinet Office could prepare briefing for the Prime Minister's meeting with the Taoiseach covering the points above: and propose to the Irish side a meeting at 0915 on Saturday 29 June in delegation offices in the Castello Sforzesco in Milan.

I am copying this letter to Len Appleyard (Foreign and Commonwealth Office) and Sir Robert Armstrong.

Yours sincerely,

CHARLES POWELL

Jim Daniell, Esq.,
Northern Ireland Office.



Foreign and Commonwealth Office

Prime Minister

London SW1A 2AH

Agree that David Goodall

20 June 1985

should brief the US Administration in the terms

proposed? You may also wish to say something to George Bush.

Anglo-Irish Relations: Briefing the US Administration

CDP
20/6

Yes - but because we can't bring the matter to a conclusion until later - Dear Charles, we must require the British contribution

With the Anglo-Irish talks attracting increasing public interest and press speculation, we have been giving thought to the need to take the US Administration a little more into our confidence about the way the talks are going and where they are heading. We know that the Irish have already briefed the Americans in general terms; and our Embassy in Washington believes that it is important to give the Americans some authoritative account of what is happening if we are to maximise their support for whatever emerges (or be sure of their understanding if the talks break down and no agreement is reached). We also need to explore with the Americans their ideas about a US contribution to the economic development fund for Northern Ireland which is alluded to in the draft agreement. This too is an area on which the Irish have already been sounding out opinion in Washington; and we want to make sure that the Americans take account of British as well as Irish views about the purposes of the fund and the way it might operate.

The Prime Minister will have seen that Sir Geoffrey Howe had a word about Ireland with George Shultz at Lisbon, but without going into specifics. Sir Geoffrey considers that the time has come to lift the veil a little further. As it happens, there will be an opportunity for this towards the end of next week, when David Goodall goes to Washington for the latest in a series of regular exchanges on international terrorism with Admiral John Poindexter, who is Bud MacFarlane's No 2 in the National Security Council. Poindexter also has an interest in Irish affairs, and the Embassy believes that, because of his position in the White House, he would be a good channel to use in order to put the Administration a little more in the picture on the Anglo-Irish talks. This would then clear the way for some exploratory discussion of the fund.

It would not be the intention that David Goodall should go into detail about the content of our discussions with the Irish; but he would explain that confidential talks have been taking place on the lines foreshadowed at the Prime Minister's meeting

/ with



with the Taoiseach at Chequers last November; that the purpose has been to explore the possibility of some form of inter-governmental agreement which would provide reassurances for both the majority and minority communities in Northern Ireland; and that, in return for formal endorsement by the Republic of Northern Ireland's present status as part of the United Kingdom, it is envisaged that the Irish Government would be able, on an institutionalised basis, to put forward views and proposals to the British Government on certain aspects of Northern Ireland's affairs which directly affect the minority community. The agreement would also provide for much closer and more systematic cross-border security cooperation, and for joint consideration of measures to strengthen the confidence of the minority in the institutions of law and order in Northern Ireland (without at the same time undermining the confidence of the majority). Goodall would explain that the talks have made fairly steady progress and that, although there are important and difficult issues still to be resolved, both sides are taking them very seriously and there is now a real prospect that agreement might be reached within the next few months. If an agreement is not achieved, it will not be because of any lack of seriousness of purpose on the part of the British Government: on the contrary, we believe that we are going to the limit of what is possible in terms of giving the South a role in the province without prejudicing Northern Ireland's status as part of the United Kingdom to which the majority of the population remains passionately attached.

Goodall would go on to explain that if, as we hope, an agreement is achieved, it will be of great importance that it should have the full backing of constitutional Irish nationalists both in Northern Ireland itself and elsewhere: indeed it is the intention of both the British and the Irish Governments that it should open the way for the SDLP to resume participation in the political process and thus create the conditions for devolved government in the Province on a basis acceptable to both communities. The reaction of the United States Government, and of political opinion in the United States generally, could have a critical impact on the attitude of Irish nationalists everywhere. Both we and the Irish Government, therefore, very much hope that the United States will be able to give the agreement their full backing; and we welcome the indications which we have received that the United States Government might be willing to confirm its support by contributing to the efforts which the British and Irish Governments will be making jointly to promote economic and social development in those areas of Ireland which have suffered the consequences of violence and instability.

/ At



At official level I understand that both the Northern Ireland Office and the Cabinet Office agree that it would be useful if David Goodall could be authorised to speak in broadly these terms in Washington. But Sir Geoffrey Howe would be grateful for confirmation that the Prime Minister and the Secretary of State for Northern Ireland see no objection.

I am sending a copy of this letter to Jim Daniel in the Northern Ireland Office and to Richard Hatfield in Sir Robert Armstrong's office.

Yours ever,

Len Appleyard

(L V Appleyard)
Private Secretary

C D Powell Esq
10 Downing Street

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Dismissed on
20/6. COP
20/6.

Prime Minister ✓

I should welcome the opportunity, as suggested in Sir Robert Armstrong's minute to you of 18 June to discuss with you and the Foreign and Commonwealth Secretary on Thursday where we now stand in the Anglo-Irish talks.

2. Sir Robert's minute records the anxiety of the Irish side that I should not go too far, at this stage, towards unveiling the subject matter of the talks to the leaders of the Unionist Parties. I have also seen HM Ambassador's, Dublin reports (Dublin Tel Nos 379-381 of 18 June) expressing the Taoiseach's views. I understand these anxieties. As we have recognised in previous discussions, we need to form some assessment of how the Unionist Parties would react to an agreement, and we shall invite accusations of dealing behind their backs if we keep them in ignorance. On the other hand, we do not, at this stage, want to provoke them to action which will prejudice the negotiations that are still to take place. It is not easy to steer a course between these shoals but I am sure that when I see Messrs Molyneux and Paisley - and I cannot keep them at arm's length - I must open up the topic a little more than hitherto. They will have seen the speculation in the Press about the course which the talks are taking and will surely question me about it. I would not envisage going any further than the line taken in the attached speaking note, and I could possibly get away with saying a little less. But I think that it is just about the minimum that can be said at this stage.

3. They are at present understandably concerned about the renewal of PIRA attacks and the recent deaths of policemen. I want to get them to realise that the only way of bringing about a marked improvement in the security situation is to achieve more effective co-operation with the south. In practice this means in return being willing to take account of the Republic's views.

/I am

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4. I am copying this minute and enclosure to Geoffrey Howe and Sir Robert Armstrong.

N Howard
Private Secretary

19 June 1985

for DH
(Approved by the Secretary of
State and signed in his absence
in Belfast)

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SPEAKING NOTE: ANGLO-IRISH TALKS

1. I recognise your interest in the Government's talks with the Irish Government and I want to give you now some clearer idea of what they are about. Inter-Governmental discussions of this kind must proceed on a confidential basis and I hope that you will treat what I have to say on that basis. (For Mr Molyneux - on a Privy Counsellor basis.)
2. The principle of an Anglo-Irish dialogue was clearly stated in last November's summit communique. I have made no secret of it ever since. Talks have been progressing steadily but unhurriedly since then.
3. The dialogue has been conducted at both Ministerial and official level. It has had the Prime Minister's full approval. Officials have acted on Ministerial instructions and have reported fully to Ministers. Both I and Geoffrey Howe have been involved because, when it comes to relations with another sovereign Government, the FCO have a clear interest.
4. We have made it absolutely clear to the Irish that there can be no question of derogation of sovereignty or joint authority. Dublin now ~~knows~~ ^{has} that it cannot ~~expect~~ any executive role in affairs in the north. The talks have been valuable in getting that message across.
5. But what I and Cabinet colleagues recognise (as I am sure you do) is that Dublin has an inevitable interest in events in the north; and that if we can create a framework for the Irish to put their views to us, they are more likely to reach us in a constructive than in a negative form. As I have said in public (eg on 20 January) we are seeking a more methodical basis for the interchange that we have with Dublin over the north. We want to reassure the Irish that we recognise their interest and to ensure that we are fully aware of the viewpoint represented by Dublin's voice.

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6. So that is what the discussions with the Irish are aimed at; devising a framework through which the Irish can be seen to be communicating with us on certain matters in the north, thereby giving greater confidence in the institutions of government to those nationalists who would otherwise be hostile to them.

7. There has been a good deal of speculation on what these matters might be. I do not want to add to it. We do not yet know the shape of any final agreement. But the sort of areas we have been considering are those where we know the minority have a legitimate and particular interest: and where we incidentally need to secure the understanding and support of the Irish.

8. There is, of course, already some contact with the Irish on many of these matters. We are seeing, however, whether we can find an acceptable basis for formalising and regularising it. But what we will not do is hand over or share responsibility for any of it with the Irish.

9. As part of any agreement the Irish would make absolutely clear that they accepted that Northern Ireland ^{will} ~~must~~ remain part of the United Kingdom for as long as the majority wish. That is a valuable - and indeed an essential - element in any arrangement. It offers you the absolute assurance that an agreement cannot be a back-door route to Irish unity against majority wishes.

10. An agreement with the Irish would bring a number of advantages:

- (i) a more favourable environment for fully effective security co-operation with the north;

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- (ii) a recognised means of relaying Northern nationalist views;
- (iii) a closer understanding in the Republic of the realities of government in the north;
- (iv) avoidance of a worsening of the international position which would have implications for security, inward investment and public morale;
- (v) clear acceptance by the Republic of Northern Ireland's status as part of the UK;
- (vi) greater readiness of the SDLP to consider options to political progress within Northern Ireland.

11. On these the first is in my view the most important. The more deeply one analyses the present security situation in Northern Ireland, the more crucial appears the need for stronger co-operation with the south.

12. There can be no guarantee of success. The Taoiseach was not wrong in forecasting a 50/50 chance of success. Agreement is difficult because the Irish would prefer more than we can give them. But that is no reason for breaking off the talks. There is every advantage in reaching an acceptable agreement within the terms laid down last November.

13. There is no set timetable. We will see how discussions progress and be guided by that. But one way or another, I would expect the outcome to be settled later this year.

14. Finally, I should emphasise that this is an east-west arrangement between London and Dublin. It does not commit any future devolved authority in the north on matters which were devolved to that authority. So in the event of devolved government an agreement would have to be reviewed in that light.

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PRIME MINISTER

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They are
asking for to much.
Possibly just in
deliberate.
ml

ANGLO-IRISH RELATIONS: NORTHERN IRELAND

You are to have a short meeting after Cabinet with the Northern Ireland Secretary, Foreign Secretary and Sir Robert Armstrong. The main papers are in this folder.

The issues on which decisions are needed are:

No

i) The Irish Government are continuing to press for a commitment to establish Joint Courts. They are also seeking associated confidence-building measures in the context of an agreement including a community police force, declarations to be signed by the RUC recognising the validity of the two traditions in Northern Ireland, and changes in the UDR. We need to decide what you should say to the Taoiseach on these points when you meet in Milan. (Please see document at A).

The answers might be:

No

- joint courts. The most we can do is agree to study the possibility;
- confidence-building measures. This is a new complication and will take time to consider in detail. We are considering; No
- but a Community police force is something we have already examined and rejected. ✓

ii) timing of a further Summit. The Irish are showing an interest in having one in July. This is surely too soon and you will need to steer the Taoiseach firmly towards the autumn.

iii) what Douglas Hurd should say to the Unionists about the current discussions. The Irish are very keen that he

should say as little as possible. He feels that he must go further and has prepared himself a good speaking note. (Please see B). Is it agreed that he should use it?

iv) the Irish Government have raised the question of appointments to the Northern Ireland Police Authority. These have to be made by 29 June and are for three years. The Irish are worried that this will deprive them of the opportunity to comment on the appointments for a long period after an agreement is signed.

Douglas Hurd intends to go ahead with the necessary appointments but leave a few vacancies for the time being. His proposed response to the Irish is at C. Is it agreed?

C.D.P

C.D. Powell
19 June 1985

34

Ref. A085/1682

MR POWELL

Yes no

Prime Minister
Agree to
Mr. Hard's
reply?proposed
CDP 19/6.Anglo-Irish Relations: Northern Ireland

The Police Authority for Northern Ireland consists of a Chairman, a Vice-Chairman and no fewer than 14 and no more than 20 members. The appointments of the present members of the Authority are about to expire and the Secretary of State for Northern Ireland has a statutory duty to make new appointments by 29 June. Under the statute appointments are for three years.

2. The Secretary of State is proposing to reappoint the present Chairman, Sir Myles Humphries for a further term of three years. This will, however, be on the understanding that Sir Myles will retire after 18 months. He has served for nine years and does not want to serve another full term.

3. The Secretary of State has approached 14 people (10 Protestants and 4 Roman Catholics) to fill the statutory minimum 14 places for members. He is proposing to appoint a further three members (one Protestant and two Roman Catholics), but no approaches have yet been made. The SDLP were offered but refused to nominate members.

4. The Taoiseach summoned the British Ambassador in Dublin yesterday and, in the presence of the Foreign Minister, Mr Barry, and the Tanaiste, said that these proposals to make appointments for a further three years could create extremely serious difficulty in relation to the provision in the proposed draft agreement which would enable the Irish Government to put forward views on the composition of the Police Authority for Northern Ireland. The Taoiseach said that to proceed with such



an arrangement would be a major and tragic mistake in the terms of the prospects of our common efforts to bring peace to Northern Ireland. I attach copies of the reporting telegrams from the British Ambassador in Dublin.

5. The Taoiseach suggested that the Government should override the provisions which require appointments to be made by 29 June by means of an Order in Council, and then make some interim arrangements so that, if an agreement was concluded, the Irish Government could be given an opportunity to express views about the new appointments.

6. The Northern Ireland Office say that, even if we wanted to override the statutory provisions, we could not now do so before 29 June. In any case, they believe that to do so, virtually at the request of the Irish Government, would greatly incense the unionists and make the problem of persuading them to accept any agreement even more difficult than it is likely to be.

7. The Secretary of State for Northern Ireland is therefore being invited to consider a reply to the Taoiseach's representations on the following lines:

(1) In the time available it is not now possible to override the statutory requirements to make new appointments by 29 June. To do so would in any case excite grave suspicions among the unionists, and would adversely affect our ability to persuade them to accept a new Irish agreement on the lines which we have been discussing.

(2) It is true that the statute requires the Secretary of State to make the appointments by 29 June and to make them for a term of three years.

(3) He proposes to reappoint the present Chairman, Sir Myles Humpheries, for a full term of three years. But



Sir Miles Humpheries has already served for nine years and does not in any case want to serve another full term; the understanding is that he will retire after 18 months. This will give an early opportunity for the Irish Government to express views about a successor, if an Anglo-Irish agreement is concluded.

(4) 14 people have already been approached and have agreed to serve. This is the statutory minimum number for the membership of the Authority. 10 of the 14 are Protestants and 4 are Roman Catholics.

(5) The Secretary of State has decided not to make a further three appointments (one Protestant and two Roman Catholics), and to leave the other three places vacant for the time being, until it is clear whether an agreement is going to be concluded or not. In view of the Taoiseach's representations he is prepared not to proceed with the further three appointments; that would leave six vacancies on the Authority to be filled up about which the Irish Government could be consulted if and when an agreement was concluded.

(6) The SDLP were offered and refused invitations to nominate members of the Authority.

(7) If and when an agreement was concluded in the terms of the existing draft, the Irish Government will have the opportunity to express views not only about names but about the composition and terms of reference of the Authority.

(8) We hope that this will reassure the Taoiseach and his colleagues that this will provide the Irish Government with an early opportunity to express views both about the new appointment of the chairmanship and about the appointments of six out of a maximum of 20 members of the Authority.



8. The text of a note in this sense will of course be agreed with the Secretary of State for Foreign and Commonwealth Affairs before the Ambassador is authorised to speak accordingly in Dublin.

A handwritten signature in blue ink, appearing to be 'R. Armstrong', is located above the typed name.

Approved by
ROBERT ARMSTRONG
and signed in his absence.

19 June 1985

Spore

DD 190900Z CABINET OFFICE (FOR S R ARMSTRONG)

GRS 320
S E C R E T
DESKBY 181800Z
FM DUBLIN 181700Z JUN 85
TO IMMEDIATE FCO
TELEGRAM NUMBER 379 OF 18 JUNE 1985
INFO IMMEDIATE NIO (BELFAST) (PERSONAL FOR STEPHENS ONLY)

FOLLOWING PERSONAL FOR CLARK RID

MY TELNO 378: ANGLO-IRISH TALKS

SUMMARY

1. THE IRISH GOVERNMENT HAS WITH GREAT SOLEMNITY ASKED US TO CONSIDER HOW WE COULD FULFIL THE UNDERTAKINGS WE PROPOSE TO ASSUME IN THE DRAFT AGREEMENT WITH THEM ABOUT THE NORTHERN IRELAND POLICE AUTHORITY IF WE RECONSTITUTE IT LATER THIS MONTH WITHOUT CONSULTING THEM.

DETAIL

2. THE TAOISEACH SUMMONED ME ON 18 JUNE. MR BARRY AND LILLIS WERE PRESENT. DR FITZGERALD SAID THAT THE TANAISTE HAD WISHED TO BE PRESENT AND I SHOULD REGARD HIM AS BEING PRESENT, SO THAT I WAS BEING ADDRESSED WITH THE FULL AUTHORITY OF THE TROIKA OF MINISTERS PRIMARILY RESPONSIBLE FOR ANGLO-IRISH RELATIONS. MR SPRING'S GENERAL CONCERN WAS SHARPENED BY THE FACT THAT HE HAD SPOKEN ON THESE TOPICS TO THE SECRETARIES OF STATE FOR FOREIGN AFFAIRS AND NORTHERN IRELAND ON 22 MARCH.

3. DR FITZGERALD SPOKE AT LENGTH ABOUT THE POLICE AUTHORITY IN ACCORDANCE WITH A SPEAKING NOTE, THE TEXT OF WHICH IS GIVEN IN MIFT. THE IRISH HAD LET THIS QUESTION SLIP BECAUSE THEY HAD BEEN HOPING THAT WE SHOULD SIGN AN AGREEMENT BEFORE THE END OF THIS MONTH. NOW THAT IT WAS EVIDENT THAT THIS WAS NOT POSSIBLE THE MATTER WAS VERY URGENT. HE ASSUMED THAT HMG SHARED THEIR CONCERN THAT THE POLICE SHOULD ACQUIRE THE SUPPORT OF THE MINORITY IN NORTHERN IRELAND. TO THAT END, THE SUPPORT OF THE IRISH GOVERNMENT AND THE SDLP WAS ESSENTIAL. IT WOULD BE A TRAGIC MISTAKE TO APPOINT AN AUTHORITY FOR THREE YEARS WHICH COULD NOT GAIN THEIR SUPPORT.

4. HE SUGGESTED THAT THE NORTHERN IRELAND CONSTITUTION ACT, 1973, ARTICLE 38 (1(B)) PROVIDED AN OPPORTUNITY FOR HMG TO OVERRIDE THE PROVISIONS OF THE POLICE ACT OF 1970 BY MEANS OF AN ORDER IN COUNCIL. IT WAS NOT FOR THE IRISH GOVERNMENT TO SAY WHAT WE MIGHT DO, BUT WE MIGHT DECIDE TO PROLONG THE AUTHORITY BRIEFLY OR TO INVEST THE POWERS OF THE AUTHORITY IN THE SECRETARY OF STATE, PROVIDING AN ASSURANCE TO THE IRISH GOVERNMENT THAT ON THE SIGNATURE OF AN AGREEMENT WE WOULD ANNOUNCE THE INTENTION TO RECONSTITUTE THE AUTHORITY. IT WAS DIFFICULT TO SEE WHAT THE TWO SIDES HAD BEEN NEGOTIATING ABOUT IF NO SUCH ASSURANCE COULD BE FORTHCOMING. HE STRESSED THAT THE IRISH GOVERNMENT WERE ANXIOUS TO BE HELPFUL.

5. I SAID THAT THOUGH DONLON HAD TOLD ME OF HIS CONCERN I HAD

5. I SAID THAT THOUGH DONLON HAD TOLD ME OF HIS CONCERN I HAD NOT HAD TIME TO CONSULT MINISTERS. I UNDERSTOOD THE CHAIRMAN OF THE POLICE AUTHORITY MIGHT WELL RESIGN BEFORE THE THREE YEARS WERE UP AND THAT TWO OR THREE PLACES WOULD BE LEFT VACANT. DR FITZGERALD SAID THAT THIS SUGGESTED THAT THE IRISH WERE NOT BEING TAKEN SERIOUSLY. CONSULTATION ON TWO OR THREE PLACES WOULD BE DERISORY. I SAID THE SDLP HAD REFUSED INVITATIONS TO NOMINATE MEMBERS. HE SAID THEY COULD NOT BE EXPECTED TO DO SO IN THE ABSENCE OF AN AGREEMENT.

6. SEE MY TWO FOLLOWING TELEGRAMS.

7. FCO PLEASE COPY IMMEDIATE AND PERSONAL TO BRENNAN, NIO LONDON.

GOODISON

NNNN

SENT AT 182340Z

RECD AT 182340Z JWT

SENT AT 182330Z JM

FOCAB 011/18

DD CABINET OFF 190900Z (SIR R ARMSTRONG)

GRS 420
S E C R E T
FM DUBLIN 181615Z JUN 85
TO IMMEDIATE FCO
TELEGRAM NUMBER 380 OF 18 JUNE 1985
INFO IMMEDIATE NIO (BELFAST) (PERSONAL FOR STEPHENS ONLY)

MIPT: ANGLO-IRISH TALKS

1. FOLLOWING IS TEXT OF THE TAOISEACH'S SPEAKING NOTE:

PLEASE CONVEY THE FOLLOWING TO THE PRIME MINISTER AND BRITISH MINISTERS:

1. AS THE DATE FOR AN ANGLO-IRISH SUMMIT HAS SLIPPED WE ARE CONFRONTED WITH THE DEADLINE FOR THE APPOINTMENT OF A POLICE AUTHORITY FOR NORTHERN IRELAND OF 29 JUNE.

2. THE ESTABLISHMENT OF A POLICE AUTHORITY APPROVED AND POSITIVELY SUPPORTED BY THE IRISH GOVERNMENT AND THE SDLP COULD CONTRIBUTE SIGNIFICANTLY TO THE TRANSFORMATION OF THE FUNDAMENTAL RELATIONSHIP BETWEEN THE POLICE AND THE NATIONALIST COMMUNITY, TO WHICH BOTH THE TAOISEACH AND THE PRIME MINISTER HAVE GIVEN PRIORITY. WE BELIEVE THAT THIS MIGHT BE ACHIEVED WITHIN THE CONTEXT OF THE ARRANGEMENTS PROPOSED BY THE BRITISH GOVERNMENT - BRITISH PROPOSAL OF 21 JANUARY 1985, PARA. 12; REVISED BRITISH PROPOSAL OF 29 APRIL 1985, PARA. 10 AND REVISED BRITISH PROPOSAL OF 11 JUNE 1985, PARA. 12.

3. OUR OFFICIALS WERE TOLD AT THE TALKS IN LONDON ON 14 JUNE THAT THE BRITISH GOVERNMENT PROPOSE TO NOMINATE 19 OR 20 OUT OF A POSSIBLE MAXIMUM OF 22 MEMBERS TO A NEW POLICE AUTHORITY IN ADVANCE OF THE INTRODUCTION OF THESE NEW ANGLO-IRISH ARRANGEMENTS ON 29 JUNE NEXT: 18 OF THESE PERSONS WOULD BE APPOINTED FOR A FULL THREE-YEAR TERM.

4. TO DO THIS WOULD PRECLUDE THE IRISH GOVERNMENT AND THE SDLP FROM SUPPORTING AND APPROVING THE NEW AUTHORITY ON THE GROUNDS OF ITS CREDIBILITY AND ACCEPTABILITY IN NATIONALIST EYES. IT WOULD ALSO BE SERIOUSLY MISUNDERSTOOD BY MANY NATIONALISTS NORTH AND SOUTH IN IRELAND WHO WOULD REGARD IT AS A DECISION BY THE BRITISH AUTHORITIES TO ALLOW A COINCIDENCE OF TIMING TO EXCLUDE THE IRISH GOVERNMENT FROM HAVING A SAY IN THIS MATTER.

5. THE TANAISTE AND THE MINISTER FOR FOREIGN AFFAIRS TOLD SIR GEOFFREY HOWE AND DOUGLAS HURD IN DUBLIN ON 22 MARCH THAT WE WOULD REGARD IT AS A SERIOUS MISTAKE WERE THE BRITISH TO PROCEED WITH APPOINTMENTS TO A NEW POLICE AUTHORITY OR IMPLEMENT NEW POLICE COMPLAINTS PROCEDURES OUTSIDE THE CONTEXT OF AN ANGLO-IRISH AGREEMENT.

6. WE HAD BEEN AWARE OF THE DEADLINE OF 29 JUNE BUT WE HAD BEEN PROCEEDING ON THE ASSUMPTION THAT AN ANGLO-IRISH SUMMIT WOULD TAKE PLACE BEFORE THEN WHICH WOULD HAVE ACTIVATED THE ROLE OF THE IRISH GOVERNMENT VIS-A-VIS THE NOMINATION OF A POLICE AUTHORITY. WE HAD STRONGLY ASSUMED THAT THE BRITISH GOVERNMENT SHARED OUR CONCERN THAT IT WAS NECESSARY TO ACT TO ENSURE THAT THE POLICE IN NORTHERN IRELAND ACQUIRED THE SUPPORT OF THE MINORITY COMMUNITY AND THEREFORE THAT, IF THE SUMMIT WERE DELAYED, ACCOUNT WOULD BE TAKEN OF THE DESIRABILITY OF IRISH GOVERNMENT AND SDLP SUPPORT FOR A NEW AUTHORITY IN THE HANDLING OF THIS ISSUE BY THE BRITISH AUTHORITIES.

7. IF A NEW POLICE AUTHORITY WERE NOW TO BE APPOINTED FOR THREE YEARS AND IF IT WERE THE INTENTION THAT THIS NEW AUTHORITY WOULD CONTINUE IN OFFICE FOR MOST OF THAT PERIOD, IT WOULD OBVIOUSLY BE IMPOSSIBLE TO IMPLEMENT THE TERMS OF THE DRAFT AGREEMENT WHICH WE HAVE BEEN DISCUSSING TOGETHER. IT IS CRUCIAL, THEREFORE, FOR US TO KNOW HOW IN THESE CIRCUMSTANCES YOUR AUTHORITIES PROPOSE TO GIVE EFFECT TO THE TERMS OF THE DRAFT AGREEMENT WHICH RELATE TO THE NOMINATION OF THE POLICE AUTHORITY.

8. PLEASE INFORM YOUR MINISTERS THAT WE HAVE AN EXTREMELY SERIOUS DIFFICULTY WITH WHAT OUR OFFICIALS HAVE BEEN TOLD AND THAT WE SINCERELY BELIEVE THAT TO PROCEED WITH SUCH AN ARRANGEMENT WOULD BE A MAJOR AND TRAGIC MISTAKE IN TERMS OF THE PROSPECTS FOR OUR COMMON EFFORTS TO BRING PEACE TO THAT COMMUNITY. WE WOULD ASK THAT AN OPPORTUNITY BE CREATED TO ENABLE THE ARRANGEMENTS WE ARE TOGETHER CONSIDERING TO WORK IN THIS THE MOST CRUCIAL OF ALL AREAS.

FCO PLEASE COPY IMMEDIATE AND PERSONAL TO BRENNAN, NIO LONDON.

GOODISON

NNN

SENT AT 182336Z JM

FOCAB 012/1

THE FOLLOWING THREE TELS HAVE BEEN SENT TO YOU AT THE REQUEST OF
THE RESIDENT CLERK

FOCAB 010/18

DD

190900Z (FOR SIR R ARMSTRONG)

GRS 360
S E C R E T
DESKBY 181815Z
FM DUBLIN 181725Z JUN 85
TO IMMEDIATE FCO
TELEGRAM NUMBER 381 OF 18 JUNE 1985
INFO IMMEDIATE NIO (BELFAST)

FOLLOWING PERSONAL FOR CLARK RID

MY TWO IPT'S: ANGLO-IRISH TALKS

1. DR FITZGERALD SAID THAT HE WAS ALSO VERY CONCERNED TO LEARN THAT THE SECRETARY OF STATE FOR NORTHERN IRELAND WAS PROPOSING TO BRIEF THE HEADS OF THE UNIONIST PARTIES ON OUR TALKS. PARTICULARLY IN VIEW OF TODAY'S ARTICLE IN THE IRISH TIMES (MY TELNO 377) THERE COULD BE NO DOUBT THAT THE UNIONISTS WERE GENERALLY AWARE OF WHAT WAS GOING ON. THAT WAS VERY DIFFERENT FROM BEING INFORMED OFFICIALLY BY HMG. HE FEARED THAT WE SHOULD BE PLAYING INTO THE HANDS OF THE UNIONISTS IF THEY WERE SO INFORMED BEFORE THE MARCHING SEASON. THE WHOLE PURPOSE OF NOT SIGNING AN AGREEMENT BEFORE 12 JULY WAS TO AVOID THE KIND OF EXPLOSION WHICH TALKING TO THEM MUST CAUSE.
2. HE SAID THAT THEY HAD KEPT HUME AND MALLON INFORMED. THAT WAS ESSENTIAL FOR THE IRISH GOVERNMENT BECAUSE THEY HAD TO KNOW THAT WHAT THEY DID WOULD HAVE THE SUPPORT OF THE SDLP. THEY HAD WORRIED A BIT ABOUT TELLING MALLON BUT HE HAD PROVED TO BE RELIABLE.
3. I SAID THAT I UNDERSTOOD HIS WORRIES BUT IF THE IRISH GOVERNMENT NEEDED THE SUPPORT OF THE SDLP WE BOTH NEEDED THE ACQUIESCENCE OF THE UNIONISTS. IF WE WERE TO HAVE ANY CHANCE OF GETTING THIS THEY HAD TO BE SOFTENED UP IN ADVANCE. MR MOLYNEUX OF COURSE WAS BOUND BY OATH. IT WAS TRUE THAT THE IRISH TIMES ARTICLE HAD PUBLISHED PRACTICALLY EVERYTHING. THAT MADE DELAY LESS SIGNIFICANT.

4. DR FITZGERALD TOOK UP THIS WORD TO SAY THAT HE WAS ALARMED THAT THE BRITISH SIDE WERE PROPOSING THAT OFFICIALS SHOULD NOT MEET AGAIN UNTIL JULY. I SAID WE HAD SUPPOSED IT WOULD BE USEFUL TO AWAIT THE RESULTS OF THE MEETING BETWEEN HIMSELF AND THE PRIME MINISTER. HE SAID THAT IF WE COULD PRODUCE THE MATERIAL WE HAD PROMISED ON ASSOCIATED MEASURES IN TIME HE WANTED ANOTHER MEETING OF OFFICIALS IN JUNE. HE SAID THAT HE WAS ANXIOUS TO CONCLUDE OUR NEGOTIATIONS EVEN THOUGH IT WOULD BE BETTER NOT TO SIGN FOR SOME TIME. HE WAS ANXIOUS THAT WE SHOULD KNOW QUICKLY WHERE WE WERE GOING SO THAT WE COULD BE READY TO SIGN AT THE EARLIEST APPROPRIATE OPPORTUNITY. LATE SEPTEMBER, WHICH HAD BEEN MENTIONED, WAS TOO LATE. HE WOULD REALLY LIKE TO SIGN AT THE END OF JULY, THOUGH HE WAS OF COURSE AWARE THAT THERE WERE ALSO MARCHES IN AUGUST. THERE WOULD BE GREAT MERIT IN SIGNING AT LEAST AT THE END OF AUGUST BEFORE PEOPLE EXPECTED IT. HE DID NOT KNOW WHAT WOULD HAPPEN IF WE DELAYED TOO LONG. I SAID I THOUGHT THAT SUCH QUESTIONS OF TIMING WOULD BE SOMETHING FOR HIM TO DISCUSS WITH THE PRIME MINISTER. I ADDED THAT I THOUGHT IT WOULD ALSO BE APPROPRIATE FOR THEM TO DISCUSS THE QUESTION OF JOINT COURTS SINCE I DID NOT SEE HOW OFFICIALS COULD RESOLVE IT. DR FITZGERALD SAID THAT SUCH MEETINGS AS THAT IN MILAN WERE ALWAYS PRESSED FOR TIME AND IT WAS NOT A GOOD FORUM IN WHICH TO TAKE DECISIONS EVEN ON SOMETHING LIKE THE COURTS.

5. MR BARRY, IN HIS ONLY INTERVENTION, SAID THAT HE HOPED TO SPEAK TO MR HURD ON THE TELEPHONE WITHIN THE NEXT 48 OR 72 HOURS. I SUGGESTED THAT THEY MIGHT DISCUSS THE QUESTION OF TALKING TO THE UNIONISTS ON THAT OCCASION. I SAID THAT I THOUGHT THE MATTER OF THE POLICE AUTHORITY WAS MORE COMPLEX AND IT WOULD BE BETTER TO WAIT UNTIL I HAD INSTRUCTIONS TO REPLY. I WOULD ASK THAT THEY BE GIVEN ME WITH ALL POSSIBLE SPEED. LILLIS POINTED OUT THAT IT WAS ESSENTIAL THAT THEY SHOULD BE PROVIDED BEFORE THE MEETING IN MILAN.

6. FCO PLEASE COPY IMMEDIATE TO BRENNAN, NIO LONDON.

NNNN

GRS 180
SECRET,
DESKBY 181000Z
FM DUBLIN 180925Z JUN 85
TO IMMEDIATE FCO
TELEGRAM NUMBER 378 OF 18 JUNE 1985

SECRET

Sir R Armstrong - to see
RA

FOLLOWING PERSONAL FOR GOODALL

*I did warn them
with my ear drum?
RA*

ANGLO-IRISH TALKS

1. DONLON TOLD ME AT A PARTY ON 17 JUNE THAT THE TAOISEACH WAS VERY DISTURBED ABOUT THE POSSIBILITY OF HMG APPOINTING A NEW POLICE AUTHORITY FOR NORTHERN IRELAND WITHOUT CONSULTING THE IRISH GOVERNMENT. THE OFFICIALS ATTENDING THE TALKS HAD THOUGHT THAT WHAT WE WERE SUGGESTING WAS NOT UNREASONABLE BUT DR FITZGERALD WAS VERY UPSET. DONLON SAID THAT HE BELIEVED THAT WE HAD A STATUTORY OBLIGATION. I ALSO POINTED OUT THAT WE COULD NOT BE EXPECTED TO ACT AS IF THE AGREEMENT WERE IN PLACE WHEN IT HAD NOT YET BEEN SIGNED. HE SAID THAT IF WE COULD PERSUADE THE SDLP TO ACCEPT RESPONSIBILITY FOR THE NOMINATION OF SOME MEMBERS OF THE AUTHORITY ON THE DAY OF SIGNATURE OF THE AGREEMENT WE SHOULD HAVE TIED THEM INTO COOPERATION WITH THE AGREEMENT AT ONCE. HE ASKED WHETHER IT WOULD BE POSSIBLE TO APPOINT THE PRESENT AUTHORITY FOR AN INDEFINITE PERIOD AND TO DISSOLVE AND REPLACE IT ON THE DAY OF SIGNATURE OF THE AGREEMENT. HE SAID THAT THE TAOISEACH WAS DISCUSSING WITH LILLIS WHETHER HE SHOULD SEND A PERSONAL MESSAGE TO THE PRIME MINISTER ON THIS TOPIC OR WHETHER MR BARRY SHOULD SEND A MESSAGE TO THE SECRETARY OF STATE.

2. I TRIED TO SEE LILLIS AFTERWARDS BUT HE WAS NOT AVAILABLE.

GOODISON

LIMITED.

HID 1210.
PS
MR GOODALL

COPIES TO:

PS 1505
MR BRENNAN } NORTHERN IRELAND
OFFICE

PS/SIR R ARMSTRONG } CABINET
MR MALLARY } OFFICE.

SECRET

33 Dismissed on 20/6 CDP

Prime Minister

The outcome of the latest round of official discussions. Few problems on the draft agreement except on Joint Courts. But new difficulties on associated confidence-building measures. If nothing else, these make it impracticable to think of a further summit until September.

Ref. A085/1650

PRIME MINISTER

Anglo-Irish Relations: Northern Ireland

I had a full day's meeting on 14 June with Mr Nally. The usual small supporting teams of officials were present on both sides.

Agree to start meeting after Cabinet on Thursday? CDP 18/6

Revised Text for an Agreement

2. The Irish officials had not yet consulted their Ministers formally about the new version of the British text, but their own comments on it were positive. They suggested four minor amendments, which are marked in paragraph 1, 2, 5 and 11 on the attached copy. The suggestions in paragraph 1, 2 and 11 do not alter the meaning that we intended. The suggested amendment at the end of paragraph 5, about the question of a secretariat for the Standing Intergovernmental Committee, reflects both the Irish conviction (with which we should find it difficult to disagree) that a permanent secretariat will be needed if the Committee is to function properly and the British position that Belfast should not be identified in the agreement as the location of a secretariat (as it was in earlier versions of our draft), since this would increase the risk of its becoming an early target for terrorism.

3. After consulting their Ministers, the Irish are likely to have further drafting suggestions. The indications so far are that these should not be major. They may, however, suggest yet another version of the title of the Standing Intergovernmental Committee. Subject to that, and assuming that we can accept the four minor changes noted above, there remains one serious problem in the text, namely the sentence about joint courts in

paragraph 17, on which the Irish placed a reserve. They repeated that a commitment to establish joint or mixed courts would be an important element in restoring the confidence of the minority community in Northern Ireland for law and order; in the arrangements they also reminded us that this would be a reciprocal arrangement, operating on both sides of the border. They therefore wanted agreement that joint or mixed courts would be established within a defined period after signature of an agreement. We agreed that the difference between us on this could not be resolved at official level.

4. It was interesting, given the well-known antipathy between the Commissioner of the Garda and the Chief Constable of the Royal Ulster Constabulary (RUC), that the Irish officials stated categorically that the statement at the end of paragraph 5 of the text that the two police chiefs could accompany Ministers to meetings of the new Standing Intergovernmental Committee would on the Irish side mean precisely what it said - ie that Commissioner Wren would attend meetings as appropriate.

Associated Measures

5. The Irish officials laid great stress on the need, not only for the agreement itself but also, outside the text, for "associated measures", ie measures which although not part of the agreement would be intended to demonstrate that the agreement signalled the introduction of a new and improved atmosphere on the ground. They argued that the SDLP would not support an agreement unless there was some visible change in the actual situation at the same time, which would be an earnest of a readiness on our part to take measures to improve the confidence of the minority community in the security forces; and the Irish Government could not sign an agreement unless they knew that the SDLP would support it. Nor would they be able, without associated measures, to counter criticism from Mr Haughey and his supporters on the lines that the agreement



committed the Irish Government to upholding the British security system in Northern Ireland in return only for British professions of readiness to listen to Irish views. It was suggested that associated measures might be announced in British and Irish unilateral statements - or in a communiqué from an Anglo-Irish Summit - at the time of the signature of an agreement.

6. On the Irish side, the principal associated measures outside the agreement would be redeployment of Garda task forces to the border area and announcement of the Irish decision to accede to the European Convention on the Suppression of Terrorism; the agreement itself now includes their commitment on the status of Northern Ireland.

7. As regards associated measures to be undertaken by the United Kingdom, Mr Nally and his team continued to press for some change concerning the security forces. They revived the suggestion made to you by the Taoiseach on 30 March, that a local unarmed community police force be established, primarily to operate in Roman Catholic areas where in the Irish view the RUC is ineffective and out of touch with the people. We explained the very great difficulties that this suggestion would present, and I think that they accepted that it was at best premature (if not actually half-baked - a word they have used themselves about it). We described the measures already in hand to increase confidence between the RUC and the minority community: attempts to recruit more Roman Catholics, the introduction of a new police complaints procedure, the appointment of a Roman Catholic deputy chairman of the Police Authority; and renewed efforts to persuade the SDLP to nominate members to that Authority.

8. We reminded them that more Roman Catholics would probably join the RUC if they were encouraged to do so (instead of being discouraged from doing so) by the SDLP. We discussed with the



Irish an idea they put forward that members of the RUC should sign some sort of declaration in which they would recognise the validity of the two traditions in Northern Ireland. We made it clear that we saw some difficulties about the idea of a declaration; but we agreed to consider whether there might be a new Code of Conduct (with or without a declaration) for the RUC, and possibly for the security forces as a whole, which might confirm the principle of non-discrimination between the communities (much as the new code of conduct for the Metropolitan Police incorporates non-discrimination between races).

9. The Irish officials attached no less importance to changes regarding the Ulster Defence Regiment (UDR). They obviously accepted that it would not be realistic to press for the disbandment of the UDR, and the changes they proposed were moderate: eg for regular British army officers to hold all commands down to company level, and for more training of part-time members.

10. Mr Nally thought that a combination of the measures concerning the security forces that we already have in hand, if they could be related in some public statement to an Anglo-irish agreement, together with a new declaration by members of the security forces and/or a code of conduct and something on the UDR, might provide just enough in the form of associated measures to secure the support of the SDLP. The Northern Ireland Office will now be looking closely at the possibility of a declaration or code of conduct and consulting the RUC. Officials from various Departments, including the Ministry of Defence, will consider whether any changes concerning the UDR, which in themselves might be desirable, could take effect around the time of an agreement's signature.

Talks with the Northern Ireland Parties

11. We told the Irish that the Secretary of State for Northern Ireland planned to start this week a series of individual meetings with the leaders of the political parties in the North to talk about the political scene since the district elections; about ideas for achieving devolution; and in very general terms about the Anglo-Irish talks so as to gain some impression as to how the parties might react to an agreement. Mr Nally and his colleagues argued very strongly that it would be a serious mistake to take the unionists into our confidence at present. Dr Paisley, for instance, would be likely to publish whatever he was told and to present it as inimical to the interests of the Protestants. Opposition to an agreement might become a major theme of the Protestant marches in the coming weeks. Mr Nally urged that we delay opening up with the unionists on the Anglo-Irish talks until nearer the time of signature of an agreement.

Next Steps

12. Mr Nally thought that the Taoiseach, when he meets you in the margins of the European Council in Milan on 28-29 June, would want to take stock of the state of play in the talks, and was likely in particular to raise the questions of joint courts and of associated measures. I think he may also raise the possibility, which his officials urged on us on 14 June, of holding an Anglo-Irish Summit to conclude an agreement and announce associated measures in the second half of July, after most of the Protestant marches have taken place, rather than waiting until September. The Irish see the difficulties of concluding an agreement and announcing associated measures as soon as that, but they are worried that, if we wait until September, there will be leaks and controversy in the meantime, which may make it hard to hold the package together through the Summer Recess.

13. I suggest that you might wish to hold an early meeting with the Secretary of State for Northern Ireland and the Foreign and Commonwealth Secretary to consider next steps. One immediate question is how far the Secretary of State for Northern Ireland, in his forthcoming contacts with the unionists leaders, should lift the veil on the Anglo-Irish talks. Since Mr Hurd is due to meet Mr Molyneux and Dr Paisley on the afternoon of Thursday 20 June (at their request, among other things to discuss security), the best time for a meeting of Ministers might be before or after Cabinet that morning. The meeting might also consider the timing of the Anglo-Irish Summit and have a preliminary word about the line you should take on joint courts and associated measures when you see the Taoiseach in Milan.

14. Mr Nally and I agreed tentatively that our next session of talks might take place on 8 or 9 July. We also plan a meeting of British and Irish officials to discuss the idea of a new Fund, to which the United States Government might be the major contributor, for expenditure on projects in both parts of Ireland but mainly the North. This might be announced in conjunction with an Anglo-Irish agreement (it is hinted at in paragraph 20 of the attached draft), as a major indication of American approval.

15. I am sending copies of this minute to the Secretaries of State for Foreign and Commonwealth Affairs and for Northern Ireland.



ROBERT ARMSTRONG

18 June 1985

Draft of 18 June 1985

ANGLO-IRISH RELATIONS: NORTHERN IRELAND

British Proposal

I. Preamble

1. The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland -

wishing further to develop the unique relationship between their peoples and the close co-operation between their countries as friendly neighbours and as partners in the European Community;

recognising the major interest in both their countries, and above all of the people of Northern Ireland, in achieving lasting peace and stability;

recognising the need for continued efforts to diminish the divisions in Northern Ireland and

to reconcile the two major traditions that exist in the two parts of Ireland;

reaffirming their total rejection of any attempt to promote political objectives by violence or the threat of violence and their determination to work together to combat those who adopt or support such methods;

recognising that a condition of genuine reconciliation and dialogue between the two communities in Northern Ireland is mutual recognition and acceptance of the rights of each community;

recognising and respecting the identities of the two communities in Northern Ireland, and the right of each to pursue its aspirations by peaceful and constitutional means;

reaffirming their commitment to a society in Northern Ireland in which all may live in peace, free from discrimination and

intolerance and with the opportunity for both communities to participate fully in the structure and processes of government;

agree as follows:

II. Status of Northern Ireland

2. The two Governments:

1. agree that any change in the status of Northern Ireland could come about only with the consent of a majority of the people of Northern Ireland;

2. recognise that the present wish of a majority of the people of Northern Ireland is for no change in the status of Northern Ireland;

3. declare that, if in the future a majority of the people in Northern Ireland clearly wished for and formally consented to the establishment of a united Ireland, they would

support the introduction in the respective Parliaments of legislation to give effect to that wish.

III. The Standing Intergovernmental Committee

3. There would be established within the framework of the Anglo-Irish Intergovernmental Council a new Committee, to be known as the Standing Intergovernmental Committee, to deal on a regular basis and in relation to Northern Ireland with -

- a. political matters;
- b. security and related matters;
- c. legal matters, including the administration of justice;
- d. cross-border co-operation;

as set out in this agreement.

4. Unlike the existing AIIC machinery this Committee would be primarily concerned with

North/South rather than East/West relationships and would meet on a regular rather than ad hoc basis. The British Government would accept that the Irish Government would put forward views and proposals on matters relating to Northern Ireland within the body's remit in so far as those matters were not the responsibility of a devolved administration in Northern Ireland. Attention would thus be given to these matters at the highest level. In the interest of promoting peace and stability, determined efforts would be made through the Committee to resolve any differences. The focus of the Committee's work would be mainly in Northern Ireland; but some of the matters under consideration would involve co-operative action in both parts of the island of Ireland and possibly also in Great Britain. Some of the proposals considered in respect of Northern Ireland might also be found to have application by the Irish Government. There would be no derogation of sovereignty on the part of either the United Kingdom Government or the Irish Government, so that each would retain responsibility for the administration of government within its own jurisdiction.

5. The Committee would meet at Ministerial or official level, as required. There would be regular and frequent Ministerial meetings; and special meetings could be convened when necessary at the request of either side. Officials might meet in Sub-Committees. Membership would be small and flexible. When the Committee met at Ministerial level the Secretary of State for Northern Ireland and an Irish Minister designated as the Permanent Irish Ministerial Representative would be joint Chairmen. Other British and Irish Ministers could attend meetings as appropriate: thus when legal matters were under consideration the Attorneys General might attend. Ministers would be accompanied by their officials and professional advisers: for example, when questions of security policy or security co-operation were being addressed they could be accompanied by the Chief Constable of the Royal Ulster Constabulary and the Commissioner of the Garda Siochana. A permanent Secretariat would be established by the two Governments.

6. In relation to matters coming within its remit, the Committee would constitute a framework within which the Government of the United Kingdom

and the Government of the Republic of Ireland could work together:

i. for the accommodation of the rights and identities of the two traditions which exist in Northern Ireland; and

ii. for peace, stability and prosperity throughout Ireland by promoting reconciliation, respect for human rights, co-operation against terrorism and the development of economic, social and cultural co-operation.

7. It is the declared policy of the British Government that responsibility in respect of certain matters within the remit of the Secretary of State for Northern Ireland should be devolved within Northern Ireland on a basis which would secure widespread acceptance throughout the community. The Irish Government support that policy.

8. Both Governments recognise that devolution can be achieved only with the co-operation of the constitutional representatives within Northern

Ireland of both the traditions there. If full devolution had not taken place, the Committee would constitute a framework within which the Irish Government could put forward views and proposals on the modalities of devolution in Northern Ireland, in so far as they bore on the interests of the minority community.

Political Matters

9. The Committee would concern itself with measures to recognise and accommodate the rights and identities of the two traditions in Northern Ireland, to protect human rights and to prevent discrimination. Matters to be considered in this area in respect of Northern Ireland include measures to foster the cultural heritage of both traditions, changes in electoral arrangements, the use of flags and emblems, the avoidance of economic and social discrimination and the advantages and disadvantages of some form of Bill of Rights in Northern Ireland.

10. The focus of discussion of these matters would be on Northern Ireland, but the possible application of any such measures by the Irish authorities in the South would not be excluded.

11. Should it prove impossible to achieve and sustain devolution on a basis which would secure widespread acceptance in Northern Ireland, the Committee would constitute a framework within which the Irish Government could put forward views on proposals for major legislation, and on major policy issues within the purview of the Northern Ireland Departments which remained the responsibility of the Secretary of State for Northern Ireland, significantly and especially affected the interests of the minority community.

12. The Committee would provide a framework within which the Irish Government could put forward views on appointments to be made by the Secretary of State for Northern Ireland to bodies including -

the Standing Advisory Commission on Human Rights;

the Fair Employment Agency;

the Equal Opportunities Commission;

the Police Authority for Northern Ireland;

the Police Complaints Board.

Security and Related Matters

13. The Committee would consider:

- a. security policy;
- b. relations between the security forces and the community;
- c. prisons policy.

14. The Committee would address the security situation at its regular meetings. This would provide an opportunity to address policy issues, serious incidents and forthcoming events (eg parades and processions).

15. The Committee would consider relations between the security forces and the community, with particular reference to the minority community in Northern Ireland. With a view to promoting greater confidence in the security system, a programme of action would be put in hand which might include: the establishment of local consultative machinery, training in community relations, crime prevention schemes involving the community, improvements in

arrangements for handling complaints, and action to increase the proportion of members of the minority in the RUC. It would be accepted by both sides that these matters would be directed primarily towards Northern Ireland, with the object of making the security forces more readily accepted by the minority community there, but that some of them might be developed by the Irish authorities in ways which might also have an application in the South.

16. The Committee would also be able to consider policy issues in the prisons. Individual cases could be raised as appropriate, so that explanations could be given or inquiries instituted.

Legal Matters, Including the Administration of
Justice

17. The Committee would deal with issues of concern to both countries relating to the enforcement of the criminal law. In particular it would consider whether there are areas of the criminal law applying in the North and in the South respectively which might with benefit be harmonised. The two Governments agree on the

desirability of ensuring that there is public confidence in the administration of justice. [The Committee will seek means to this end, considering inter alia the possibility of establishing a system of joint courts for trying terrorist crimes.] It would also be concerned with the oversight and review of arrangements between North and South for extradition and extra-territorial jurisdiction.

Cross-border Co-operation

Security Co-operation

18. With a view to enhancing co-operation between the security forces of the two Governments, the Committee would set in hand a programme of work to be undertaken by the Chief Constable and the Commissioner and groups of officials in such areas as threat assessments, exchange of information, liaison structures, technical co-operation, training of personnel, and operational resources.

19. The Committee would have no operational responsibilities; responsibility for police operations would remain with the heads of the respective police forces, and the Chief Constable

of the Royal Ulster Constabulary would maintain his existing links with the Secretary of State and the Commissioner of the Garda Siochana his accountability to the Minister for Justice.

Economic, Social and Cultural Co-operation

20. The two Governments would co-operate to promote the economic and social development of those areas of both parts of Ireland which have suffered most severely from the consequences of the instability of recent years, and consider the possibility of securing international support for this work.

21. Should it prove impossible to achieve and sustain devolution on a basis which would secure widespread acceptance in Northern Ireland, the Committee would constitute a framework for the promotion of co-operation between North and South in Ireland in relation to cross-border aspects of economic, social and cultural matters in relation to which the Secretary of State continued to exercise authority.

22. If responsibility were devolved in respect of certain matters under this heading currently within the remit of the Secretary of State, there would need to be machinery for practical co-operation between the responsible authorities North and South in respect of cross-border aspects of those issues.

Arrangements for review

23. At the end of three years from signature of this agreement, or earlier if requested by either party, the working of the Committee would be reviewed by the two Governments to see whether any changes in the scope and nature of its activities were desirable.

IV. Inter-Parliamentary Relations

24. The two Governments agree that it would be for the Houses of Parliament in Westminster and the Oireachtas in Dublin to consider whether an Anglo-Irish Parliamentary body of the kind adumbrated in the Anglo-Irish Studies Report of November 1981 could be established.



Foreign and Commonwealth Office

London SW1A 2AH

18 June 1985

*Prime Minister**CDP
19/6.**has seen
20/6**Dear Charles,*

Anglo-Irish Relations: Discussion between the Foreign Secretary and the Taoiseach

The Foreign Secretary met Dr FitzGerald in the margins of the Accession meetings in Lisbon and Madrid on 12 June. Dr FitzGerald relayed to him the anxiety which he and many of his colleagues felt about whether the agreement now under discussion would have enough substance. The Foreign Secretary thinks that the Prime Minister would wish to know of the Taoiseach's remarks.

Dr FitzGerald gave the impression that he was not acutely concerned about the precise timing of the agreement or its terms. He had not studied our latest text. He was, however, worried that once it had been entered into there would be no immediate evidence that it was having any great effect in improving the lot of the minority community in the North.

The Foreign Secretary pressed Dr FitzGerald to explain what he felt was needed. Dr FitzGerald referred first to the proposed study of the possibility of setting up joint courts. He said that while he understood the need to approach it with caution, he very much hoped that the study would lead to action. The Foreign Secretary said that as Dr FitzGerald knew Lord Lowry had very strong views on this subject. Dr FitzGerald acknowledged that this was true, but said that he would not like to think that Lord Lowry would prove a permanent stumbling block. The Secretary of State said that even without Lord Lowry there were bound to be serious practical difficulties on this front. The Unionist politicians, unlike John Hume, were not aware in any detail of the content of the dialogue and we would have enormous difficulty in bringing them to accept specific steps of the kind which the Taoiseach had in mind. It was important to concentrate on the fact that an agreement of the kind envisaged would represent an historic achievement.

The Foreign Secretary went on to recall that he and Mr Hurd had had discussions with Irish Ministers in Dublin of the useful impact of the policy of releasing some terrorist prisoners on parole at a rather earlier date than previously laid down. The trouble was that arrangements of this kind could not be publicised without seriously undermining the

/confidence



confidence of the Unionist community. Dr FitzGerald wondered if we could envisage issuing a statement indicating that a policy of early parole could be considered in six months time if that period passed without violence. He pointed out that some Unionists as well as nationalists were imprisoned in the North for terrorist offences. An offer of this kind would therefore have some appeal in both communities.

Dr FitzGerald also asked if it might not be possible for us to offer an increase in the proportion of British Army officers in the UDR. It would also be helpful if adjustments could be made in the way in which the UDR and the RUC were deployed. He hoped for example that new ways could be found of deploying the police in areas which at present were unpoliced.

The Foreign Secretary explained that while he was not able to make a positive response to these points, he would nevertheless ensure that they were reported.

Dr FitzGerald raised the question of leaks. There had been one story last week describing the Irish as very anxious to make progress on the subject of joint courts which was followed shortly by a story in the Sunday Times stating that there was no chance of progress in this area at all. The Irish felt sure that both these leaks had come from the British side and were puzzled by the fact that the first leak had started a rumour which the second had served only to knock down. The Foreign Secretary said that leaks were regrettably taking place on both sides. There was no reason to suggest a deliberate British plan of destructive leaks.

Later in the day, in Madrid, Dr FitzGerald explained his concern about doubts in his own party, Fine Gael, about the agreement now under discussion. He added that John Hume was not the man he had been. He mentioned that there was discontent in the ranks of the SDLP about Hume whose recent visit to the USA had upset a number of his fellow party members. Some members of the SDLP were now saying that they should withdraw the SDLP's support for an agreement. Dr FitzGerald had responded to these indications by telephoning Hume in the US to request him to get in touch with Seamus Mallon, the deputy leader, by telephone in order to get him back on board. Hume had duly done this but the Irish Government were still far from confident about the ability of Hume and Mallon to keep the SDLP on the right track. They therefore intended to bring a third member of the SDLP leadership into their confidence about the planned agreement.

I am copying this letter to Jim Daniell at the NIO and to Sir Robert Armstrong.

*Yours ever,
L V Appleyard*

(L V Appleyard)
Private Secretary

C D Powell Esq
10 Downing Street

R 18/6



[Faint, illegible handwritten text at the bottom of the page]

OD(I): Ld Pres VC
FCS 31
S/Def
LPS
S/TI
CS (HMT)
S/NI
CDL
AG
Party Sec (HMT)



10 DOWNING STREET

From the Private Secretary

bc PC.

SIR ROBERT ARMSTRONG

ANGLO-IRISH RELATIONS: NORTHERN IRELAND

Thank you for your minute of 10 June on the subject of a review clause.

The Prime Minister agrees that you should now put the draft British proposal with the amendment proposed by the Northern Ireland Secretary to the Irish Government. She further agrees that you should have discretion to propose the alternative review formula suggested in your minute.

I am copying this minute to the Private Secretaries to members of OD(I).

C.P.P.

(CHARLES POWELL)

SWH

11 June 1985

CDP
11/6

Ref. A085/1572

MR POWELLAnglo-Irish Relations: Northern Ireland

I attach a copy of the revised draft British proposal in the form in which it is now being sent to the Irish Government.

2. You will see that it takes account not only of the Secretary of State for Northern Ireland's suggested amendment but also of that suggested by the Secretary of State for Trade and Industry (the words "and specially" have been inserted in the last phrase of what is now paragraph 11).

3. I am sending copies of this minute and the revised draft British proposal to other members of OD(I).

Rx

Approved by
ROBERT ARMSTRONG
and signed in his absence

11 June 1985

Draft of 11 June 1985

ANGLO-IRISH RELATIONS: NORTHERN IRELAND

British Proposal

I. Preamble

1. The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland -

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recognising the need for continued efforts to diminish the divisions in Northern Ireland and

to reconcile the two major traditions that exist in the two parts of Ireland;

reaffirming their total rejection of any attempt to promote political objectives by violence or the threat of violence and their determination to work together to combat those who adopt or support such methods;

recognising that a condition of genuine reconciliation and dialogue between the two communities in Northern Ireland is mutual recognition and acceptance of the rights of each community;

recognising and respecting the identities of the two communities in Northern Ireland, and the right of each to pursue its aspirations by peaceful and constitutional means;

reaffirming their commitment to a society in Northern Ireland in which all may live in peace, free from discrimination and

intolerance and with the opportunity for both communities to participate fully in the structure and processes of government;

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2. The two Governments:

1. agree that any change in the status of Northern Ireland could come about only with the consent of a majority of the people of Northern Ireland;

2. recognise that the present wish of the majority is for no change in the status of Northern Ireland;

3. declare that, if in the future a majority of the people in Northern Ireland clearly wished for and formally consented to the establishment of a united Ireland, they would support the introduction in the respective Parliaments of legislation to give effect to that wish.

III. The Standing Intergovernmental Committee

3. There would be established within the framework of the Anglo-Irish Intergovernmental Council a new Committee, to be known as the Standing Intergovernmental Committee, to deal on a regular basis and in relation to Northern Ireland with -

- a. political matters;
- b. security and related matters;
- c. legal matters, including the administration of justice;
- d. cross-border co-operation;

as set out in this agreement.

4. Unlike the existing AIIC machinery this Committee would be primarily concerned with North/South rather than East/West relationships and would meet on a regular rather than ad hoc basis. The British Government would accept that the Irish

Government would put forward views and proposals on matters relating to Northern Ireland within the body's remit in so far as those matters were not the responsibility of a devolved administration in Northern Ireland. Attention would thus be given to these matters at the highest level. In the interest of promoting peace and stability, determined efforts would be made through the Committee to resolve any differences. The focus of the Committee's work would be mainly in Northern Ireland; but some of the matters under consideration would involve co-operative action in both parts of the island of Ireland and possibly also in Great Britain. Some of the proposals considered in respect of Northern Ireland might also be found to have application by the Irish Government. There would be no derogation of sovereignty on the part of either the United Kingdom Government or the Irish Government, so that each would retain responsibility for the administration of government within its own jurisdiction.

5. The Committee would meet at Ministerial or official level, as required. There would be regular and frequent Ministerial meetings; and

special meetings could be convened when necessary at the request of either side. Officials might meet in Sub-Committees. Membership would be small and flexible. When the Committee met at Ministerial level the Secretary of State for Northern Ireland and an Irish Minister designated as the Permanent Irish Ministerial Representative would be joint Chairmen. Other British and Irish Ministers could attend meetings as appropriate: thus when legal matters were under consideration the Attorneys General might attend. Ministers would be accompanied by their officials and professional advisers: for example, when questions of security policy or security co-operation were being addressed they could be accompanied by the Chief Constable of the Royal Ulster Constabulary and the Commissioner of the Garda Siochana. The appropriate Secretariat would be provided by the two Governments.

6. In relation to matters coming within its remit, the Committee would constitute a framework within which the Government of the United Kingdom and the Government of the Republic of Ireland could work together:

i. for the accommodation of the rights and identities of the two traditions which exist in Northern Ireland; and

ii. for peace, stability and prosperity throughout Ireland by promoting reconciliation, respect for human rights, co-operation against terrorism and the development of economic, social and cultural co-operation.

7. It is the declared policy of the British Government that responsibility in respect of certain matters within the remit of the Secretary of State for Northern Ireland should be devolved within Northern Ireland on a basis which would secure widespread acceptance throughout the community. The Irish Government support that policy.

8. Both Governments recognise that devolution can be achieved only with the co-operation of the constitutional representatives within Northern Ireland of both the traditions there. If full devolution had not taken place, the Committee would constitute a framework within which the Irish

Government could put forward views and proposals on the modalities of devolution in Northern Ireland, in so far as they bore on the interests of the minority community.

Political Matters

9. The Committee would concern itself with measures to recognise and accommodate the rights and identities of the two traditions in Northern Ireland, to protect human rights and to prevent discrimination. Matters to be considered in this area in respect of Northern Ireland include measures to foster the cultural heritage of both traditions, changes in electoral arrangements, the use of flags and emblems, the avoidance of economic and social discrimination and the advantages and disadvantages of some form of Bill of Rights in Northern Ireland.

10. The focus of discussion of these matters would be on Northern Ireland, but the possible application of any such measures by the Irish authorities in the South would not be excluded.

11. Should it prove impossible to achieve and sustain devolution on a basis which would secure

widespread acceptance in Northern Ireland, the Committee would constitute a framework within which the Irish Government could put forward views on proposals for major legislation on Northern Ireland matters, and on major policy issues within the responsibility of the Secretary of State for Northern Ireland, significantly and specially affecting the interests of the minority community.

12. The Committee would provide a framework within which the Irish Government could put forward views on appointments to be made by the Secretary of State for Northern Ireland to bodies including -

the Standing Advisory Commission on Human Rights;

the Fair Employment Agency;

the Equal Opportunities Commission;

the Police Authority for Northern Ireland;

the Police Complaints Board.

Security and Related Matters

13. The Committee would consider:

- a. security policy;
- b. relations between the security forces and the community;
- c. prisons policy.

14. The Committee would address the security situation at its regular meetings. This would provide an opportunity to address policy issues, serious incidents and forthcoming events (eg parades and processions).

15. The Committee would consider relations between the security forces and the community, with particular reference to the minority community in Northern Ireland. With a view to promoting greater confidence in the security system, a programme of action would be put in hand which might include: the establishment of local consultative machinery, training in community relations, crime prevention schemes involving the community, improvements in

arrangements for handling complaints, and action to increase the proportion of members of the minority in the RUC. It would be accepted by both sides that these matters would be directed primarily towards Northern Ireland, with the object of making the security forces more readily accepted by the minority community there, but that some of them might be developed by the Irish authorities in ways which might also have an application in the South.

16. The Committee would also be able to consider policy issues in the prisons. Individual cases could be raised as appropriate, so that explanations could be given or inquiries instituted.

Legal Matters, Including the Administration of
Justice

17. The Committee would deal with issues of concern to both countries relating to the enforcement of the criminal law. In particular it would consider whether there are areas of the criminal law applying in the North and in the South respectively which might with benefit be harmonised. The two Governments agree on the

desirability of ensuring that there is public confidence in the administration of justice. The Committee will seek means to this end, considering inter alia the possibility of establishing a system of joint courts for trying terrorist crimes. It would also be concerned with the oversight and review of arrangements between North and South for extradition and extra-territorial jurisdiction.

Cross-border Co-operation

Security Co-operation

18. With a view to enhancing co-operation between the security forces of the two Governments, the Committee would set in hand a programme of work to be undertaken by the Chief Constable and the Commissioner and groups of officials in such areas as threat assessments, exchange of information, liaison structures, technical co-operation, training of personnel, and operational resources.

19. The Committee would have no operational responsibilities; responsibility for police operations would remain with the heads of the respective police forces, and the Chief Constable

of the Royal Ulster Constabulary would maintain his existing links with the Secretary of State and the Commissioner of the Garda Siochana his accountability to the Minister for Justice.

Economic, Social and Cultural Co-operation

20. The two Governments would co-operate to promote the economic and social development of those areas of both parts of Ireland which have suffered most severely from the consequences of the instability of recent years, and consider the possibility of securing international support for this work.

21. Should it prove impossible to achieve and sustain devolution on a basis which would secure widespread acceptance in Northern Ireland, the Committee would constitute a framework for the promotion of co-operation between North and South in Ireland in relation to cross-border aspects of economic, social and cultural matters in relation to which the Secretary of State continued to exercise authority.

22. If responsibility were devolved in respect of certain matters under this heading currently within the remit of the Secretary of State, there would need to be machinery for practical co-operation between the responsible authorities North and South in respect of cross-border aspects of those issues.

Arrangements for review

23. At the end of three years from signature of this agreement, or earlier if requested by either party, the working of the Committee would be reviewed by the two Governments to see whether any changes in the scope and nature of its activities were desirable.

IV. Inter-Parliamentary Relations

24. The two Governments agree that it would be for the Houses of Parliament in Westminster and the Oireachtas in Dublin to consider whether an Anglo-Irish Parliamentary body of the kind adumbrated in the Anglo-Irish Studies Report of November 1981 could be established.

IRELAND:
Relations: P-8

rec'd 11.6.85.



MO 19/3

N B P M

C D P

12/6

PRIME MINISTERANGLO-IRISH RELATIONS: NORTHERN IRELAND

I have seen Sir Robert Armstrong's minute to you of 3rd June.

2. I agree with his reasoning on the two points discussed in the submission and, subject to colleagues' views, I am content for the revised text to be put to the Irish at official level.

3. I am sending copies of this minute to other members of OD(I) and to Sir Robert Armstrong.

Wagh

Ministry of Defence
10th June 1985

ACE IRELAND : Relations : PE8



CONFIDENTIAL

Spoken to Mr
who is contact for
document to be handed
over to the Irish Government
CDP 1/6.

Prime Minister
Agree either Douglas
Hurd's formulation or
RTA's version below?
Agree that

Ref. A085/1568

MR POWELL

Yes Mr

Anglo-Irish Relations: Northern Ireland

Thank you for your minute of 10 June.

text may now be
given to Irish
government?

2. We will now put the draft British proposal to the Irish Government amended as suggested by the Secretary of State for Northern Ireland in his minute of 7 June.

CDP
1/6

A

3. If the Irish (as they may well do) respond by suggesting that any review clause should apply not just to Section III (the section that is there to meet their needs) but also to Section II (the section that commits the Irish Government on the constitutional status of Northern Ireland), I suggest that I should have discretion to propose:

(a) an alternative review formula covering the whole agreement (to be inserted as a new Section V), as follows:

"At the end of three years from the signature of this agreement, or earlier if requested by either party, the operation of the agreement would be reviewed by the two Governments"

and

(b) the insertion of the existing paragraph 4, in that place, to allow either Government to propose changes in the working of the Committee without calling the whole agreement into review.

B

4. I am sending copies of this minute to the Private Secretaries to members of OD(I).

REA

ROBERT ARMSTRONG

10 June 1985



10 DOWNING STREET

Ld Pres
FCO
MOD
LPS
DTI
CST
NIO
CDH
AH Gen
Party Sec, HMT
From the Private Secretary

CCPC
39

28

SIR ROBERT ARMSTRONG

ANGLO/IRISH RELATIONS: NORTHERN IRELAND

The Prime Minister has considered your submission of 3 June enclosing the revised text of the British proposal following the meeting of OD(I) on 23 May. She has also noted the views of a number of her colleagues who have subsequently minuted.

The Prime Minister agrees with the Northern Ireland Secretary that it is essential to have written into the agreement a specific review clause. She rather doubts whether it would be possible to limit such a review to the working of the proposed Standing Inter-Governmental Committee and thinks that it would probably have to apply to the agreement as a whole. She would be grateful if you could propose language drawing on the Northern Ireland Secretary's suggestion and circulate it to members of OD(I).

BF

I am copying this minute to the Private Secretaries to Members of OD(I).

SKH

C D POWELL

10 June 1985



10 DOWNING STREET

Charles,

Lord President's
office rang to say
he is content with
RTA's proposal in
his minute of
3/6/85, Anglo-
Irish Relations.

R.
58/912

26
27



Prime Minister

This generally follows what the Northern Ireland

Secretary said to you. But it envisages the review applying only to the functioning of the Committee, not to the Agreement as a whole.

PRIME MINISTER

ANGLO/IRISH RELATIONS : NORTHERN IRELAND

I have been reflecting on Sir Robert Armstrong's submission to you of 3 June enclosing the revised text of the British proposal following our meeting in OD(I) on 23 May. I appreciate the arguments which he puts forward - and which the Foreign Secretary has since endorsed - for not providing explicitly for the suspension or termination of the Standing Intergovernmental Committee's activities as agreed by OD(I). Nevertheless, I believe that we should go further than paragraph 4 of the latest text.

I doubt that is realistic. Agree to support his views, while pointing out that we may have to accept review of the agreement as a whole? COD 7/6

The proposed agreement would, I think, be unique in relations between sovereign states and we cannot tell in advance how it would work out in practice. As I see it we are ready to reach an agreement and to concede to the Irish a consultative role because we have two crucial objectives of our own which an agreement should help us to attain, namely better security co-operation and an unfreezing of nationalist attitudes in Northern Ireland towards its institutions. I rate both these objectives as more important than the declaration in Part II of the draft agreement. Neither of these objectives can be fully defined in the text of the agreement. But we must try to avoid finding ourselves in a few years time in a situation in which the agreement had not achieved our objectives - but we were locked into a committee structure of regular Ministerial meetings over a defined range of topics which had become a source of friction. (The draft agreement would commit us to "frequent" Ministerial meetings and to special meetings to be convened at the request of either side.) In such circumstances

SECRET PERSONAL

there might be no alternative to the unilateral denunciation of the agreement, including Section II; but we would be reluctant to do this and it is possible to envisage a situation falling short of total breakdown in which we might want to make fairly drastic changes and possibly to suspend the working of the Committee altogether. It seems to me that we should be in a stronger position to do this if we had written into the agreement a specific review clause, calling for a formal review of the Committee's work after a certain period, rather than merely leaving it open to the two Governments to propose changes if they so wished.

The sort of review clause I have in mind would be on the following lines:

"At the end of 3 years from the signature of this agreement, or earlier if requested by either party, the working of the Committee would be reviewed by the two Governments to see whether any changes in the scope and nature of its activities were desirable."

This might best appear as a separate paragraph at the end of Section III under a sub-heading of "Arrangements for Review", replacing paragraph 4 of Sir Robert Armstrong's draft. I would have thought that we might have been able to sell such a review clause to the Irish as a neutral provision without arousing undue suspicion. After all, they could use the clause to press for an extension of the scope and nature of the Committee's work, and we should have to be prepared for that.

If this proposal commends itself to you and our colleagues I suggest that it should be incorporated in the text to be given to the Irish.

I am copying this minute to the other members of OD(I) and Sir Robert Armstrong.

D.H.

Ireland; Relations ft 8

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EU JUN 1985

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SECRET AND PERSONAL

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DEPARTMENT OF TRADE AND INDUSTRY
1-19 VICTORIA STREET
LONDON SW1H 0ET

TELEPHONE DIRECT LINE 01-215 5422
SWITCHBOARD 01-215 7877

PS Secretary of State for Trade and Industry

6 June 1985

Handwritten in red:
27
26

Handwritten in blue:
NKS
CDP/6

R P Hatfield Esq
Private Secretary to
Sir Robert Armstrong
Cabinet Office
70 Whitehall
LONDON
SW1A 2AS

Dear Richard,

ANGLO-IRISH RELATIONS : NORTHERN IRELAND

My Secretary of State has seen Sir Robert's minute of 3 June to the Prime Minister and is content with the attached text with the exception of paragraph 12. My Secretary of State has commented that, in paragraph 12, reference is made to proposals for major legislation ... and on major policies issues" affecting the minority community. This could be taken to include any major policy (for example the recent Social Security Review or regional aid). These all affect the minority community, as well as the majority. My Secretary of State therefore suggests that, to be safe, we should emphasize that we mean those effects which impinge upon the minority community in a way different from their effect upon the majority community.

2 Subject to this observation my Secretary of State is content that officials give the text to the Irish as soon as possible.

3 I am sending a copy of this letter to the Private Secretaries of other members of OD(I).

*Yours sincerely,
Maureen Bodsworth.*

f.p. J F MOGG
Private Secretary

25



PRIME MINISTER

ANGLO-IRISH RELATIONS: NORTHERN IRELAND

1. I have seen Sir Robert Armstrong's minute to you of 3 June and also the Foreign and Commonwealth Secretary's minute, commenting on it, of 5 June.

2. I can confine my own comments to the major point discussed in Sir Robert Armstrong's minute, i.e. how to amend the previous version of the draft so as to give us the possibility of suspending or terminating the activities of the Committee without this involving the termination of the whole Agreement - and also how to achieve this without provoking the Irish into either breaking off the negotiations altogether or themselves proposing a more far-reaching amendment than we would wish to accept. On this, I agree with the analysis in paragraphs 2 to 7 of Sir Robert Armstrong's minute and with the course which he suggests. Specifically, I agree with the advice on the international law rules concerning the denunciability of the Agreement which he reports in paragraph 7 of his minute and I also agree with his assessment (in paragraph 4 of his minute) that if, under paragraph 4 of the draft in its proposed amended form, we were to put forward proposals for changing the activities of the Committee, the Irish, if they wished, could plausibly contend that the Committee should in the meantime continue to function unchanged. Indeed, I think that that contention would not only be plausible but would probably be legally correct.

3. I add only the comment that we should bear in mind that we are engaged in the slightly unreal, or at least unsafe, exercise of discussing the legal interpretation and effect of certain phrases and forms of words as though they were the provisions of a Treaty, despite the fact that they are not at present put forward as Treaty provisions but merely as items in proposals



- page two -

for a Treaty. I assume that, if and when we get to the point of translating these proposals into the actual text of a draft Treaty, we shall try to stick as closely as that process permits to the language already negotiated and that we are therefore now consciously trying to move our proposals into the state where that can be done with only minimal changes having to be made to their wording. But it is worth pointing out that, if we are discussing the legal effects of particular formulations, it is the exact words of the final version of the Treaty that matter, not these preliminary proposals. We shall therefore need to be alert to ensure that no alterations are inadvertently accepted in the course of turning the proposals into a Treaty which might affect the interpretations which we are now placing our reliance upon.

4. I am sending copies of this minute to the other members of OD(I) and to Sir Robert Armstrong.

M.H.

Note for the Record

ANGLO-IRISH RELATIONS: NORTHERN IRELAND

The Prime Minister spoke today to the Northern Ireland Secretary about the need for a review mechanism in the draft Anglo-Irish Agreement on Northern Ireland.

The Prime Minister said that it would not be tolerable to be locked into an agreement which was functioning badly, but would be difficult to denounce. We must leave ourselves a retreat. This was particularly important in that the UK concession - a consultative role for the Republic - was incorporated in the agreement, but the potential benefits for the UK - improved security cooperation and SDLP participation in devolved administration - were not.

The Northern Ireland Secretary agreed that a review mechanism was necessary and was anyway a common feature of such agreements. Three years would probably be the appropriate period. Paragraph 4 of the draft agreement should make specific provision for this. He would minute his views. The Prime Minister said that she would support them.

C.D.P.

6 June, 1985.



~~Prime Minister~~
CDD
5/0.

PM/85/57

PRIME MINISTER

Anglo-Irish Relations: Northern Ireland: Revised British Proposal

1. I have seen Sir Robert Armstrong's submission to you of 3 June enclosing the revised text of the British proposal following our meeting in OD(I) on 23 May. I am content with the proposed revisions, and I agree with Sir Robert that we should aim to get our revised text to the Irish as soon as possible.
2. Sir Robert's arguments for not including a clause specifically providing for suspending or terminating the activities of the Standing Intergovernmental Committee are persuasive. The key point is that we cannot realistically expect to be able to negotiate a clause which would allow us to withdraw from that part of the agreement to which the Irish attach most importance, while holding them without the possibility of escape to the part to which we attach importance. I believe that if we tried to do this there would be a real risk that the Irish would either break off the negotiations altogether or at the very least demand that the termination clause should apply to the whole of the agreement. It would clearly not be in our interests if, having obtained Irish endorsement of our position on the status of Northern Ireland as part of the United Kingdom in Section II of the agreement, we were explicitly to provide the means for either party to denounce it.
3. I understand that officials made considerable efforts to devise a means of including suspension or termination of the activities of the Committee by implication. But they concluded that it was not possible to go beyond the wording which



- 2 -

Sir Robert Armstrong has put forward in his new paragraph 4 without making our intentions so obvious that it would have no advantage over an explicit provision. I think that this reasoning is correct. In practice, if relations between London and Dublin were to deteriorate beyond a certain point, the Committee would almost certainly cease to operate. But I do not consider that it would be either prudent or necessary to include a provision to that effect. Even without such a provision, the Irish are likely to have considerable difficulties with our revised text, and the withdrawal of our earlier offer of a Joint Secretariat located in Belfast is bound to revive their suspicions about our good faith. To propose in addition a provision enabling us unilaterally to deprive them of the Joint Standing Committee would make them wonder whether we were serious at all.

4. I am sending copies of this minute to the other members of OD(I) and to Sir Robert Armstrong.

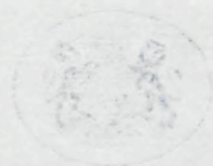
CR Budd (Private Secretary)

(Approved by the Secretary of State
and signed in his absence)

Foreign and Commonwealth Office

5 June 1985

IRELAND: Relations: Pt 8



~~SECRET~~

SECRET
11 12 1

15 JUN 1955



SECRET & PERSONAL

26A

Chancellor of the Duchy of Lancaster

Prime Minister
To note - though
you have decided
that we do need a
review mechanism.

PRIME MINISTER

ANGLO-IRISH RELATIONS: NORTHERN IRELAND

I have seen Sir Robert Armstrong's minute to you of 3 June and also the Foreign and Commonwealth Secretary's minute of 5 June. I am content with the revised text attached to Sir Robert's minute. I particularly support the arguments put forward by him against proposing a provision for unilateral suspension or termination of, or withdrawal from, the Committee's activities. I agree with the Foreign and Commonwealth Secretary (para 2 of his minute) that the key point is reciprocity over withdrawal with the Republic, but it is also worth noting that to press for such a provision would play into Fianna Fail's hands and almost certainly kill off this particular initiative.

I am sending copies of this minute to the other members of OD(I) and to Sir Robert Armstrong.

GOWRIE
6 June 1985

SECRET & PERSONAL



10 DOWNING STREET

Prime Minister

You wanted to
talk to the Northern
Ireland Secretary about
a review mechanism.

I have
arranged this for
after Cabinet (if time
is time).

mt C.D.P.
5/6



The conclusion is that there is no real scope for a review mechanism. If things don't work out, we just denounce the agreement.

Ref. A085/1482

PRIME MINISTER

Anglo-Irish Relations: Northern Ireland

Following the meeting of OD(I) on 23 May, the draft of the British proposal in the exploratory talks with Irish officials has been further amended. The latest version is attached. Most of the changes agreed by OD(I) were specific alterations of wording. But on two points officials were instructed to devise wording.

2. The first of these was the need for a review mechanism in any Anglo-Irish agreement which would enable the United Kingdom unilaterally to suspend the work of the Standing Intergovernmental Committee, if possible without affecting the article in the agreement about the status of Northern Ireland.
3. Paragraph 4 of the new draft provides that either Government may propose changes in the provisions of the agreement which concern the Committee. Under this provision we could, for example, call for less (or more) frequent meetings or a less wide (or wider) range of subjects. Since the language proposed would allow additional subjects to be suggested, we have deleted the final sentence of paragraph 3 of the previous text which explicitly provided for the addition of more subjects in the future.
4. The suggested language would provide for such proposals to be discussed outside the Committee (though still, it is suggested, within the framework of the Anglo-Irish Intergovernmental Council). If under this arrangement we were to propose curtailment or suspension of the Committee's activities,



we could say that we wanted to discuss the proposal with the Irish Government and that in the meantime the Committee could not continue to operate as if the proposal had not been made. The Irish could argue that the Committee should continue to function unchanged unless or until they had accepted the proposals or agreed with us to a compromise. International practice would tend to support the Irish view. There would clearly be a risk that, if we made a proposal which was tantamount to suspension or termination of the Committee, the Irish Government would react by denouncing the whole agreement - including the article on the status of Northern Ireland.

5. The attached draft does not provide for unilateral suspension or termination of or withdrawal from the Committee's activities. There would of course be no technical difficulty about drafting such a provision; but there seem to officials to be strong reasons against proposing any such provision to the Irish:

- (1) The inclusion of such a provision would make it unduly easy for a Fianna Fail government in Dublin to withdraw from the Committee.
- (2) The Irish Government would be very unlikely to accept a proposal which enabled us in effect to withdraw from the part of the agreement which they want while leaving them locked in to the part which we want (notably paragraph 2): they would insist on any provision for unilateral suspension or termination applying to the whole agreement.
- (3) Irish suspicions of the genuineness of the British Government's commitment to this process were keenly aroused by our revisions to the old paragraph 2 (now paragraph 5) of the British proposal. The amendments which you and the two Secretaries of State agreed restored the position; but I have no doubt that those suspicions would be reawakened if



we were now to propose that there should be provision for unilateral suspension or termination of the Committee's activities.

6. The truth is, surely, that in the sort of circumstances in which we wanted unilaterally to suspend the Committee's activities, the fact that there was no provision for doing so in the agreement would be the least of our troubles: the Committee would just cease to work for a period because the basis of mutual trust on which it rested would have been at any rate temporarily undermined. It would probably not be too difficult to find ways of suspending the Committee's activities without technically breaching the agreement, if it seemed politically important to do so.

7. The attached draft does not provide for termination of the activities of the Committee. I am advised that under international law we should not be able to terminate only that part of the agreement that concerns the Committee and leave in force the rest - including the article on the status of Northern Ireland. As regards termination of the agreement as a whole, the position is that, if no specific provision on termination is included in an agreement, a state may denounce the agreement on notice if this right is to be implied by the nature of the agreement. I am advised that there are reasonable grounds for thinking that this particular agreement would fall within this rule. - Such as what?

8. The second point on which officials were required to devise language concerned the exclusion from the Standing Intergovernmental Committee's remit of matters transferred to any devolved administration in Northern Ireland. We have deleted the last part of paragraph 8 (paragraph 7 in the previous draft), which was considered insufficiently clear, and replaced it by an addition in the second sentence of paragraph 5, which states



clearly that the matters on which the Irish Government could put forward views and proposals in the Committee would exclude any which were the responsibility of a devolved administration.

9. The Irish Government are evidently worried about the state of the negotiations and have been asking us when we shall be ready to give them an amended version of our proposal. I suggest that, if members of OD(I) are willing to clear the attached text out of committee, officials should give it to the Irish as soon as possible, with a view to further discussions with them when those can be arranged.

10. I am sending copies of this minute to the other members of OD(I).

RA

ROBERT ARMSTRONG

3 June 1985

Draft of 3 June 1985

ANGLO-IRISH RELATIONS: NORTHERN IRELAND

British Proposal

I. Preamble

1. The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland -

wishing further to develop the unique relationship between their peoples and the close co-operation between their countries as friendly neighbours and as partners in the European Community;

recognising the major interest in both their countries, and above all of the people of Northern Ireland, in achieving lasting peace and stability in Northern Ireland;

recognising the need for continued efforts to diminish the divisions in Northern Ireland and

to reconcile the two major traditions that exist in the two parts of Ireland;

reaffirming their total rejection of any attempt to promote political objectives by violence or the threat of violence and their determination to work together to combat those who adopt or support such methods;

recognising that a condition of genuine reconciliation and dialogue between the two communities in Northern Ireland is mutual recognition and acceptance of the rights of each community;

recognising and respecting the identities of the two communities in Northern Ireland, and the right of each to pursue its aspirations by peaceful and constitutional means;

reaffirming their commitment to a society in Northern Ireland in which all may live in peace, free from discrimination and

intolerance and with the opportunity for both communities to participate fully in the structure and processes of government;

agree as follows:

II. Status of Northern Ireland

2. The two Governments:

1. agree that any change in the status of Northern Ireland could come about only with the consent of a majority of the people of Northern Ireland;

2. recognise that the present wish of the majority is for no change in the status of Northern Ireland;

3. declare that, if in the future a majority of the people in Northern Ireland clearly wished for and formally consented to the establishment of a united Ireland, they would support the introduction in the respective Parliaments of legislation to give effect to that wish.

III. The Standing Intergovernmental Committee

3. There would be established within the framework of the Anglo-Irish Intergovernmental Council a new Committee, to be known as the Standing Intergovernmental Committee, to deal on a regular basis and in relation to Northern Ireland with -

- a. political matters;
- b. security and related matters;
- c. legal matters, including the administration of justice;
- d. cross-border co-operation;

as set out in this agreement.

4. The Committee would determine its own arrangements and procedures within the provisions of this section of the agreement. It would be open to either Government to make proposals to the

other, within the framework of the Anglo-Irish Intergovernmental Council, for changes, either temporary or permanent, in those provisions.

5. Unlike the existing AIIC machinery this Committee would be primarily concerned with North/South rather than East/West relationships and would meet on a regular rather than ad hoc basis. The British Government would accept that the Irish Government would put forward views and proposals on matters relating to Northern Ireland within the body's remit in so far as those matters were not the responsibility of a devolved administration in Northern Ireland. Attention would thus be given to these matters at the highest level. In the interest of promoting peace and stability, determined efforts would be made through the Committee to resolve any differences. The focus of the Committee's work would be mainly in Northern Ireland; but some of the matters under consideration would involve co-operative action in both parts of the island of Ireland and possibly also in Great Britain. Some of the proposals considered in respect of Northern Ireland might also be found to have application by the Irish Government. There would be no derogation of

sovereignty on the part of either the United Kingdom Government or the Irish Government, so that each would retain responsibility for the administration of government within its own jurisdiction.

6. The Committee would meet at Ministerial or official level, as required. There would be regular and frequent Ministerial meetings; and special meetings could be convened when necessary at the request of either side. Officials might meet in Sub-Committees. Membership would be small and flexible. When the Committee met at Ministerial level the Secretary of State for Northern Ireland and an Irish Minister designated as the Permanent Irish Ministerial Representative would be joint Chairmen. Other British and Irish Ministers could attend meetings as appropriate: thus when legal matters were under consideration the Attorneys General might attend. Ministers would be accompanied by their officials and professional advisers: for example, when questions of security policy or security co-operation were being addressed they could be accompanied by the Chief Constable of the Royal Ulster Constabulary and the Commissioner of the Garda Siochana. The

appropriate Secretariat would be provided by the two Governments.

7. In relation to matters coming within its remit, the Committee would constitute a framework within which the Government of the United Kingdom and the Government of the Republic of Ireland could work together:

i. for the accommodation of the rights and identities of the two traditions which exist in Northern Ireland; and

ii. for peace, stability and prosperity throughout Ireland by promoting reconciliation, respect for human rights, co-operation against terrorism and the development of economic, social and cultural co-operation.

8. It is the declared policy of the British Government that responsibility in respect of certain matters within the remit of the Secretary of State for Northern Ireland should be devolved within Northern Ireland on a basis which would

secure widespread acceptance throughout the community. The Irish Government support that policy.

9. Both Governments recognise that devolution can be achieved only with the co-operation of the constitutional representatives within Northern Ireland of both the traditions there. If full devolution had not taken place, the Committee would constitute a framework within which the Irish Government could put forward views and proposals on the modalities of devolution in Northern Ireland, in so far as they bore on the interests of the minority community.

Political Matters

10. The Committee would concern itself with measures to recognise and accommodate the rights and identities of the two traditions in Northern Ireland, to protect human rights and to prevent discrimination. Matters to be considered in this area in respect of Northern Ireland include measures to foster the cultural heritage of both traditions, changes in electoral arrangements, the use of flags and emblems, the avoidance of economic and social discrimination and the advantages and

disadvantages of some form of Bill of Rights in Northern Ireland.

11. The focus of discussion of these matters would be on Northern Ireland, but the possible application of any such measures by the Irish authorities in the South would not be excluded.

12. Should it prove impossible to achieve and sustain devolution on a basis which would secure widespread acceptance in Northern Ireland, the Committee would constitute a framework within which the Irish Government could put forward views on proposals for major legislation on Northern Ireland matters, and on major policy issues within the responsibility of the Secretary of State for Northern Ireland, significantly affecting the interests of the minority community.

13. The Committee would provide a framework within which the Irish Government could put forward views on appointments to be made by the Secretary of State for Northern Ireland to bodies including -

the Standing Advisory Commission on Human Rights;

the Fair Employment Agency;

the Equal Opportunities Commission;

the Police Authority for Northern Ireland;

the Police Complaints Board.

Security and Related Matters

14. The Committee would consider:

- a. security policy;
- b. relations between the security forces and the community;
- c. prisons policy.

15. The Committee would address the security situation at its regular meetings. This would provide an opportunity to address policy issues, serious incidents and forthcoming events (eg parades and processions).

16. The Committee would consider relations between the security forces and the community, with particular reference to the minority community in Northern Ireland. With a view to promoting greater confidence in the security system, a programme of action would be put in hand which might include: the establishment of local consultative machinery, training in community relations, crime prevention schemes involving the community, improvements in arrangements for handling complaints, and action to increase the proportion of members of the minority in the RUC. It would be accepted by both sides that these matters would be directed primarily towards Northern Ireland, with the object of making the security forces more readily accepted by the minority community there, but that some of them might be developed by the Irish authorities in ways which might also have an application in the South.

17. The Committee would also be able to consider policy issues in the prisons. Individual cases could be raised as appropriate, so that explanations could be given or inquiries instituted.

Legal Matters, Including the Administration of
Justice

18. The Committee would deal with issues of concern to both countries relating to the enforcement of the criminal law. In particular it would consider whether there are areas of the criminal law applying in the North and in the South respectively which might with benefit be harmonised. The two Governments agree on the desirability of ensuring that there is public confidence in the administration of justice. The Committee will seek means to this end, considering inter alia the possibility of establishing a system of joint courts for trying terrorist crimes. It would also be concerned with the oversight and review of arrangements between North and South for extradition and extra-territorial jurisdiction.

Cross-border Co-operation

Security Co-operation

19. With a view to enhancing co-operation between the security forces of the two Governments, the Committee would set in hand a programme of work to

be undertaken by the Chief Constable and the Commissioner and groups of officials in such areas as threat assessments, exchange of information, liaison structures, technical co-operation, training of personnel, and operational resources.

20. The Committee would have no operational responsibilities; responsibility for police operations would remain with the heads of the respective police forces, and the Chief Constable of the Royal Ulster Constabulary would maintain his existing links with the Secretary of State and the Commissioner of the Garda Siochana his accountability to the Minister for Justice.

Economic, Social and Cultural Co-operation

21. The two Governments would co-operate to promote the economic and social development of those areas of both parts of Ireland which have suffered most severely from the consequences of the instability of recent years, and consider the possibility of securing international support for this work.

22. Should it prove impossible to achieve and sustain devolution on a basis which would secure widespread acceptance in Northern Ireland, the Committee would constitute a framework for the promotion of co-operation between North and South in Ireland in relation to cross-border aspects of economic, social and cultural matters in relation to which the Secretary of State continued to exercise authority.

23. If responsibility were devolved in respect of certain matters under this heading currently within the remit of the Secretary of State, there would need to be machinery for practical co-operation between the responsible authorities North and South in respect of cross-border aspects of those issues.

IV. Inter-Parliamentary Relations

24. The two Governments agree that it would be for the Houses of Parliament in Westminster and the Oireachtas in Dublin to consider whether an Anglo-Irish Parliamentary body of the kind adumbrated in the Anglo-Irish Studies Report of November 1981 could be established.



PS
 PS/LADY YOUNG
 PS/PUS
 MR GOODALL
 HD/RID
 ep. HD/PUSD (2)
 HD/INFO DEPT
 HD/NEWS DEPT

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)

CONFIDENTIAL
 FM DUBLIN 291200Z MAY 85
 TO IMMEDIATE FCO
 TELEGRAM NUMBER 326 OF 29 MAY
 INFO NIO (B)

CALL ON THE IRISH LEADER OF THE OPPOSITION

1. SUMMARY. MR HAUGHEY WOULD BE VERY MUCH OPPOSED TO ANY ANGLO-IRISH AGREEMENT THAT WE COULD MAKE.
2. DETAIL. WHEN I MET MR HAUGHEY SOCIALLY LAST WEEK HE SUGGESTED THAT WE SHOULD HAVE A TALK AND I CALLED ON HIM ON 28 MAY AT THE PARLIAMENT BUILDING. I TOOK THE PRECAUTION OF LETTING THE IRISH GOVERNMENT KNOW IN ADVANCE.
3. MR HAUGHEY ASKED ME ABOUT THE ANGLO-IRISH TALKS. I REPLIED ON STANDARD LINES, MAKING IT CLEAR THAT HMG'S POLICY WAS DIRECTED TO SECURING THE PARTICIPATION OF THE MINORITY COMMUNITY IN A DEVOLVED GOVERNMENT IN THE NORTH IN THE CONTEXT OF A LIMITED IRISH DIMENSION. I STRESSED THAT THERE COULD BE NO CHANGE IN THE STATUS OF NORTHERN IRELAND AS PART OF THE UNITED KINGDOM WITHOUT THE CONSENT OF THE MAJORITY THERE. I SAID (WITH MY TONGUE IN MY CHEEK) THAT THIS WAS A POLICY TO WHICH HE HAD COMMITTED HIMSELF IN THE PAST BILATERALLY AND IN THE FORUM REPORT. HE SAID THAT THIS WAS NOT SO. HE WAS ONLY COMMITTED AT PRESENT TO OBTAINING THE CONSENT OF THE UNIONISTS TO THE FORM OF A NEW IRELAND (FORUM REPORT 5.2(3)). THERE WAS NO QUESTION OF THEIR CONSENT BEING SOUGHT TO A CONSTITUTIONAL CONFERENCE. I ASKED HOW, IN THAT CASE, THEY WERE TO BE BROUGHT TO THE TABLE. HE SAID THAT THE BRITISH GOVERNMENT WOULD EVENTUALLY TELL THEM THAT ITS PATIENCE WAS EXHAUSTED AND THEY WOULD HAVE NO OTHER ALTERNATIVE. I ASKED HIM WHETHER HE SUPPOSED THAT MRS THATCHER WOULD TAKE ANY SUCH ACTION. HE SAID THAT HE DID NOT (REPEAT NOT). HE BELIEVED THAT ANGLO-IRISH RELATIONS MUST AWAIT THE RIGHT MAN. THERE HAD BEEN NO SUCH MAN SINCE GLADSTONE. I LAUGHED AND SAID THAT IF THAT WAS HIS TIME SCALE, THEN WHAT HE SAID DID NOT DISTURB ME. I DID NOT QUOTE TO HIM THE JOINT COMMUNIQUE OF HIS MEETING WITH MRS THATCHER OF 21 MAY 1980 WHEN HE ACKNOWLEDGED THE NEED FOR THE CONSENT OF A MAJORITY.
4. I ASKED HIM WHAT HIS ATTITUDE WOULD BE IF WE ACHIEVED AN AGREEMENT WHICH HAD THE FULL SUPPORT OF THE SDLP. HE SAID THAT HE HAD DISAGREED WITH MUCH OF WHAT THE SDLP HAD SAID DURING THE DISCUSSIONS OF THE FORUM. I NEED NOT SUPPOSE THAT HE WOULD FEEL ANY NEED TO SUPPORT JOHN HUME. HE IMPLIED THAT HE WAS INTER-

ESTED IN ANOTHER SECTION OF THE SDLP. LATER IN THE CONVERSATION HE REVERTED TO THIS POINT TO STRESS THAT I MUST NOT SUPPOSE THAT THE SUPPORT OF THE SDLP FOR AN ANGLO-IRISH AGREEMENT WOULD DETER HIM FROM ATTACKING IT.

5. I ASKED HIM ABOUT THE DOMESTIC SITUATION. HE QUOTED CONFUCIUS (I THINK HE MEANT LUCRETIUS) TO THE EFFECT THAT THERE IS ALWAYS SOMETHING AGREEABLE IN WATCHING THE SUFFEREING OF OTHERS, THAT IS, IN HIS CASE, THE COALITION GOVERNMENT. HE SAID IT WAS CLEAR THAT NOBODY HAD ANY SOLUTION TO THE CURRENT ECONOMIC PROBLEMS OF THE REPUBLIC. WHAT WE NEEDED WAS A NEW ECONOMIC GURU AND NONE WAS FORTHCOMING. HE SEEMED TO BE LOOKING FOR SOME MIRACLE TO SAVE IRELAND FROM HER ECOMOMIC DIFFICULTIES. MEANWHILE HE WAS CONTENT TO LET THE GOVERNMENT BEAR RESPONSIBLILY. HE DID NOT MENTION THAT HE WAS LAUNCHING THAT VERY DAY A NEW ECONOMIVC PLATFORM (BEING REPORTED BY BAG) IN PREPARATION FOR THE LOCAL ELECTIONS.

6. IN VIEW OF THE FUSS HE AND OTHER PEOPLE ARE MAKING ABOUT IRISH NEUTRALITY I THOUGHT IT AS WELL TO ASSURE HIM THAT THE MAIL ON SUNDAY HAD BEEN QUITE WRONG IN SUGGESTING THAT THERE WAS ANY DEFENCE ELEMENT IN THE ANGLO-IRISH TALKS. HE SEEMED TO ACCEPT THIS READILY. HE SAID IT HAD BEEN MADE CLEAR TO HIM AT THE 1980 DUBLIN ANGLO-IRISH SUMMIT THAT OUR STRATEGISTS DID NOT REGARD IRELAND AS SIGNIFICANT. HE SAID THAT THIS WOULD NOT PREVENT HIM FROM TALKING ABOUT THE THREAT TO IRISH NEUTRALITY IN PUBLIC.

7. WE ALSO DISCUSSED THE LEBANON. HE ASKED ME IF IT WAS A RELIGIOUS WAR BUT DID NOT RISE WHEN I REPLIED THAT I THOUGHT THAT, LIKE NORTHERN IRELAND , IT WAS MORE THE SCENE OF A STRUGGLE FOR POWER.

8. COMMENT: MR HAUGHEY WAS CORDIAL, PARTLY PERHAPS BECAUSE I DID MY BEST WITHIN THE LIMITS OF DISCRETION TO TALK TO HIM IN A STRAIGHTFORWARD WAY. HE PUT FORWARD NO POSITIVE AND REALISTIC IDEAS AND , ALTHOUGH HE WOULD CLEARLY PREFER POWER HE OBVIOUSLY ENJOYS THE NEGATIVE ROLE OF A LEADER OF THE OPPOSITION. THERE WAS NO SUGGESTION THAT HE INTENDED TO BE CONSTRUCTIVE OR HELPFUL IN ANY WAY IN HIS APPROACH TO AN ANGLO-IRISH AGREEMENT. WHETHER WE SUCCEED IN ACHIEVING ONE OR FAIL HE WILL CERTAINLY RELISH THE OPPORTUNITY OF ATTEMPTING TO DESTROY DR FITZGERALD.

9 . IF HE BECAME TAOISEACH WITH AN ANGLO-IRISH AGREEMENT IN OPERATION, HOWEVER, WE NEED NOT SUPPOSE HE WOULD AS A MATTER OF PRINCIPLE TRY TO UPSET ARRANGEMENTS THEN IN PLACE. HE WOULD BE MORE LIKELY TO APPROACH THE MATTER PRAGMATICALLY AND SEE WHAT HE COULD GET MUT OF IT, PERHAPS TRYING TO RENEGOTIATE THE AGREEMENT IN ORDER TO DEMONSTRATE THAT HE COULD DO BETTER THAN DR FITZGERALD.

GOODISON

NNNN

NBP 20
C107.

Treasury Chambers, Parliament Street, SW1P 3AG

Rt Hon Douglas Hurd MP
Secretary of State for Northern Ireland
Northern Ireland Office
Whitehall
London
SW1P 3AJ

22 May 1985

ANGLO IRISH RELATIONS

I am unfortunately unable to attend OD(I) tomorrow, so am writing to set on record my views on OD(I)3.

There is nothing in the paper from which I would dissent. But I would just like to register a point about the Irish idea of a new "International Fund for Reconstruction and Reconciliation in Ireland", which officials are recommended to explore. If funds were to become available from US, EC or other sources for this purpose, we should need to address the issue of whether such funds should be additional to existing public expenditure provision or, as has normally been the case with EC funds received for other purposes, non-additional. I do not wish to state a view, or rehearse arguments, at this stage.

I am sending copies of this letter to the Prime Minister, Members of OD(I), and Sir Robert Armstrong.

PETER REES

SECRET AND PERSONAL

B.07002

PRIME MINISTER

c Sir Robert Armstrong

Anglo-Irish Relations: Northern Ireland
Meeting of OD(I), 4.30 p.m. 23 May

OD(I) will be discussing the Cabinet Secretary's Note (OD(I)(85)3) about the stage reached in the exploratory talks between British and Irish officials. Attached to that Note is an amended version of the text for a British proposal approved by OD(I) on 24 April.

2. This amended text contains two particular improvements from our point of view:

(a) Section II about the status of Northern Ireland deals with this subject in the form of an undertaking by the British and Irish Governments, whereas the equivalent passage in the communique on your meeting with Dr FitzGerald at Chequers in November 1984 was in the form of individual statements by the two Governments. Dr FitzGerald recognised in the Chequers communique that any change in the constitutional status of Northern Ireland would only come about with the consent of the majority. That point is repeated in Section II of the amended text, but in binding form. It would be good to get the Irish to put their name to point 2 of this Section, which notes that the present wish of the majority of the population is for no change in the status of Northern Ireland, a point which was made only in your name in the Chequers communique. Point 3 of this Section - about what would happen if a majority in Northern Ireland



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did in future want a united Ireland - reflects the language which made this point in your name in the Chequers communique. The Irish delegation in the talks have not seen the exact language of Section II but have seemed in discussion to be willing to accept something of this kind. The question whether this provision would accord with the Irish Constitution, which lays claim to all of Ireland, is one for the Irish Government; their delegation in the talks foresees no problems.

(b) Section I of the amended text contains a total rejection by both Governments of terrorism and those who support it.

3. The main questions for discussion at OD(I) are likely to be the following:

(i) Paragraph 11 of the amended text: Should the Irish be given the opportunity of putting forward views on proposals for legislation and on major policy issues?
Paragraph 11 at present provides that "the Committee would constitute a framework within which the Irish Government could put forward views on proposals for legislation on Northern Ireland matters, and on major policy issues within the responsibility of the Secretary of State for Northern Ireland, significantly affecting the interests of the minority community." This seems to concede little or nothing to the Irish, since proposals for legislation and major policy issues are likely to become publicly known before decisions are taken, and there is nothing to stop the Irish Government putting forward views on them. The text as it stands may,



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however, be thought to sound too sweeping. The Northern Ireland Secretary may suggest that the provision be limited by speaking of "proposals for major legislation". Yet this could cause future argument with the Irish Government about whether a particular piece of intended legislation was "major" or not. An alternative might be to speak of "...views on Proposals for Orders in Council concerning Northern Ireland, and on major policy issues concerning 'transferred matters' within the responsibility of the Secretary of State". The present procedure is that the Proposals for Orders in Council are published in advance. After an interval, usually about two months, during which the Northern Ireland Assembly and others may comment, the draft Order in Council is laid before Parliament in Westminster for enacting under the affirmative procedure. These Orders in Council concern what are known as "transferred" matters, i.e. matters like transport, industrial development and agriculture, which would be transferred to a devolved administration, if one were established, and under direct rule (the situation covered by paragraph 11) are administered by the specialist Departments in Northern Ireland under the Secretary of State. "Transferred" matters are distinct under the legislation from "excepted matters" and "reserved matters", which are the responsibility of Westminster and would remain so if there was devolution; these include foreign affairs, defence and constitutional matters and law and order. The effect of referring to Orders in Council and "transferred matters" in any Anglo-Irish agreement would thus narrow greatly the range of legislation and policy on which the Irish Government could put forward views.



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(ii) Joint courts

The Irish Government attach great importance to this difficult subject. The very least we might be able to persuade them to accept is the British formula in paragraph 17 of the amended text. The right tactic now may be to press them to accept this, and for officials to refer to Ministers again if the Irish cannot be persuaded.

(iii) The title of the new Anglo-Irish Committee

In the British proposal given to the Irish on 21 January, the new body was given no title but was described as "a joint body". In their response of 13 February, the Irish called it "a Co-ordinating Committee". We then suggested "a Standing Committee". The Irish now want to call it "a Standing Joint Committee". If this formula is thought, despite the background, to smack of joint authority, officials might be instructed to try out "a Committee on North/South Matters". If the Irish would not accept this, officials might try "an Anglo-Irish Standing Committee" which, being a mere statement of fact, might be difficult for the Irish to resist.

(iv) Review mechanism

The Northern Ireland Secretary may suggest that provision be made in any agreement for a mechanism under which its terms could be kept under review and either party could withdraw. The Foreign and Commonwealth Secretary believes that this would weaken the sense of assurance which we hope the unionists will derive from Section II about the status of Northern Ireland. It is normal for international agreements to contain some provision for termination or extension after a stated period, and this might provide a way of meeting the Northern Ireland Secretary's point.



SECRET AND PERSONAL

(v) Joint Secretariat in Belfast

The Northern Ireland Secretary may suggest that the provision in paragraph 5 of the amended text for "a small joint secretariat in Belfast, within which the Irish Government would maintain an office" would upset the unionists. The idea of a joint secretariat in Belfast appeared in the British proposal of 21 January and the subsequent Irish and British texts. A flat proposal to remove it would therefore be most unlikely to be acceptable to the Irish. But OD(I) could instruct officials to explore whether the Irish would be willing to remove it or tone it down.

HANDLING

4. At the start of the meeting, you may wish to ask the Secretary of the Cabinet to introduce his Note briefly. You could call on the Foreign and Commonwealth Secretary to speak next, and then the Northern Ireland Secretary. You could then focus discussion on the question of paragraph 11 of the amended text and the question of joint courts. During discussion, the Northern Ireland Secretary may wish to say how he proposes to fulfil the mandate he received from OD(I) on 24 April to take soundings, after the Northern Ireland district elections on 15 May, of the leaders of both communities about their likely reactions to an Anglo-Irish agreement.

CONCLUSIONS

5. Subject to the discussion, you might guide the Sub-Committee to -

(a) authorise the handing over of the amended text to the Irish delegation in the exploratory talks;



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(b) invite the Northern Ireland Secretary to report to the Sub-Committee on his soundings of both communities.

6. You will wish to consider whether to report on this matter to Cabinet at its meeting on 6 June. Officials could supply a speaking note taking into account the discussion in OD(I).

C L G Mallaby

22 May 1985

0.10
Ref. A085/1412MR POWELL

Northern Ireland: Anglo-Irish Talks

The Irish Times last week printed two stories, one on Wednesday 15 May and the next on Thursday 16 May, which were uncomfortably close to the truth on some aspects of the Anglo-Irish talks. The second, on Thursday 16 May, was a story about the Irish Government's proposals for a dual court system to combat terrorism on an all-Ireland basis. I attach copies of the articles herewith.

2. You will see that both articles are from the London Editor of the Irish Times.

3. These leaks do not appear to be in the interests of either side, but the Irish are convinced that they come from London. Some suspicion has fallen on the Irish Ambassador in London, but it is clear that the Taoiseach and his colleagues firmly believe that these and other leaks have come from British sources. The Taoiseach is said to have wanted to telephone the Prime Minister to tell her that he was overwhelmingly persuaded that the leaks had come from London and that they were very destructive of Irish interests. The Irish clearly believe that the leaks emanate from the Northern Ireland Office.

4. I do not for a moment believe the Secretary of State for Northern Ireland is briefing the Irish Times. But I do wonder whether one of his junior Ministers may be, and it might be worth while for the Prime Minister to say something at tomorrow's meeting of OD(I). She could perhaps ask whether knowledge of the talks and their contents is being sufficiently closely safeguarded by Departments, and emphasise the need to avoid further damaging leaks.

22 May 1985

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Approved by
ROBERT ARMSTRONG

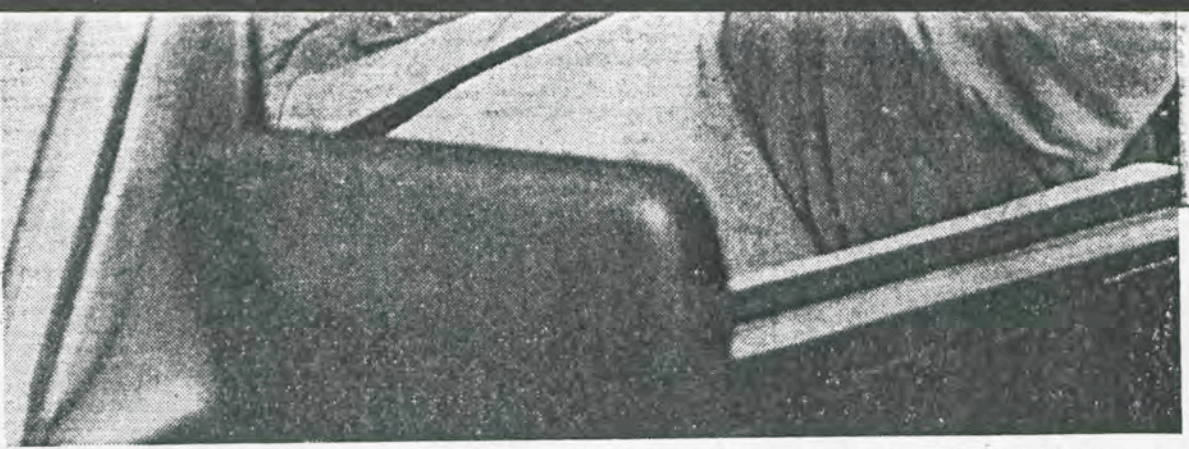
and signed this afternoon

seful, comprehensive, detailed and worthwhile.

Mr Shultz said the discussions ranged over regional problems and that he had brought up the questions of human rights, as he had done in previous such meetings.

Asked about the issue, the Soviet spokesman said: "We do not discuss our internal affairs with anyone."

It was the first meeting between Mr Shultz and Mr Gromyko since they reached agreement in January in resuming the super-Power dialogue on arms control. — (Reuter).



The Taoiseach's wife Mrs Joan FitzGerald leaving Dublin Airport yesterday. — (Photograph: ...)

North goes to polls

From Ed Moloney, Northern Editor, and Fionnuala O Connor

NORTHERN IRELAND goes to the polls for the fifth time in four years today, to elect 566 councillors to 26 district councils. The election, by single transferable vote, will be dominated by a contest between the Official Unionists and the DUP on one hand, and the SDLP and Sinn Fein on the other.

Both Unionist parties last night predicted a high degree of transfer voting in order to keep Sinn Fein out of power or influence in local councils. The SDLP, meanwhile, appeared confident that its vote would hold.

It seems unlikely that there will be any significant degree of cross-voting between the SDLP and Sinn Fein.

One million voters are registered and for the first time in Northern Ireland an election is being fought under strict, new anti-personation laws.

See page 6.

Hillery off today on State visit

By Ella Shanahan

PRESIDENT HILLERY leaves Ireland today for a State visit to New Zealand and Australia that will last nearly a month.

He will be seen off at Dublin Airport at 11.30 a.m. by the Taoiseach, Dr FitzGerald; the Army Chief of Staff, Lieutenant-General Gerald O'Sullivan, and the General Officer Commanding the Eastern Command, Brigadier-General Vincent Savino.

President Hillery will be accompanied by his wife, Dr Maeve Hillery; two of his aides-de-camp, Colonel Tom Ryan and Commandant Joe Campbell, and Mr Micheal O hOrain of his official staff.

The Minister for Fisheries, Mr O'Toole and his wife, Jacqueline, who will represent the Government, will leave on Saturday to join the Presidential party, which starts its official visit in Auckland, New Zealand, on Monday.

Student expulsion inquiry set

Summit put off as Anglo-Irish talks bog down

Dail to hear details of trip

From Conor O'Clery, London Editor

THE ANGLO-IRISH talks aimed at giving the Republic a role in Northern Ireland affairs have become bogged down in a number of "sticking points," it has been learned.

Irish Times Reporter

THE Taoiseach, Dr FitzGerald, arrived back in Dublin yesterday from his 14-day visit to North America, and refused to make any comment on what had happened other than to say: "It was a very successful trip."

The next London-Dublin summit will not now take place in June, as tentatively arranged three months ago, and is likely to be put off at least until the autumn.

than to concede that it might be discussed when the two Prime Ministers meet at the Milan EEC summit in mid-June.

The secret talks, involving senior civil servants, led by the secretary to the Government, Mr Dermot Nally, and the British Cabinet Secretary, Sir Robert Armstrong, are "getting tougher," according to one highly placed source.

The Irish delegation has become more pessimistic about the outcome of the talks, following what they see as deliberate leaks from the British side that talks will get nowhere. *The Economist* last Friday said Northern Ireland was settling down and it would be better to have no more summits, and the *Belfast News Letter* yesterday speculated that Mrs Thatcher had decided that nothing was to be gained from another summit. Official sources dismissed the *News Letter* report as "balderdash."

The next round of talks, now taking place at the rate of once every two weeks, will be held today or tomorrow, it is understood. The main "sticking point" is believed to be the Irish argument for involvement in joint security policy with real influence, going beyond an advisory role.

The timing of the appearance of these stories — in the run-up to the local government elections in Northern Ireland — is seen as no accident. Playing down the Dublin-London negotiations would conceivably help the Official Unionists at the expense of the DUP, which attracts more voters at times of increased Unionist fears.

The Irish delegation is said to be fighting for the acceptance by the British negotiators of a number of proposals aimed at giving formal expression to the section of the communique issued after last November's Chequers summit which spoke of the identities of both Northern communities being "recognised and respected, and reflected in the structures and processes of Northern Ireland."

The other assessment is that leaks are designed to strengthen the hands of the British negotiators as the two delegations argue over the "sticking points," as one source close to the talks described the present obstacles.

They are having to argue constantly, however, against what they see as a false complacency, especially in the Northern Ireland Office, about a lessening of support for Sinn Fein and a diminution in violence in the North.

It is also being put about in London that Mrs Thatcher has moved back from the point where she sees the "Irish problem" as something which she could resolve. The Cabinet committee on Northern Ireland is said to be concerned more with security than the Anglo-Irish talks. The composition of such committees is kept secret, though it is believed Lord Whitelaw is playing an increasing role. Other members include the Northern Ireland Secretary, Mr Hurd, the Home Secretary, Sir Geoffrey Howe, the Defence Secretary, Mr Michael Heseltine, and possibly the Secretary for Trade, Mr Norman Tebbit.

Both sides agree on one thing, that there can be no further summit between the British Prime Minister, Mrs Thatcher, and the Taoiseach, Dr FitzGerald, until a package of proposals has been put together for presentation at the conclusion of the negotiations.

Mr Barry, defended the Taoiseach last night against Fianna Fail accusations that his visit to the United States and Canada had been a waste of time. He said that one of Dr FitzGerald's aims had been to encourage investment in Ireland so as to create jobs and that had been very successful.

Just how far the two sides are from reaching this point can be gauged from the fact that sources close to Mrs Thatcher yesterday would go no further on the question of a date for the next summit

He told waiting reporters that he would make a full statement in the Dail today. Asked if reporters might ask him questions about his controversial statements in North America, he replied: "No, not at the moment. Wait for the Dail tomorrow. Any reactions will be given to Dail Eireann first."

Dr FitzGerald, accompanied by his wife Joan, his personal secretary, Mr Declan Kelly and the Government Press Secretary, Mr Peter Prendergast, arrived in Dublin at about four o'clock and was greeted by the Minister for Foreign Affairs, Mr Barry, and the Minister for Labour, Mr Quinn.

In the Dail today, Dr FitzGerald faces a barrage of questions from the Fianna Fail and Workers' Party about his statements on an internal solution to the Northern Ireland situation and on his attendance at the Bilderberg conference in New York. At that conference, one of the items on the agenda was NATO.

Mr Barry, defended the Taoiseach last night against Fianna Fail accusations that his visit to the United States and Canada had been a waste of time. He said that one of Dr FitzGerald's aims had been to encourage investment in Ireland so as to create jobs and that had been very successful.

A member of the Fianna Fail front bench said last night that Mr Haughey would not be "cooling it" in the Dail but would be "going in in quite a tough way" to get clarification for some of the Taoiseach's statements in America.

The Fianna Fail leader, Mr Haughey is expected to repeat the charge that, in seeking to appease Britain and in stating that "the solution has to be found in Northern Ireland" Dr FitzGerald had sold out on the Forum Report.

FitzGerald calls criticism 'warped'

By Denis Coghlan

THE TAOISEACH, Dr FitzGerald, yesterday rejected the criticism of his trip to North America by the Fianna Fail leader, Mr Haughey, as "a mean, narrow and warped attempt to gain short-term political advantage at the expense of the best interests of the people of Ireland."

In the course of detailed statements to the Dail, which were punctuated by ill-tempered interjections from both sides, Dr FitzGerald and Mr Haughey reinforced their positions while ignoring or rejecting the opposing viewpoint.

In his first public statement following the 14-day trip, Dr FitzGerald singled out for particular mention Mr Haughey's assertion that he had abandoned the Forum report and said that this attack on him had been "a measure of his gross irresponsibility so far as our national interest and the Northern Ireland problem are involved."

The attack, he said, had been based on press reports of one sentence in one speech that "was both taken out of its context of the Forum report and which omitted the central part of the sentence" stating that the British and Irish Governments had a

fundamentally important role to play in resolving the Northern Ireland problem.

"No one at that meeting nor at any other meeting or discussion I had during my visit to North America could have been in any doubt about my insistence that the problem cannot be resolved within the narrow context of Northern Ireland but requires . . . radical action by the British Government with the Irish Government to end the alienation of the Northern Ireland nationalist minority from the system of Government, the security system and the legal-judicial system in Northern Ireland," Dr FitzGerald said.

The Taoiseach defended the trip as being "very successful" from an industrial promotions point of view and, through a barrage of Opposition heckling, said that Fianna Fail remarks on the first day of his official visit to Canada about engagements of no conse-

quence "could only be interpreted as a gratuitous insult to the Government and people of Canada."

His attendance at the Bilderberg conference was defended by Dr FitzGerald on the grounds that it was an extremely useful place to meet influential people whose goodwill could be of considerable benefit to the country. He had not attended the session dealing with NATO matters — nor had he intended to — and he would never take part in a forum where Irish interests could be threatened in any way, either in terms of our neutrality or in respect of any other interest.

The Fianna Fail leader ran a similar gauntlet of barracking and jeering when he replied and accused Dr FitzGerald of trying to defend the indefenceable. Any reasonable assessment of Dr FitzGerald's "meanderings around America" must conclude that it had gone on for too long at a period when the economy was falling apart and public morale was at a low ebb.

Specifically, on the Northern Ireland issue, the Fianna Fail

A report of yesterday's exchange in the Dail on the Taoiseach's visit to the United States and his attendance at the Bilderberg meeting will be sent to the State Department in Washington by an official of the United States Embassy.

Mr Alan Roy, the political officer at the Embassy, was present in the Dail as a visitor during the speeches of the Taoiseach and the Fianna Fail leader. Mr Roy told *The Irish Times* afterwards that "since it was a trip to the United States that the Taoiseach was on I was concerned to hear his report of the visit."

leader noted that Dr FitzGerald had not denied that he had said "it's not a problem between Britain and Ireland basically" although he had "glossed over and around" the remarks and had "built in statements around them." The Taoiseach had, he declared, contradicted the entire thrust of the Forum report.

Finally, in relation to the Bilderberg conference, Mr Haughey criticised the Taoiseach on the grounds that he had attempted to hide its connections with NATO and said that our neutrality had been "put under pressure in Europe, not least by the lukewarm, equivocal and ambiguous attitude" of the Taoiseach and his Minister for Defence.

Dail report: page 6.

Republic's judges may get role in NI courts

From Conor O'Clery, London Editor

THE GOVERNMENT has proposed to Britain a dual court system to combat terrorism on an all-Ireland basis, it has been learned in London. This would involve judges from the Republic sitting in at Belfast trials, and judges from Northern Ireland attending Special Criminal Court cases in Dublin.

Under the proposal, put forward in the current Dublin-London talks, an Anglo-Irish Law Commission would be set up to co-ordinate anti-terrorist legislation in both jurisdictions. This would then be operated by panels of three judges. The panel in Belfast would have one Southern and two Northern judges, that in Dublin, one Northern and two Southern judges.

The British negotiators in the Anglo-Irish talks are however resisting the idea, according to highly-placed sources in London, though the possibility of the "outside" judge sitting in as an observer has not been ruled out.

The issue of dual courts has become one of the stumbling blocks in the talks, which involve teams of civil servants under the joint chairmanship of the Secretary to the Government, Mr Dermot Nally, and the British Cabinet Secretary, Sir Robert Armstrong. The most recent of these secret talks, now taking place about once a fortnight, was held in Dublin yesterday.

The Irish Government case is believed to be based on the proposition that terrorism is an all-Ireland problem, and that a Southern judge sitting in a Northern Court, operating legislation agreed between the British and Irish parliaments, would give a nationalist dimension to the Northern Ireland legal system, from which the nationalist minority has traditionally been alienated.

The ending of the controversial informer trials would be part of any agreement, it is believed. The British have conceded that they

cause enormous damage in terms of alienation and to the image of British justice. In any event, the sources say, there are only two cases still outstanding, those involving 'Budgie' Allen of the UVF and Harry Kirkpatrick of the INLA.

Policing in Northern Ireland has become another sticking-point in the talks, which the Taoiseach, Dr FitzGerald, said recently have only a 50-50 chance of success. The British Government will turn down the Irish idea for community police forces separate from the RUC, according to the sources in London, on the grounds that they could be infiltrated and undermined by the Provisional IRA.

The Irish Government proposals are contained in a number of position papers on security, economic and social matters, aimed at suggesting ways that the identities of both communities in the North could be reflected in the structures and processes in Northern Ireland, as agreed at the Chequers summit last November.

One of the key elements in any agreement would be the formation of a standing committee of Ministers from Dublin and London to oversee the arrangements. Membership of the committee would depend on the subjects under discussion, ranging from security to tourism. The Irish would not have a veto on the standing committee on any British action concerning Northern Ireland.

The British Government had also indicated it will end the Flags and Emblems Act, under which the RUC can remove the Tricolour if it might cause a breach of the peace, and that it will allow the use of Irish for street names.

If agreement is reached between the two governments, the package will be finalised at another summit between the Taoiseach and the British Prime Minister, Mrs Thatcher. Because the talks have become bogged down, tentative plans for a June summit have been scrapped. The earliest date is likely to be September, as July is the marching month in the North and August the holiday period.

It is being predicted by those close to the talks in London that if there is no agreement on a summit

in September, then the talks will fail. The "crunch" might come in the next six weeks. There is a recognition in the British Government that Dr FitzGerald must be given time to allow any arrangement to be seen to work before the next Irish general election in two years.

The British side is far from united however with some arguing that the situation in the North is slowly stabilising and that another summit would cause more harm than good. As before, the key element will be Mrs Thatcher. It is predicted that she would be prepared to accept a dual court system but only with outside judges acting as observers, and that she is more sympathetic to getting some form of agreement rather than calling off the talks.

Because of the recent difficul-

ties of the Conservative Party, with increasing disaffection among backbenchers with her leadership, Mrs Thatcher's interest in the Anglo-Irish talks is said to have diminished of late.

The future of the UDR is not an issue in the talks, it is understood, but it is pointed out that the strength of the regiment is being slowly reduced. Irish allegations of a "shoot-to-kill" policy used by special army and police groups in the north have also been raised at the talks.

Covering

~~CONFIDENTIAL~~

From: THE PRIVATE SECRETARY



NORTHERN IRELAND OFFICE

WHITEHALL

LONDON SW1A 2AZ

Len Appleyard Esq
Principal Private Secretary
Foreign and Commonwealth Office
Downing Street
LONDON SW1

CD 21/5

21st May 1985

Dear Len,

NORTHERN IRELAND DISTRICT COUNCIL ELECTIONS: 15 MAY 1985

I attach a copy of a minute the Secretary of State sent last evening to the Prime Minister providing an early analysis of the results (and their implications) of the local elections on 15 May. Mr Hurd thinks that Sir Geoffrey Howe and OD(I) colleagues might also find the analysis of interest.

I am copying this letter and enclosure to the Private Secretaries to members of OD(I) and to Sir Robert Armstrong.

Yours sincerely

Neil Ward.

N D WARD

Covering

~~CONFIDENTIAL~~



PRIME MINISTER

NORTHERN IRELAND DISTRICT COUNCIL ELECTIONS : 15 MAY 1985

You may like to have a first analysis of the results (and their implications) of the local elections on 15 May.

The Results

2. There were no major surprises, despite initial media concentration on Sinn Fein results. The turnout was low, between 60 and 61%, (compared with 65.0% in 1981 and 55.4% in 1977; and 61.7% in the Assembly, 72.8% in the General, and 64.3% in the European elections). Voting trends were very similar to those of recent elections, especially the 1982 Assembly election. The main casualties were the smaller parties and various independents on both sides of the political divide. The Alliance Party also declined and is supported now almost exclusively in Belfast and its surrounds. The final results were as follows:-

<u>Party</u>	<u>Vote</u>	<u>Seats</u>	<u>Gain/Loss*</u>
UUP	29.8	190	+33
DUP	24.3	142	+ 2
SDLP	17.8	102	- 1
Sinn Fein	11.8	59	+55
Alliance	7.1	34	- 4
IIP	1.2	4	-17
Others	<u>8.0</u>	<u>36</u>	<u>-28</u>
TOTAL	<u>100.0</u>	<u>566</u>	<u>+40</u>

(* The gains and losses apply not to the 1981 results but to the seats held by each party immediately before the elections).

3. The UUP have reasserted their dominance over the DUP throughout Northern Ireland, benefitting from the increased number of seats and the continued decline of small Unionist parties. But the difference between them is one of style rather than substance. They had virtually the same electoral programme and similar slogans: they also encouraged their supporters to transfer their votes between Unionist candidates. Devolution was not an election issue. Mr Molyneaux and Dr Paisley have declared that the two parties will ostracise and work together to frustrate Sinn Fein council activities. They are portraying the results as a vote in favour of the Union and firmly against Anglo-Irish agreements.

4. The SDLP held its ground, retaining its share of the total vote, but with 40 more seats to win, did not increase its share. It was unaffected by the Sinn Fein vote, outpolling Sinn Fein in the ratio of 3:2. The turnout figures, particularly in areas where Sinn Fein did best, suggest a lack of enthusiasm on the part of SDLP supporters. Sinn Fein, as expected, polled less well than in either of the last two elections. On a lower turnout they won only 77,000 first preferences, compared with 102,000 votes in 1983 and 91,000 last year. They contested only 17 of the 26 district council areas and their vote was probably hit by the new anti-personation legislation. Their haul of seats is higher than might have been expected because of the complete collapse of support for the Irish Independent Party; they won 17 of the latter's 21 seats.

The New Electoral Legislation

5. It seems that, despite the medical card difficulties, the new requirement for voters to produce a specified document for identification did not cause serious problems. Although the Unionist parties, in particular Dr Paisley, have suggested that about 7% of the electorate might have been disfranchised, the SDLP and Alliance Party said that the system worked relatively smoothly. The turnout, though low, was not unusual. The fact that more than 80% of the electorate voted in several areas in the rural West suggests that the new rules had only a marginal effect. Most importantly they seemed to have had the desired effect of reducing personation, which the turnout also reflects. I shall be reviewing the effectiveness of the legislation and, in particular, the usefulness of

the specified documents.

Presentation

6. At first the media concentrated in sensational terms on Sinn Fein results. But by Friday they were beginning to be placed in their proper context. Broadcasts and interviews by Nick Scott - which repeated the Government's rejection of Sinn Fein - and official press briefing ensured that this continued. Coverage in the Sunday press was minimal and balanced. Interest has died down for the moment but will probably reawaken when the councils begin to meet, with attendant discord.

Conclusion

7. Sinn Fein's success has been exaggerated but the party's impact on district councils has probably not. There will be friction with the SDLP and loud disagreement with the Unionists. All concerned are using the results for their own purposes. Dr FitzGerald and Mr Hume will claim that votes won by Sinn Fein are clear proof of nationalist alienation and the best possible argument in favour of radical new solutions. Dr Paisley and Mr Molyneaux will use the results to emphasise that impracticality of power sharing and the need for firm measures to protect the Union. They have already adopted a united front against "the common enemy", a move which is designed to show that, as far as the Anglo-Irish process is concerned, the two parties stand together. The terrorist attack today in which four RUC officers were killed will sharpen the controversy, and has already led Mr Molyneaux and three of his colleagues to come and press me to prosecute Sinn Fein.

Ngwand
Private Secretary
for DH

21 MAY 1985



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SECRET AND PERSONAL

PRIME MINISTER

OD(I)

The purpose of the meeting is to decide whether to hand over formally the revised text to the Irish side. When you looked at it quickly the other day, you had problems with two points:

- (i) the proposal to call the "Standing Committee" instead the "Standing Joint Committee". This is a very poor proposal since it conjures up joint authority etc. The Cabinet Office brief suggests some alternatives.
- (ii) Irish right to be consulted on economic and social matters. You did not like the alternative idea of allowing them to be consulted on proposals for legislation and on major policy issues. The Cabinet Office brief proposes as an alternative: "...proposals for Orders in Council affecting Northern Ireland and on major policy issues concerning "transferred" matters ..."

The Northern Ireland Secretary still has reservations about an Irish Office in Belfast: and may suggest that the Agreement have a review mechanism.

If the text is agreed, you may like to discuss the timing of further negotiations. Although there is some risk that areas of agreement may unravel if we drag out negotiations too long, it is hardly realistic to think of sewing up an agreement before the marching season begins in July. The target might therefore be September/October.

SECRET AND PERSONAL

SECRET AND PERSONAL

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You will want to consider at what stage to brief Cabinet. The choice is to do it after the Recess (6 June): or wait until we have a better idea of Irish Ministerial reaction to our latest proposal.

EDP

22 May, 1985

SECRET AND PERSONAL

NORTHERN IRELAND

PS (2)
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
P. HD/PUSD (2)
HD/INFO DEPT
HD/NEWS DEPT

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

RESIDENT CLERK

14.11.85

UNCLASSIFIED
FM DUBLIN 211515Z MAY 85
TO IMMEDIATE FCO
TELEGRAM NUMBER 298 OF 21 MAY 1985
INFO IMMEDIATE NIO (BELFAST)

M/S

ADVANCE COPY

IMMEDIATE

THE TAOISEACH INTERVIEWED ON BRITISH TELEVISION

1. TODAY'S DUBLIN PAPERS RECORD DR FITZGERALD'S WORDS ON LAST NIGHT'S CHANNEL FOUR NEWS.
2. THE TAOISEACH IS REPORTED AS SPEAKING OF THE KILLEEN OUTRAGE AS 'AN APPALLING ACT OF TERRORISM' AND PROMISING ANY AND EVERY HELP FROM THE GARDAI IN TRACKING DOWN AND ARRESTING THOSE RESPONSIBLE. HE SAID THE IRISH GOVERNMENT WOULD CONTINUE THE FIGHT AGAINST THE PROVOS REMORSELESSLY AND 'ELIMINATE THEM FROM THE SCENE'.
3. DR FITZGERALD SAID HE HAD FELT THE IRA WOULD PROBABLY MINIMISE THEIR ATTACKS DURING THE LOCAL ELECTION CAMPAIGN IN THE HOPE OF SECURING ADDITIONAL SUPPORT. HE ALSO FELT THAT ONCE THEY HAD SECURED THE BALLOT, THEY WOULD GO BACK TO THE ARMALITE AND 'TO THE EVEN MORE DISGUSTING BUSINESS OF EXPLOSIVES'.
4. THE TAOISEACH IS SAID TO HAVE STRUCK A MORE HAPPY NOTE ABOUT THE PROSPECTS OF ANGLO-IRISH DISCUSSIONS SUCCEEDING THAN HE DID AT LAST WEEKEND'S FINE GAEL ARD FHEIS. HE BELIEVED THEY HAD A GOOD CHANCE OF SUCCESS ALTHOUGH 'THEY WOULD NOT BE SURE OF THAT UNTIL THEY HAD CONCLUDED'.
5. DR FITZGERALD DID NOT VIEW SUPPORT FOR SINN FEIN IN THE LOCAL ELECTIONS AS AN ENDORSEMENT OF VIOLENCE BUT HE SAID MANY PEOPLE

ELECTIONS AS AN ENDORSEMENT OF VIOLENCE BUT HE SAID MANY PEOPLE VOTED FOR THEM IN FRUSTRATION AT A POLITICAL SITUATION IN WHICH THERE WAS NO IMPROVEMENT AND A SYSTEM OF SECURITY WITH WHICH THEY COULD NOT IDENTIFY. HE FELT THAT THERE WOULD BE A SWING BACK TO CONSTITUTIONAL POLITICS IF THAT SITUATION WAS CHANGED. HAD FASTER PROGRESS BEEN MADE AT THE ANGLO-IRISH TALKS AND HAD THEY COME UP WITH SOMETHING SOLID THEN SOME PEOPLE MIGHT HAVE SWITCHED THEIR VOTES BUT BECAUSE THE TALKS WERE CONTINUING THEY HAD LEFT THEM WITH SINN FEIN.

6. DR FITZGERALD SAID HE WAS NOT PREPARING ANYONE FOR THE COLLAPSE OF DISCUSSIONS BETWEEN THE TWO GOVERNMENTS BUT RATHER SAYING TO THE PEOPLE, LEST THEIR HOPES WERE UNDULY RAISED, THAT IN A SITUATION LIKE THIS THERE COULD BE NO CERTAINTY OF SUCCESS UNTIL THEY CAME TO THE END OF THE ROAD.

7. THE NEGOTIATIONS WERE DIFFICULT, SOME PEOPLE SAID THEY WERE IMPOSSIBLE, BECAUSE THEY WERE TRYING TO PROVIDE A MEANS OF ALLOWING FOR THE EXPRESSION AND THE ACCOMODATION OF THE IDENTITIES OF TWO SECTIONS OF THE PEOPLE WITHIN NORTHERN IRELAND. IT WAS IMPORTANT THAT HOPES WERE NOT UNDULY RAISED OR THAT PEOPLE WERE NOT TOO OPTIMISTIC. PEOPLE SHOULD BE AWARE OF THE DIFFICULTIES BUT HE BELIEVED THERE WAS A GOOD CHANCE OF SUCCESS AND A LOT HINGED ON THAT.

8. THE TAOISEACH SAID THAT IT WAS INEVITABLE THAT THE IRA WOULD USE THE TACTICS OF THE BOMB TO MAKE IT MORE DIFFICULT FOR UNIONISTS TO SEE THAT THEIR OWN INTERESTS WERE SERVED IN SECURING PEACE AND STABILITY WITHIN NORTHERN IRELAND THROUGH A POLITICAL SETTLEMENT WHICH DID NOT THREATEN THEIR POSITION.

9. ASKED IF HIS COMMITMENT TO FIGHT THE IRA WOULD BE CHANGED IF THE TALKS FAILED, DR FITZGERALD IS REPORTED TO HAVE REPLIED: 'NO. STRENGTHENED. THE THREAT TO US WOULD BE GREATER THEN. IT IS AFTER ALL OUR DEMOCRACY THAT IS THREATENED AND NOT THE BRITISH DEMOCRACY'.

10. FCO PLEASE ADVANCE TO LYON, SIL, NIO (L).

GOODISON

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be PC

17A

10 DOWNING STREET

From the Private Secretary

21 May 1985

ANGLO-IRISH RELATIONS:
NEIGHBOURHOOD POLICING

The Prime Minister has considered the Northern Ireland Secretary's minute of 17 May conveying Sir John Hermon's comments on the Taoiseach's proposals for an unarmed local community police force. She agrees that it would be useful for officials to explain to their Irish counterparts why we think the proposal impracticable.

I am copying this letter to Len Appleyard (Foreign and Commonwealth Office) and to Sir Robert Armstrong.

(Charles Powell)

J. Daniell, Esq.,
Northern Ireland Office.

JB

EMBARGO / 7.55 pm
SATURDAY 18th MAY 1985

SR

AN TAOISEACH

AND

PARTY LEADER

DR. GARRET FITZGERALD, T.D.,

SPEAKING AT THE 62nd FINE GAEL ARD FHEIS
IN / THE NEPTUNE STADIUM,
CORK.

ON SATURDAY 18th MAY
1985

When I took over as Leader of Fine Gael in 1977, all our Ard Fheis plans were directed towards moving from the Mansion House into the R.D.S. It has taken eight years, but I am delighted to say that we have finally managed the really big one: the banks of the Lee - both banks! Happy Birthday, Cork, and many happy returns from the Fine Gael delegates who have come here in such numbers tonight.

This time eight years ago we were campaigning against the Fianna Fail Party but not competing (deliberately and most wisely as it turned out from the country's point of view) with their lavish package of offerings. We paid the inevitable short-term price for our patriotism on that occasion: a temporary reduction in our Dail representation to 43 seats.

But by the beginning of the eighties that bubble had burst and Fianna Fail was bursting asunder also. By mid-1981, when we took over Government, the country was facing national insolvency because of the reckless borrowing and crazy promises of that irresponsible Government. Taxation was rocketing upwards. Public service pay was totally out of control, having risen by 34% in the single, pre-election, year of 1980. The crime rate was accelerating.

I refer to these realities because they are too often forgotten, sometimes by our supporters as well as by our

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opponents. And our achievements since we came into office have to be measured against the situation that we faced when we took over the reins of Government.

Crime

There is no doubt in anyone's mind today that, along with the unacceptable level of unemployment and the crippling burden of taxation brought about by Fianna Fail policies, the problem of crime is at present one of the greatest concerns of our people. You, the decent law-abiding people of Ireland, are understandably upset, and at times outraged, at the daily reports of the damage being inflicted by the criminals in our society.

We as a Government and we as a people must send a clear message to those thugs and vandals who heartlessly set about to wreck our way of life in this country:

We, all of us, are fed up with it.

There may be deep-rooted social factors which dispose some people to indulge in criminal activity and in the continuous development of our social policies we must be aware of and sensitive to this. But people need to be protected now, and

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there are no excuses, there is no mitigation, for the types of serious crimes which have received prominence lately.

We were all horrified at the spate of attacks on elderly people in rural Ireland towards the end of last year and earlier this year. Many of you will have seen the harrowing television interviews with the victims of these attacks and with their neighbours living in dread that they would be the next victims. Those who subject our old people to this trauma are devoid of a shred of human decency. I repeat here a pledge already given by Michael Noonan: people committed to prison for attacks of this kind are serving, and will serve, the sentences imposed on them by the Courts, with no remission beyond that required by statute.

We are all relieved that the special efforts which the Gardai have made to deal with these attacks are having significant success. I want to pay a particular tribute to the members of Muintir na Tire for their work on the Community Alert Scheme. That scheme is one where, in co-operation with the Gardai, neighbours in rural areas come together to pay special attention to the vulnerable in their midst. It is a magnificent example of the best traditions of the Irish people's care and concern for our old people. The criminals will never destroy that.

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Another type of crime which has had particular prominence lately is so-called 'joyriding'. I reject that description. What we are dealing with here is a group of criminally irresponsible young people who maraud the city streets in stolen cars with no regard for the lives of others. They need to be put away for their own safety and the safety of everybody else. Through the tremendous efforts of the Gardaí and the special measures brought in by the Government, that is exactly what is being done, with 682 people already charged with these offences, and 322 of them already in gaol.

From its very first days in Office this Government has given priority to measures to deal with crime.

Since we came into office over 1,000 Garda have been recruited. The National Plan allows for the strength of the Force to be maintained at 11,400 - its highest level ever, two-thirds greater than a decade ago.

For years the Gardaí had been promised greater powers to deal with the crime problem but these promises had come to nothing. That is why we devoted so much time last year to the Criminal Justice Act, which has been described as the most significant development in our criminal law since the foundation of the State. Many of its provisions have been operating for the past couple of months. The remaining

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sections will be brought into operation later this year when the safeguards of the Complaints Bill and regulations dealing with the detention of people in Garda custody are in place.

Some of the provisions already operating include measures to deal with offences committed while on bail and the introduction of majority verdicts in criminal trials. Majority verdicts have already begun to put an end to a situation where one juror who had been bribed or intimidated could effectively prevent justice taking its course. For example, such a verdict was given recently in a case of receiving stolen goods, where the criminal received as a result a sentence, which under the old system he would have escaped.

Again take the problem of offences committed by people out on bail. I know only too well from my own constituency how big a problem this can be. There is a Constitutional difficulty here because of a Supreme Court decision a number of years ago. But with the Criminal Justice Act now in operation this problem is being tackled. Absconding on bail has been made an offence, and consecutive sentences can now be imposed for crimes committed on bail, including consecutive sentences of up to two years at the District Court level. Already this power has been exercised.

As another example, take a case where a house has been

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burgled. The Gardai arrive on the scene and find fingerprints of the burglar there. They have good reason for thinking that one particular individual was responsible for the burglary but they do not have a set of his fingerprints and their good reasons do not amount to hard evidence.

At present there is very little the Gardai can do in such cases but when the full Criminal Justice Act is in operation they will be able to arrest the suspect, question him and take his fingerprints to see if they match up.

I believe that these types of changes will be regarded by most people as eminently sensible.

We cannot forget the crimes inflicted on our young people by those dealers in death who have inflicted the awful scourge of drug abuse on our society. Many of these 'godfathers' have now been put away but our efforts and our resolve to control this problem must not weaken. The Misuse of Drugs Act made a number of important improvements to our drugs legislation. The possible penalty for drug pushing has been increased to life imprisonment. New procedures have been incorporated to deal with doctors who over-prescribe, and we are ending the charade of requiring medical reports on the drug trade godfathers before the judge is entitled to sentence them.

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The successes of the Gardai in recent times in dealing with criminals have inevitably led to pressure on the prison system. In 1982 the daily average number in custody was about 1,200 and some two-and-a-half years later it is running at about 1,900. This unprecedented expansion of the prison system has been achieved by acquiring temporary accommodation such as Fort Mitchel on Spike Island and by making the most of existing custodial accommodation.

I know many of you were concerned at the decision 3 weeks ago to close down for the time being the educational units at Cork and Arbour Hill Prisons. I am glad to be able to tell you, therefore, that, as promised then, alternative accommodation has already been made available. Education in the prisons concerned is now proceeding at a level very close to what it was previously. There has not been any reduction in the number of teachers and while the accommodation is not quite as good as it was, there is no reason why, with goodwill on the part of the teaching staff which I am sure we shall have, the level of education available to offenders cannot be maintained.

We are taking new and imaginative steps to prevent crime. The Gardai have been trying out ways in which, in co-operation with the local Gardai, the community in urban as well as rural areas, can prevent crime and vandalism in their own districts.

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These pilot schemes have been successful and it has recently been announced that these schemes will now be expanded as quickly as possible throughout the entire country.

It is important that the concern among our people about crime, and their willingness to co-operate with the Gardai, should be built on and channelled constructively so as to allow them to play more fully their part in combating crime. That is why the Government is giving its full backing to the expansion throughout urban areas of the Neighbourhood Watch scheme.

It is important that people clearly understand, however, that there can be no question of vigilantism being tolerated. The law in this country is being enforced by one group alone - the Garda Siochana - and that situation will continue.

As a people we can win through against the criminal. I believe that as a Government we have provided a framework that will allow us to do just that.

Taxation

I want to turn to another subject that arouses almost universal public concern. As a result of a one-third increase in the volume of public spending by Fianna Fail in the four short

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years between 1977 and 1981, tax - particularly personal tax - is far too high. Indeed, for a country at our stage of development, the burden of taxation both direct and indirect is quite out of proportion to what people can afford.

I think the message is slowly getting across - that there can be no free lunch, that services must be paid for and that, if money is spent, it has to be raised in taxation because we cannot borrow indefinitely to finance current spending. Those who promise higher spending and lower taxes are either knaves or fools - and probably both.

Even now, the Opposition are making promises as if there was no tomorrow. That is fine - because for them there is no tomorrow.

But for Fine Gael and the people of Ireland there is. As taxpayers we are fed up with paying now for what was spent without a care for the future a few years ago. As an electorate you're not going to let those responsible get back and start messing things up all over again.

You don't want a shopping list tonight of everything our Government has done: this long list would be tedious and self-congratulatory. Anyway what's important is not what the Government has done, it's what you have done. You have

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improved the level of Social Welfare benefits; you are providing the resources for the most extensive road construction programme in the history of the State; you are making the huge investment in education and hospitals.

Governments don't give or take; in the end of the day it's your money they spend, wisely - or sometimes, as we know from bitter experience, unwisely. Being in Government is not simply a matter of saying 'Yes' to every demand for increased spending, however meritorious some of these demands may be in their own right. That is why we have squared our shoulders and taken a firm line with interest groups.

You, the tax-payer are paying for these things. You must get value for money.

As a Government we have the extremely difficult task of trying to bring the economy of the country under control so that a firm basis for future progress and reduced taxation can be laid. We are making headway. The current budget deficit which we were faced with for 1982, when we took office in July 1981, was, calculated in today's money, at a level of £2 billion. We have succeeded in halving that to £1 billion last year. We are thus halfway to the objective after three short years. Similarly Government borrowing has been reduced by two-fifths as a proportion of national output.

We have achieved these results without trying to do too much too soon. We have not reduced the current deficit as rapidly

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as we would have liked to have done, or as rapidly as Fianna Fail, in their famous 1982 show of repentance for their rake's progress, had threatened to do, because quite frankly we don't believe that our people could reasonably have been asked to bear the additional cuts in spending, or the murderous tax rates, that would have been necessary if we had tried to go faster.

But by careful management of public spending, including measures that have already reduced the size of the Civil Service by one-twelfth, we have succeeded in halting the growth in taxation, and have been able in our National Plan to put forward clear proposals to prevent the tax burden from rising further. For the first time in fifteen years, taxation in this country is not going up. The runaway horse has been stopped.

Besides halting the rise in personal tax we have simplified both the VAT and Income Tax systems, eliminating the top rates of tax, and, in the case of income tax, moving no less than 65,000 people down from the 45% band to the 35% band. These first steps to tax reform came sooner than most people expected; they show our determination, no matter how difficult the circumstances, to tackle the problem of high and unfair taxation.

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Unemployment

We are doing everything in our power to stem in Ireland the tide of unemployment that is rolling across Europe. But I have come to dislike intensely the attitudes taken by some politicians to this source of human misery. For God's sake let's tell the truth about it: politicians don't help a single person to get a job by waffling on about the problem. We all know the problem. We inherited an uncontrolled, rocketing upward trend in unemployment, rising at the rate of 40,000 a year.

Instead let's spell out in concrete terms just what the Government can do to boost jobs?

It can tackle the problem in two ways. First, it can remove obstacles to employment, by easing the burden of tax and by improving the business climate. This we are doing, gradually but steadily reversing the tide.

But individual young, and not so young, men and women can't wait for the Irish economic climate to recover as a result of a combination of these measures and of uncertain world economic trends. They want jobs - now. So, at a quite different level we have introduced specific schemes to give the unemployed a better chance of getting back to work.

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The first step in creating any new enterprise is always the hardest, so to help with this problem, we have brought in the new Enterprise Allowance Scheme. If you have lost your job but do have a good workable idea, you can in effect get a substantial cash grant right away, and a weekly payment to assist your new project, instead of just being on the dole. Rather than go on in a poverty-trap, week-in week-out, you can make your unemployment money work for you.

For over sixteen months now the flow of new start-ups under this Scheme has been running at well over one hundred per week: more than 7,000 persons in total have seized this opportunity to establish new enterprises - even if most of them are, so far, naturally, one-person operations.

The success of this scheme has exceeded even our most optimistic expectations.

Second, the new Social Employment Scheme, introduced at the end of February has also produced a far greater demand than we expected. It will within a year be providing 10,000 long-term unemployed with part-time work, at rates in excess of what they would receive from unemployment assistance - and with freedom to undertake other work in the part of the week when they are not engaged on these Social Employment schemes.

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Third, George Birmingham's new 'Teamwork' scheme helps local communities employ young people who have been out of work for six months. Already this year we have had 1800 enquiries from community groups all over the country.

The bottom line of all this is that Governments don't make jobs - people do - but an imaginative Government can give such people a leg-up. That's what we're doing - almost 20,000 people have already benefited or are going to benefit shortly, from these schemes which we have devised to help them help themselves.

Other Imaginative Reforms

Our Family Income Supplement, a scheme Fine Gael prepared before going into Government, is another completely new concept. You don't help people on low incomes by using available funds to give everyone, regardless of income, cheaper food; you help these less-well-off people by concentrating available money on them. So, we are giving cash directly to those who are only slightly better off at work than they would be on the dole - providing up to £15 per week, for example, in the case of a family with five dependent children.

We have used this idea of giving people a 'leg-up' also in

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housing. We are helping people in local authority housing to make that leap to owning their own home. Our new grant for this purpose, put together with the other grants and subsidies, makes up a total package of £10,000 available to local authority tenants who want to own their own homes. This scheme, which has already attracted 1,400 applications - twice the number we planned for - means that many more private houses will be built. It also means that much more local authority housing is being freed for many of those on the Council waiting lists, who aren't yet at the point of being able to undertake the responsibility of housing themselves.

These schemes all have one thing in common. In each case the State is helping people to help themselves. We are not going to throw people out in the cold; but neither will we feather-bed them. Instead we are giving them that 'leg-up', that first step, that is always the hardest.

The introduction of imaginative schemes of this kind is what politics is all about. Every Fine Gael Minister, Deputy and Senator, has been able to contribute to getting these schemes moving in their own areas and they know, through their clinics, just how ready and anxious so many people are to take these opportunities. Those on the dole, those in Council housing, are not, as some pretend, work-shy or unwilling to support themselves. Most of them are people who simply can't get work

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or, who, under the arrangements hitherto in force, can't afford to house themselves.

This underlines an aspect of our society which we are all too slow to recognise - the vitality of our people and especially of our young people, if given half a chance.

Our Achievements As A People

I want to dwell for some minutes on this theme because I think there are many who have become depressed by features of our society today such as the high unemployment rate, and the drop in living standards in recent years, to the point of not seeing the other side of the picture - the remarkable achievements of our people, even in adversity.

Let me mention just a few facts. Last year our manufacturing output grew at almost twice the rate of any of our neighbours. Our total output grew much more than that of any other country in the European Community, except Denmark. A record-breaking growth in exports especially of high technology products such as chemicals and computers has given us a trade surplus for the first time in forty years; since the war years, in fact.

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How many people realise that the value of our computer exports per head of population is seven times the EEC average? And do people realise that we will be exporting £2.5 billion worth of high-tech products this year? The number of electronics plants in the country has quadrupled in ten years and there are now twice as many people employed in electronics as there were then - the vast bulk of them in new plants.

And how many know why this has come about? We are so far ahead in this area simply because, by comparison with most of our European neighbours, we have an exceptionally attractive location for high technology industries of this kind.

They don't come here because they like the colour of our eyes. They come here because the environment for business is uniquely favourable in Ireland, yielding consistently a return of around 30% on capital investment for US firms locating here, and they come because we have an exceptionally well-educated labour force. They come here also because in the I.D.A. and C.T.T. we have highly motivated, enthusiastic and extremely skilful development agencies which offer prospective investors a quality of service and cooperation second to none.

Our business environment is favourable because, for example, we have a tax rate on Corporation Profits much lower than in most other E.E.C. countries; even in neighbouring Britain where the

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corporate tax rate is being reduced, it will still be three and-a-half times as high as here.

They come here also because of our PRSI rates, which we have now held virtually unchanged for three successive years and which are lower, and much lower, than those in neighbouring European countries.

An gCáil Oideachais

Ba mhaith liom ar feadh cúpla nóiméid mo phointe maidir leis an gcaillíocht d'ár gcóras oideachais a léiriú. Cé nach bhfuilimid chomh seibhir lenár gcomharsain in Iarthar na hEorpa, agus fiú má tá sa breis ceathrú dár ndaoine in aois scoilíochta, táimid ag oiliúint comhréir níos aoirde d'ár óganaigh, agus chuig a leibhéal níos aoirde, ná mar áta in áit ar bith eile ar fuaid na hEorpa.

Tá, mar shampla, an comhréir dár n-oige faoi naoi mbliana déag dáois atá ag freastal ar instituidí tríú leibhéal, breis agus daichead faoin gcead níos áirde ná mar atá sa Bhreatain.

Agus táimid díreach tar éis deontaisí níos áirde don tríú leibhéal a fhoilsíu; rud a fhéadfadh chómh mór le míle punt breise chuig teighligh san íos-ioncaim.

Ina theannta sin, táimid ag leanúint lenár iarrachtaí chun an

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córas oideachais a fheabhsú. D'fhógair Gemma Hussey socraithe tábhachtach Dé Déardaoin seo chaite faoin labhair sí libh níos luaithe

Tríd is tríd, táimid ag oiliúint dhá oiread níos mó ógánaigh i gcoimhneas dár n-achmhainn is atá i dtíortha an Chomhgharga. Sin rud gur féidir linn bheith bródúil as - ag léiriú ár ndíograis náisiúnta - bhúr ndíograis - dun glún atá ag teacht. Ní beag le h-éinne é - ní chúis ghearáin é d'éinne toisc go bhfuil breis agus trían níos mó dár dtairgeadh náisiúnta á chaitheamh ar oideachas, ná mar atá sa bhFrainc nó sa Ghearmáin, mar shampla.

Ní ghearánann éinne, is cuma cén polatíochta atá aige, cuma cén post atá aige, tá sé sochraithe againn mbeidh an tosnú is fearr sa tsaoil ag an gcéad glún eile.

And we have acted to ensure that they will be equipped for the challenges of the future: At post-primary level we introduced a programme of computerisation three years ago which has given almost every second-level school in the country a microcomputer system - and we have a pilot scheme of computerisation under way in primary schools. We are expanding our higher education system all the time - with new RTCs announced for Castlebar and Thurles this week.

It is time we stopped selling ourselves short.

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Let me mention another area where we are ahead of all our neighbours.

Our commitment as a people to the Third World is unrivalled. Voluntary contributions from Ireland to the famine in Ethiopia and neighbouring countries have been many, many times higher than anywhere else in Europe, even though we could probably afford it least. We have not only contributed money and foodstuffs to the Third World - we have contributed from the best of our people. Our Religious Orders and lay voluntary organisations have been in the very forefront of the battle to rescue the population in famine-stricken areas in Africa. Their efforts are known and respected far and wide - I hear praise of them wherever I go in Europe or in North America.

It took an Irishman in England, Bob Geldof, to put together the magnificent Band Aid package which so captivated the imagination of young people in Britain and elsewhere and found its echoes across the world. At Government level here we were happy, at the suggestion of some of our back-bench Fine Gael T.D.s, to support this effort, by paying the equivalent of the VAT payments on the Band Aid record to the Ethiopian effort. No other Government made the same imaginative move.

Another Irish group, U2, has in recent times had an immense impact through their music in the United States, bringing to

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that great country a reflection of the positive and generous spirit and mood of the younger generation here. According to the New York Times, U2's performance in the US has caused the Democratic Party, in its approach to the next Presidential Election, to re-evaluate its understanding of how young people in America think and feel. What other country but Ireland could have produced such an influential phenomenon in the United States?

On my recent visit to the United States and Canada, I was impressed yet again by the influence of the many Irish groups that I met on that great continent. They don't believe, as the principal Opposition Party here believe, that they are "of no significance".

Let me recall that when Ronald Reagan, the President of the United States from Tipperary and Brian Mulroney, the Canadian Prime Minister from Cavan, recently met, their meeting was described throughout North America as the 'Shamrock Summit'.

In the United States, one third of the Executives of the top 500 companies are of Irish extraction.

What we have to do now in the concluding fifteen years of this century is no more and no less than to equal at home this performance abroad, and to capitalise on the immense

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opportunities with which our far-flung race provide us, world-wide. No more and no less. And we can do it.

Against this background, we should give short shrift to the moaners and begrudgers in our society, those who cannot throw off their inferiority complexes, who peer fearfully at the world outside and lack the self-confidence to take it on upon equal terms; those who believe we should stay at home and wait to be asked to go to countries like the United States!

We can and must take courage from the fact that our small island with a mere 5 million people, and our small State with a mere 3.5 million people has a role in the world so totally disproportionate to its size and numerical importance, and has such respect and affection from so many people in so many lands - as I can testify personally from my contacts in many different countries - contacts built up over many years to Ireland's advantage which I have every intention of maintaining to the full.

We are a people of great achievements; we should be - but some are visibly not, as we have seen in the past week or two - a people of great pride. Pride in our country, our history, our tradition, our culture, in the contribution we have made and are still making to mankind at home and abroad.

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It is in that spirit that we must now approach the task of strengthening and deepening the European Community, of which we have been members for the past twelve years. Here as elsewhere we shall find voices raised that are fearful, unsure of themselves: voices that tell us that we aren't up to competing with these wily Europeans, that we should steer clear of any further involvement with them, that they are only interested in doing us down and are sure to get the better of us - in short, the usual gospel of self-deprecation and despair.

It is not in that spirit that this Party, as members of the powerful Christian Democratic group in Europe, is approaching the challenge of European union, as it has been set before us by our own Senator Jim Dooge, chairing the crucial Committee on the future of European Institutions.

We support moves towards European Union and we reject suggestions that Ireland should be left behind as a sort of second-class member of the largest economic unit in the world. There is, I know, concern that in the movement towards European Union greater recourse to decisions by majority at Council level could be against our interests as a small Member State. Of course, we cannot expect always to get our way - neither can any other Member State - but we need to have an assurance that where objectively we have a vital national interest it will not be over-ridden. We also need, however, to

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make sure that the present situation in which larger countries can and do for relatively minor reasons block badly-needed progress that would be to the advantage of countries like ours, is brought to an end. This is vitally important to us too. In the discussion at Milan in six weeks time on the Dooge Report we shall be concerned to get this balance right.

Let me say plainly here also that we in Fine Gael are committed as a party in Government by the Programme for Government itself to maintaining the neutrality of this State outside military alliances, and we shall fulfil this commitment.

Let me at this point turn to another problem which is present to all our minds, and which has been one of the major preoccupations of this Government - the problem of Northern Ireland. You will appreciate that I cannot report in any detail on the state of progress of the discussions now under way between the Irish and British Governments, in which we have been putting forward the realities identified in the Forum Report and that Report's proposals for a framework within which a solution can be found to the suffering of all the people of Northern Ireland, nationalist and unionist.

You have only to reflect for a few moments upon the nature of the problem we are trying to resolve in order to appreciate the complexity that must necessarily be a feature of any set of

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proposals designed to make real progress towards reconciling of these two communities and to appreciate also the fact that such progress cannot be accomplished within the narrow context of Northern Ireland alone.

On the one hand there is a minority community, excluded from power for half a century, a substantial section of which has been alienated from the system of Government in Northern Ireland, from the operation of the security forces, and even from the legal and judicial system - an alienation that must be ended. The dangers of failing to act promptly and effectively to end it have once again been demonstrated in the last few days.

On the other hand there is a majority community - a majority in Northern Ireland but a minority in the island as a whole - ever conscious of the threat which they see posed to their identity by the overwhelming strength of the Irish nationalist tradition in the island of Ireland. Any solution, if it is to work, and to endure, must be one that in the end of the day they can accept as not threatening their very identity, but rather securing that identity in conditions of peace and stability.

I know that there are many who feel that in attempting to accommodate these two identities, these two traditions, and their mutual fears, we are attempting an impossible task.

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With so many failures behind us in attempts to tackle this problem, pessimism as to the prospects of making progress is inevitable on all sides. But the tragedy of the situation facing both communities in the North is such that we cannot permit ourselves the luxury of pessimism; we cannot succumb to the temptation of inaction; we cannot simply let things continue as they are, in the vain hope that if we stop looking at the problem it will somehow disappear. It won't. Rather is it likely to deteriorate further, increasing the risks of disintegration of society in Northern Ireland as well as the threat that such a disintegration would spread to our society also.

This leaves us with no choice but to attempt by every means in our power to solve this most intractable of problems.

I do not say that what we are now attempting with the British Government will necessarily succeed or even that the odds are in favour of such success. The odds are at best, perhaps, evenly balanced. But there is a real chance that a solution can be found that will be just acceptable to both sides, because deep in their hearts the vast majority of the people of Northern Ireland, both nationalists and unionists, want such a solution and are ready for it in a way they have not been in the past.

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An agonizing, tantalising question-mark lies over what is now being attempted. I cannot at this Conference lift that question-mark - I cannot say whether we shall succeed or fail. I can only give you here in this hall, and you the people watching this Conference on television, the assurance that for our part we will pursue this path with total commitment until either we succeed, or we establish beyond doubt that success is beyond our grasp.

I hope and pray that the former will be the conclusion we can eventually reach. The alternative, if it proved impossible to secure sufficient movement to reverse the alienation of the minority in the North, the persistence and depth of which have again been demonstrated in the past few days, would present a very serious situation indeed.

It could lead to despair amongst this minority who have suffered so long and, I know, also amongst many in the majority. It could also lead to a deep and damaging sense of frustration amongst the people of this State who have so generously adopted the openness of the Forum Report. And it could have serious effects for Britain's reputation in the world.

I know that I have the support of all the members of this Party and the vast majority of the people of this State in seeking to

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avoid these dangers.

Above all, in what we are attempting, we have the overwhelming support of the generous, open-minded and realistic young people of this State. Indeed, our young people are facing all the realities of the world in which they have grown up with courage as well as realism. As I have moved around the country in recent months I have met groups of young people at meetings organised by Young Fine Gael. I have been struck very forcibly by the way in which this generation is facing up also to the hard realities for them of shrinking job opportunities.

They are, of course, impatient with many features of our society, above all with dishonesty and hypocrisy, with the dishonesty of those lucky enough to have jobs who wreck the industries they work in by persistent irresponsible absenteeism.

They are also rightly intolerant of the false standards that pervade so much of our society, in which the gap between theoretical standards and practical performances is often so wide as to give the gravest scandal to our realistic but also idealistic young people. They, like all of us, welcomed the Government's decision to publish the names of those who haven't paid their taxes. And they have no respect for parents of their friends who pose publicly as defenders of life before birth, but also, if their own daughters become pregnant before

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marriage, urge them to seek an abortion in order to protect their respectability.

This younger generation is - fortunately! - too intelligent and too generous to expect my generation to be perfect. But they do ask that we don't attempt to fool them, to pull the wool over their eyes, or to pretend that things are better than or different from what they are. They just want the truth: and they are entitled to it.

That is why so many of them have joined Young Fine Gael. They have no illusions about defects in our party, but they can see that we in Fine Gael provide more opportunities than any other major party for them to stand up and tell us without fear or favour what we're doing right and what we're doing wrong - and that we in Government want to have, and to take full account of their views.

They have in the last couple of months thanked me countless times for the confidence that we showed in them when we recently reformed the laws on contraception, and they rightly and emphatically reject the hypocrisy of the Opposition, who demonstrated nothing short of contempt for the new generation by the rejection of the right of that generation, and the capacity of that generation, to act with responsibility in setting their own standards for their own lives.

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The extreme conservatism which Fianna Fail has recently shown on so many issues, will win them few votes amongst the new generation. However, that Party must live with its mistakes, while we get on with the positive task of creating conditions that will give to this new generation a chance to find their own future in an open, liberal, pluralist Irish society.

If we are to build the kind of society that the new generation deserves, we will have to dedicate ourselves to a sustained effort over a long period of time.

We should not delude ourselves that we can accomplish this task in the short space of one term of office. The damage done by our predecessors, the back-log of reforms to be undertaken after a period during which no attempt was made to modernise our society, and the magnitude of the challenges that face us abroad and at home during this decade of the 1980's, all require a sustained effort over a period of years.

There is a long haul ahead. The energy and intelligence now being devoted at Government level to resolving the many problems, financial, economic and social, that beset our society, must be given free rein over an extended period of years, if the tasks that demand to be undertaken are to be accomplished successfully.

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The next two-and-a-half years will see many other reforms undertaken - in the political system, in the public service, in devolution of authority to local government level, in taxation, in social welfare and in removing the remaining obstacles to full equality for women, along the lines of Nuala Fennell's Report, "Agenda for Practical Action". But some at least of these tasks cannot be brought to a successful conclusion within the lifetime of a single administration. Time will be needed to complete the revolution in national management that we have begun.

That is why Fine Gael will be seeking a renewal of its mandate in 1987.

Conclusion

On the economy, crime, Northern Ireland, our approach has been one of realism and honesty. Fine Gael offers an honest assessment of the present with an open attitude to the future. It is a party of realism and tolerance within all reasonable limits of diverse viewpoints - not a toothless tiger of a party where disagreement is regarded as some form of treason.

The Ireland we want to see is democratic and pluralistic, not

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rigid and authoritarian. Our Party must itself reflect that kind of Ireland. We must and do welcome constructive change, and oppose those who would put up barriers to discussion about the future shape of the country. Most pressing of all, we must give our fellow Irish men and women North of the border - of both communities - our heartfelt commitment to an alleviation of their suffering, rather than taking refuge in shouting slogans about what we in this part of the country want of them.

The building of a New Ireland is an immense political challenge involving some unpopular decisions, and I don't have to tell you of the political consequences of unpopular decisions! But I want to tell you, and to tell the country, this evening that the Fine Gael party in Government will continue, regardless, to take the decisions necessary to ensure the future well-being of this country.

We will not offer to build bridges where there are no rivers, or schools where there are no children - just for the sake of votes. In that connection, I say to Fine Gael members and supporters - and supporters of other parties too: when you are canvassed by Fianna Fail during the coming local elections, ask them how they will pay for all they are promising!

Apart from a few bizarre months in 1982, best forgotten, this

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party has been in Government since the middle of 1981, Yes we have taken unpopular decisions and, yes, we have made mistakes. But look at the other side of that political coin. We have provided stable Government, we have initiated reform in every area of state activity, often in the face of bitter opposition from political and other quarters.

The task of Government is immense in its extent, and often frustrating in the pace of its success. However, as you will have seen, the momentum of this Government's achievements and legislative change in many areas is increasing week by week. Constructive opposition is negligible from our opponents and I am delighted that much of it comes from the backbenchers of our own Party. Fine Gael represents the country at large, a country that is moving out of the first stages of national development into a new and questioning era, where political opportunism and hypocrisy will find short shrift.

I welcome this mood of national soul-searching. Fine Gael, and I believe only Fine Gael, has the imagination, the courage and the capacity to provide the leadership necessary at such a demanding time.

You will ensure that we have the chance to do so - to win through right into the 1990's.

NORTHERN IRELAND

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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

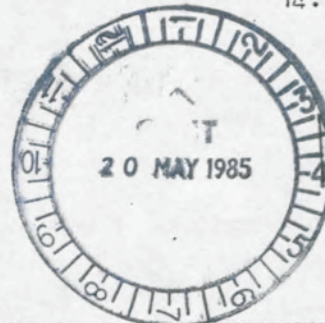
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FINE GAEL ARD FHEIS: TAOISEACH'S REMARKS ON NORTHERN IRELAND

1. DR FITZGERALD'S SPEECH TO THE FINE GAEL ARD FHEIS ON SATURDAY, 18 MAY, INCLUDED THE FOLLOWING PASSAGE ON NORTHERN IRELAND.

YOU WILL APPRECIATE THAT I CANNOT REPORT IN ANY DETAIL ON THE STATE OF PROGRESS OF THE DISCUSSIONS NOW UNDER WAY BETWEEN THE IRISH AND BRITISH GOVERNEMENTS, IN WHICH WE HAVE BEEN PUTTING FORWARD THE REALITIES IDENTIFIED IN THE FORUM REPORT AND THAT REPORT'S PROPOSALS FOR A FRAMEWORK WITHIN WHICH A SOLUTION CAN BE FOUND TO THE SUFFERING OF ALL THE PEOPLE OF NORTHERN IRELAND NATIONLIST AND UNIONIST.

YOU HAVE ONLY TO REFLECT FOR A FEW MOMENTS UPON THE NATURE OF THE PROBLEM WE ARE TRYING TO RESOLVE IN ORDER TO APPRECIATE THE COMPLEXITY THAT MUST NECESSARILY BE A FEATURE OF ANY SET OF PROPOSALS DESIGNED TO MAKE REAL PROGRESS TOWARDS RECONCILING THESE TWO COMMUNITIES AND TO APPRECIATE ALSO THE FACT THAT SUCH PROGRESS CANNOT BE ACCOMPLISHED WITHIN THE NARROW CONTEXT OF NORTHERN IRELAND ALONE.

ON THE ONE HAND THERE IS A MINORITY COMMUNITY EXCLUDED FROM

ON THE ONE HAND THERE IS A MINORITY COMMUNITY EXCLUDED FROM POWER FOR HALF A CENTURY A SUBSTANTIAL SECTION OF WHICH HAS BEEN ALIENATED FROM THE SYSTEM OF GOVERNMENT IN NORTHERN IRELAND FROM THE OPERATION OF THE SECURITY FORCES, AND INDEED FROM THE LEGAL AND JUDICIAL SYSTEM - A TRIPLE ALIENATION THAT MUST (LAST WORD UNDERLINED) BE ENDED AND WHICH WITH THE HELP OF PETER BARRY I AM DETERMINED TO END. THE DANGERS OF FAILING TO ACT PROMPTLY AND EFFECTIVELY TO END IT HAVE ONCE AGAIN BEEN DEMONSTRATED IN THE LAST FEW DAYS.

ON THE OTHER HAND THERE IS A MAJORITY COMMUNITY THERE- A MAJORITY IN NORTHERN IRELAND BUT A MINORITY IN THE ISLAND AS A WHOLE - EVER CONSCIOUS OF THE THREAT WHICH THEY SEE POSED TO THEIR IDENTITY BY THE OVERWHELMING STRENGTH OF THE IRISH NATIONALIST TRADITION IN THE ISLAND OF IRELAND. ANY SOLUTION, IF IT IS TO WORK, AND TO ENDURE, MUST BE ONE THAT IN THE END OF THE DAY THEY CAN ACCEPT AS NOT THREATENING THEIR VERY IDENTITY BUT RATHER SECURING THAT IDENTITY IN CONDITIONS OF PEACE AND STABILITY.

I KNOW THAT THERE ARE MANY WHO FEEL THAT IN ATTEMPTING TO ACCOMMODATE THESE TWO IDENTITIES, THESE TWO TRADITIONS, AND THEIR MUTUAL FEARS WE ARE ATTEMPTING AN IMPOSSIBLE TASK.

WITH SO MANY FAILURES BEHIND US IN ATTEMPTS TO TACKLE THIS PROBLEM, PESSIMISM AS TO THE PROSPECTS OF MAKING PROGRESS IS INEVITABLE ON ALL SIDES. BUT THE TRAGEDY OF THE SITUATION FACING BOTH COMMUNITIES IN THE NORTH IS SUCH THAT WE CANNOT PERMIT OURSELVES THE LUXURY OF PESSIMISM: WE CANNOT SUCCUMB TO THE TEMPTATION OF INACTION: WE CANNOT SIMPLY LET THINGS CONTINUE AS THEY ARE, IN THE VAIN HOPE THAT IF WE STOP LOOKING AT THE PROBLEM IT WILL SOMEHOW DISAPPEAR. IT WON'T. RATHER IT IS LIKELY TO DETERIORATE FURTHER, INCREASING THE RISKS OF DISINTEGRATION OF SOCIETY IN NORTHERN IRELAND AS WELL AS THE THREAT THAT SUCH A DISINTEGRATION WOULD SPREAD TO OUR SOCIETY ALSO.

THIS LEAVES US WITH NO CHOICE BUT TO ATTEMPT BY EVERY MEANS IN OUR POWER TO SOLVE THIS MOST INTRACTABLE OF PROBLEMS.

I DO NOT SAY THAT WHAT WE ARE NOW ATTEMPTING WITH THE BRITISH GOVERNMENT WILL NECESSARILY SUCCEED OR EVEN THAT THE ODDS ARE IN FAVOUR OF SUCH SUCCESS. THE ODDS ARE AT BEST, PERHAPS, EVENLY BALANCED. BUT THERE IS A REAL CHANCE THAT A SOLUTION CAN BE FOUND THAT WILL BE JUST ACCEPTABLE TO BOTH SIDES, BECAUSE DEEP IN THEIR HEARTS THE VAST MAJORITY OF THE PEOPLE OF NORTHERN IRELAND, BOTH NATIONALISTS AND UNIONISTS, WANT SUCH A SOLUTION, WANT PEACE, AND ARE READY FOR IT IN A WAY THEY HAVE NOT BEEN IN THE PAST.

AN AGONIZING, TANTALISING QUESTION-MARK LIES OVER WHAT IS NOW BEING ATTEMPTED. I CANNOT AT THIS CONFERENCE LIFT THAT QUESTION-MARK - I CANNOT SAY WHETHER WE WILL SUCCEED OR FAIL. I CAN ONLY GIVE YOU HERE IN THIS HALL, AND YOU THE PEOPLE WATCHING THIS CONFERENCE ON TELEVISION, THE ASSURANCE THAT FOR OUR PART WE WILL PURSUE THIS PATH WITH TOTAL COMMITMENT UNTIL EITHER WE SUCCEED, OR WE ESTABLISH BEYOND DOUBT THAT SUCCESS IS BEYOND OUR GRASP AT THIS POINT.

I HOPE AND PRAY THAT THE FORMER WILL BE THE CONCLUSION WE CAN EVENTUALLY REACH. THE ALTERNATIVE, IF IT PROVED IMPOSSIBLE TO SECURE SUFFICIENT MOVEMENT TO REVERSE THE ALIENATION OF THE MINORITY IN THE NORTH, THE PERSISTENCE AND DEPTH OF WHICH HAVE AGAIN BEEN DEMONSTRATED IN THE PAST FEW DAYS, WOULD PRESENT A VERY SERIOUS SITUATION INDEED.

IT COULD LEAD TO DESPAIR AMONGST THIS MINORITY WHO HAVE SUFFERED SO LONG AND, I KNOW, ALSO AMONGST MANY IN THE MAJORITY COMMUNITY THERE TOO. IT COULD ALSO LEAD TO A DEEP AND DAMNING SENSE OF

IT COULD LEAD TO DESPAIR AMONGST THIS MINORITY WHO HAVE SUFFERED SO LONG AND, I KNOW, ALSO AMONGST MANY IN THE MAJORITY COMMUNITY THERE TOO. IT COULD ALSO LEAD TO A DEEP AND DAMAGING SENSE OF FRUSTRATION AMONGST THE PEOPLE OF THIS STATE WHO HAVE SO GENEROUSLY ADOPTED THE OPENNESS OF THE FORUM REPORT. AND IT COULD HAVE SERIOUS EFFECTS FOR BRITAIN'S REPUTATION IN THE WORLD.

I KNOW THAT I HAVE THE SUPPORT OF ALL THE MEMBERS OF THIS PARTY AND THE VAST MAJORITY OF THE PEOPLE OF THIS STATE IN SEEKING TO AVOID THESE DANGERS.

2. AUDIENCE REACTION TO THIS PASSAGE WAS MUTED. IT WAS WIDELY INTERPRETED AS PREPARING THE GROUND FOR FAILURE OF THE PRESENT ANGLO-IRISH TALKS, ALTHOUGH THE TAOISEACH HAS DENIED THIS IN HIS INTERVIEWS.

GOODISON

NNNN

SENT 201100Z VLB



cc AC

10 DOWNING STREET

From the Private Secretary

SIR ROBERT ARMSTRONG

ANGLO-IRISH RELATIONS : NORTHERN IRELAND

BF || The Prime Minister has considered your minute of 17 May about your further discussions with Irish officials. She agrees that the draft memorandum attached to your minute should be circulated to OD(I) for its meeting on 23 May.

You will wish to be aware, however, that she has reservations on two points. One is the change in the proposed title of the new committee. She is concerned that the addition of the word "joint" has overtones of joint authority. She also has doubts about the proposal described in paragraph 6 of your minute for a formula which would provide for the Irish Government an opportunity of putting forward views on proposals for legislation and on major policy issues in Northern Ireland. I would expect these two points to come up at OD(I).

I am copying this minute to the Private Secretaries to the Northern Ireland Secretary and the Foreign and Commonwealth Secretary.

C.D.P.

(Charles Powell)

19 May 1985



*Prime Minister
Agree that officials
should explain to their
Irish counterparts why
the Trovitch's ideas
are not practicable?
CDP 2095*

Yes no

PRIME MINISTER

ANGLO-IRISH RELATIONS : NEIGHBOURHOOD POLICING

When you met him on 30 March, Garrett FitzGerald suggested that the establishment of an unarmed local community police force might be one of the measures which we could introduce to help build the confidence of the minority community in Northern Ireland. He did not envisage this replacing in any way the role of the RUC, but suggested that such a force might help to meet local needs such as, for instance, providing the protection necessary to re-open the sub-post office in the Creggan. You undertook to consult the RUC.

2. I have since talked to Sir John Hermon about Dr FitzGerald's proposals. Having considered the idea as positively as he could, the Chief Constable has concluded that the dangers of terrorist infiltration and manipulation are too great in present circumstances. He believes that, however unintentionally, the proposal raises the spectre of vigilante forces and no-go areas. There would also be practical problems, not least in establishing such a force in areas like the Creggan in Londonderry where intimidation is most pervasive.

3. The Chief Constable does not believe that such a force should be seen as any substitute for the minority accepting the offers which are already available for greater participation in police affairs - in particular by accepting appointments to the Police Authority. He resents and deplores the reluctance of nationalists - and Irish Ministers - to acknowledge the efforts made by the RUC to reflect and to serve the minority community, including the appointment of Roman Catholic officers to senior and influential posts in

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the RUC in greater proportions than the Catholic membership of the Force; the close similarity between the clear-up rates for crimes in West and East Belfast; and the increasing use of neighbourhood police teams in areas such as West Belfast and Londonderry West of the Foyle.

4. I accept the Chief Constable's judgement on the impracticability of the Taoiseach's proposal. The question of the Creggan sub-post office is really not relevant. The specific problem there is not that the RUC do not patrol the area - they do - but that no-one has so far found a way of regularly getting cash to the sub-post office without putting post office employees and the security forces at an unacceptable risk. The Chief Constable is clearly right in saying that an unarmed local force in the Creggan would not overcome this problem.

5. I am sure too that the Chief Constable is right to put the emphasis on persuading the minority community to accept the measures we already have on offer to help build their confidence and participation in the police. As well as the examples referred to by the Chief Constable, our proposals for reconstituting the Police Complaints Board should be seen in this light. We are continuing to try to make progress with the minority in all these areas, and would look to any general agreement with the Irish to give this fresh impetus. To pursue at this stage the idea of an unarmed neighbourhood force would be an unwelcome diversion, though I suppose its time might one day come.

6. If you thought it necessary, in the light of your discussions with Dr FitzGerald, our officials could go over this ground with Irish officials on the lines set out in this minute.

7. I am copying this to the Foreign Secretary and to Sir Robert Armstrong.

17 May 1985

D.H.

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Prime Minister 15.
You will want to look in particular at the revised text, where I have side-lined changes.

Ref. A085/1372

PRIME MINISTER

Anglo-Irish Relations: Northern Ireland

Agree to circulation of Memorandum for OD(I)?
CDP
17/5

I had a further meeting with Mr Nally in Dublin on Wednesday 15 May. Each of us was accompanied by his usual supporting cast.

2. We were able to agree upon a redraft of paragraph 2 of the British text of 26 April within the negotiating instructions given us by you and the two Secretaries of State. Their agreement was ad referendum to their Ministers; but this enabled us to resume talks on other outstanding issues in a more propitious climate.

--- 3. I am sending you with this minute a revised text of the British proposals, reflecting our discussions with the Irish. I --- also attach a draft memorandum which (subject to your agreement and that of the two Secretaries of State) I could circulate to OD(I) for its meeting on 23 May. This memorandum sets out in detail where the text is changed and why, and I do not need to go over all of the ground again in this covering minute.

4. The main points in our discussion, apart from paragraph 2, related to joint courts and to the right of the Irish Government to be consulted about economic and social matters in Northern Ireland.

5. On the joint courts point, as you will see, the Irish were still seeking the commitment of the British Government to the establishment of joint courts, leaving only the modalities for discussion in the new committee. By the end of our meeting on 15 May they were prepared to generalise the text on this matter,



and talk about enhancing the confidence of the minority community in Northern Ireland, including the possibility of joint courts as one possible means to be considered to that end.

6. The Irish side has again pressed us for the restoration of their "paragraph 14" which would have given them the right to be consulted on economic and social matters. We made it clear that we had no authority to concede anything on this, but we pressed them to say how such a right of consultation could be restricted so as to reassure the Unionists and minimise the delaying effect that such consultation would have on administration. Eventually, we moved away from the concept of "economic and social matters", and considered a formula which would provide for the Irish Government the opportunity of putting forward views on proposals for legislation and on major policy issues in Northern Ireland, in so far as they bore on the interests of the minority community. They showed positive interest in this alternative formulation. For our part, we thought (but did not say) that we should, in practice, be conceding very little of substance to the Irish Government in a formula of this kind: almost by definition proposals for legislation and major policy issues become publicly known at an early stage, and there is nothing to stop the Irish Government from putting forward views already on things which are publicly announced. But such a formula, put in the context of a situation in which it had not been possible to achieve and sustain devolution, could well meet the Irish Government's political needs, as described in the draft memorandum.

7. These were the two main issues. The draft memorandum deals with a number of secondary issues. You will also see that the proposed title of the new Committee has become the "Standing

*Bad - 60
new Joint Sovereignty*

{ Joint Committee". "Standing" was our word; the Irish side were extremely anxious to get in some sort of signal that this involved both governments, and "Joint" was their preferred way of achieving this.

8. An important new feature in the revised draft is paragraph 2, on the status of Northern Ireland. As drafted, it would constitute a formal and binding agreement by the two governments, to be registered at the United Nations, that the status of Northern Ireland could be changed only with the consent of the majority of the people of Northern Ireland, that the present state of affairs is that the majority wish Northern Ireland to remain part of the United Kingdom, and that, if the majority should ever wish for Irish unity, the two governments would support the introduction of measures to bring that about. So far as we are concerned there is nothing new in any of these points: they were all in the Chequers communiqué. But this would be the first time that the Irish Government was formally committed to the principle of consent and to the recognition of the fact that the majority now wishes Northern Ireland to remain part of the United Kingdom. Thus this paragraph balances, within the draft agreement, the offer of a restricted right of consultation for the Irish Government on the affairs of Northern Ireland, and strengthens the reciprocal nature of the agreement. This should make it easier to the Unionists to acquiesce in such an agreement.

9. I am sending copies of this minute and the accompanying documents to the Foreign and Commonwealth Secretary and the Secretary of State for Northern Ireland. If you and they are



content, I will arrange for the memorandum and the revised draft agreement to be circulated to OD(I) as soon as possible next week.

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

Approved by
ROBERT ARMSTRONG
and signed in his absence

17 May 1985

DRAFT OD.
MEMO

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THIS DOCUMENT IS THE PROPERTY OF HER BRITANNIC MAJESTY'S GOVERNMENT

OD(I)

COPY NO

May 1985

CABINET

DEFENCE AND OVERSEA POLICY COMMITTEE

SUB-COMMITTEE ON UNITED KINGDOM RELATIONS WITH THE
REPUBLIC OF IRELAND

ANGLO-IRISH RELATIONS: NORTHERN IRELAND

Note by the Secretary of the Cabinet

Introduction

The Sub-Committee directed at its meeting on 24 April 1985 that a text incorporating a British proposal should be conveyed to the Irish delegation in the exploratory talks between British and Irish officials. Since then there have been two sessions of talks.

2. The purpose of this memorandum is to describe the stage now reached in the talks and to seek authority to pursue them on the basis of an amended text (Annex A).

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The two recent meetings

3. At the first meeting on 29-30 April, we presented the British text, as authorised by the Sub-Committee. The Irish delegation expressed "extreme disappointment". It became clear that they were dismayed above all by the way in which we had recast the paragraph (paragraph 2 in that text) which provides that a new Committee, through which the Irish could express views on certain matters concerning Northern Ireland, would be merely consultative. The Irish delegation fully accepted that the British Government would retain sole responsibility (subject to devolution) for all decisions concerning Northern Ireland. But they complained that our text fundamentally altered the balance of earlier versions by stressing first that the United Kingdom would retain full responsibility for decisions and down-playing the role of the Committee in seeking to resolve differences between the two sides. It was clear that, although the substance of this paragraph was not significantly different from that of earlier versions, the alterations of emphasis were so important to the Irish as to threaten the continuation of the talks.

4. At the same meeting two areas of more substantive difference were highlighted:

a. The Irish pressed for a clear statement in any agreement that joint courts would be established for trying terrorist crimes. The form of such courts, but not the principle of their establishment, could be left for discussion in the new Committee.

b. The Irish said that it was essential that the text should empower the new Committee, should devolution not be achieved, to discuss economic and social matters in so far as they affected the interests of the minority community in Northern Ireland. There seemed to be two main considerations in Irish minds. First, the Social Democratic and Labour Party (SDLP) would not support the agreement unless a wider provision on economic and social matters

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was included. Second, they particularly emphasised that provision for wider consultation of the Irish Government on economic and social matters in the absence of devolution would provide a powerful inducement to the Unionists to agree to, and co-operate in, a measure of devolution which would allow these matters to be dealt with by the parties in Northern Ireland and would exclude the Irish Government.

5. Some progress was made at the first meeting on other points in the text. The Irish confirmed that they were willing to include in any agreement a binding assurance on the constitutional status of Northern Ireland. They said that it was politically necessary for them to have the SDLP's public support in concluding any agreement and that they would use all their influence with the SDLP to secure that support and to persuade the SDLP to participate in a devolved administration. On a specific point, which was mentioned at the meeting of the Sub-Committee on 24 April, the Irish said that their Government would be willing to accede to the European Convention for the Suppression of Terrorism and expressed confidence that this would require neither an amendment to their Constitution nor a referendum.

6. At the second session of the talks, on 15 May, we gave the Irish a revised version of the paragraph on the role of the new Committee, which contained the same elements as before but presented them differently. This had been authorised in correspondence with the Prime Minister, the Secretary of State for Foreign and Commonwealth Affairs and the Secretary of State for Northern Ireland. The Irish delegation accepted this amended version ad referendum to their Ministers, and a major stumbling block in the talks appeared thus to have been removed.

7. At the second meeting, we also discussed with the Irish, without commitment, the form of an article, which might be included in any agreement, embodying and binding Irish acceptance of the present border so long as there is no majority in Northern Ireland for Irish unity. We further discussed some material for the preamble of any

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agreement, which the Irish had put forward. There was further discussion of the two substantive differences noted in paragraph 4 above:

i. Joint courts. The Irish side were prevailed upon to retreat slightly from their insistence on the establishment now of joint courts; they said that they might be satisfied with a commitment now to have joint courts, which actually would be established later. As at the first meeting, we resisted on grounds of principle and practicality, ranging from the views expressed repeatedly with particular force by the Lord Chief Justice of Northern Ireland to the need to study the many difficult questions involved in establishing and running joint courts. The Irish then said that their real purpose was to restore the faith of the minority community in Northern Ireland in the administration of justice, and that they saw joint courts as the only effective means of doing this. At the end of the meeting, it seemed possible that the Irish would settle for a statement in the text which would (a) note the importance of public confidence in the administration of justice and (b) say that the new Committee would seek measures to enhance that confidence and would examine, inter alia, the possibility of establishing joint courts.

ii. Economic and social matters. The Irish side held to the position that wider provisions for consultation in these fields, in the absence of devolution, were important as an inducement to the unionists to engage constructively in devolution and to the SDLP to support any Anglo-Irish agreement. As at the first meeting, we argued that the text already allowed for discussion of cross-border co-operation and the avoidance of economic and social discrimination. We said that there was no question of giving the Irish Government a right to a say on all economic and social matters in Northern Ireland. We asked them to say what limits they would be willing to set to the scope of consultation. By the end of the meeting they seemed to be seeing attractions in

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a formula which would limit consultation to their advancing views on British proposals for new legislation concerning Northern Ireland and on major policy issues in so far as they bore on the interests of the minority community. These arrangements would apply only in the absence of devolution.

8. The Irish delegation gave us at the second meeting some informal ideas for a new "International Fund for Reconstruction and Reconciliation in Ireland". According to the Irish ideas, substantial funds would be sought from the United States Government, and from some other Governments and the European Community; the money would be spent over three or four years, mostly in Northern Ireland; and the purpose would be to create jobs in areas which have suffered from unrest and long-term unemployment and to develop infrastructure in backward areas. These ideas have not yet been discussed.

The Position Reached in the Exploratory Talks

9. An amended version of the text approved by the Sub-Committee on 24 April, taking into account the two recent Anglo-Irish meetings, is attached as Annex A. The main changes are:

a. Section II consists of a draft of an article about the status of Northern Ireland, which recognises that this status could only change if a majority in Northern Ireland so wished, that the majority at present does not so wish, and that, if in the future a majority were to express a clear desire for Irish unity, the Irish and British Governments would support legislation accordingly. This article would be the first one (after the preamble) in any agreement, coming before, and in substance balancing, the ensuing articles about the new Committee. All the elements in it were present in the communiqué issued after the Prime Minister's meeting with the Taoiseach at Chequers on 18-19 November 1984, though this would be the first time that both Governments were committed on all three points.

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b. Instead of the earlier paragraph 2 about the role of the Committee, the new text contains in paragraph 4 the version approved in correspondence with the Prime Minister, the Foreign and Commonwealth Secretary and the Secretary of State for Northern Ireland, and accepted ad referendum by the Irish.

c. Section I of the new text consists of draft preambular material which did not appear in the earlier text. At our suggestion, it contains an emphatic rejection of violence and those who engage in it or support it. Each of its points reflects thoughts and language already used in Summit communiqués and other published joint documents.

d. The order in which the various subjects appear in the text has been somewhat altered. The main change is to introduce a sub-section about cross-border co-operation. This gives greater prominence to security matters by dealing with them under this heading as well as earlier in Section III. The revised order of the text also provides for a sub-section on cross-border co-operation, as a presentational means of helping to meet the Irish wish that more attention be given to economic and social matters.

e. A reference to the use of flags and emblems has been added in paragraph 9.

10. There will probably be further argument with the Irish about joint courts and about consultation on proposals for legislation and on major policy issues. Paragraph 17 of the attached text includes alternative British and Irish language about courts. Paragraph 11, which in the absence of devolution would allow the Irish to put forward views on British proposals for new legislation concerning Northern Ireland and on major policy matters, may cause difficulty with the Unionists and may not be sufficient for the Irish. In addition, in line with the conclusions of the meeting of the

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Sub-Committee on 24 April, there has so far been no detailed discussion with the Irish about associated (or "confidence building") measures.

Conclusions

11. An Anglo-Irish agreement on the basis of the attached text, if the Unionists could be brought at least to acquiesce in it, should serve British interests by -

i. securing from the Irish Republic a formal and binding statement of recognition of the status quo in Northern Ireland;

ii. opening up a firm prospect of greater cross-border co-operation, especially in the important field of security;

iii. securing from the Irish Government a formal and emphatic condemnation of violence;

iv. opening the possibility of securing, through the proposed new Fund, significant sums for job creation and infrastructure in Northern Ireland.

12. I propose that officials should be authorised to hand the attached text to the Irish and continue the exploratory talks on this basis; and that, while alterations of wording could be explored, no substantive concessions should be made to the Irish without further reference to Ministers. Officials should explore the Irish ideas for a new "International Fund". Officials should also set in hand the work of casting the attached text in the form of a draft agreement.

Cabinet Office

May 1985

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Draft of 17 May 1985

ANGLO-IRISH RELATIONS: NORTHERN IRELAND

British Proposal

I. Preamble

1. The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland -

wishing further to develop the unique relationship between their peoples and the close co-operation between their countries as friendly neighbours and as partners in the European Community;

recognising the major interest in both their countries, and above all of the people of Northern Ireland, in achieving lasting peace and stability in Northern Ireland;

recognising the need for continued efforts to diminish the divisions in Northern Ireland and

to reconcile the two major traditions that exist in the two parts of Ireland;

reaffirming their total rejection of any attempt to promote political objectives by violence or the threat of violence and their determination to work together to combat those who adopt or support such methods;

recognising that a condition of genuine reconciliation and dialogue between the two communities in Northern Ireland is mutual recognition and acceptance of the rights of each community;

recognising and respecting the identities and aspirations of the two communities in Northern Ireland, and the right of each to pursue its objectives by peaceful and constitutional means;

reaffirming their commitment to a society in Northern Ireland in which all may live in peace, free from discrimination and

intolerance and with the opportunity for both communities to participate fully in the structure and processes of government;

agree as follows:

II. Status of Northern Ireland

2. The two Governments:

1. agree that any change in the status of Northern Ireland could come about only with the consent of a majority of the people of Northern Ireland;

2. note that the present wish of the majority is for no change in the status of Northern Ireland;

3. declare that, if in the future a majority of the people in Northern Ireland clearly wished for and consented to the establishment of a united Ireland, they would support the introduction in the respective Parliaments of legislation to give effect to that wish.

III. The Standing Joint Committee

3. There would be established within the framework of the Anglo-Irish Intergovernmental Council a new Committee, to be known as the Standing ~~Joint~~ Committee, to deal on a regular basis and in relation to Northern Ireland with -

- a. political matters;
- b. security and related matters;
- c. legal matters, including the administration of justice;
- d. cross-border co-operation.

Other topics might be added by agreement.

4. Unlike the existing AIIC machinery this Committee would be primarily concerned with North/South rather than East/West relationships and would meet on a regular rather than ad hoc basis. The British Government would accept that the Irish Government would put forward views and proposals on matters relating to Northern Ireland within the

body's remit. Attention would thus be given to these matters at the highest level. In the interest of promoting peace and stability, determined efforts would be made through the Committee to resolve any differences. The focus of the Committee's work would be mainly in Northern Ireland; but some of the matters under consideration would involve co-operative action in both parts of the island of Ireland and possibly also in Great Britain. Some of the proposals considered in respect of Northern Ireland might also be found to have application by the Irish Government. There would be no derogation of sovereignty on the part of either the United Kingdom Government or the Irish Government, so that each would retain responsibility for the administration of government within its own jurisdiction.

5. The Committee would meet at Ministerial or official level, as required. There would be regular and frequent Ministerial meetings; and special meetings could be convened when necessary at the request of either side. Officials might meet in Sub-Committees. Membership would be small and flexible. When the Committee met at

Ministerial level the Secretary of State for Northern Ireland and an Irish Minister designated as the Permanent Irish Ministerial Representative would be joint Chairmen. Other British and Irish Ministers could attend meetings as appropriate: thus when legal matters were under consideration the Attorneys General might attend. Ministers would be accompanied by their officials and professional advisers: for example, when questions of security policy or security co-operation were being addressed they could be accompanied by the Chief Constable of the Royal Ulster Constabulary and the Commissioner of the Garda Siochana. There would be a small joint secretariat in Belfast, within which the Irish Government would maintain an office for the purpose of these arrangements.

*Drop out -
revised*

6. In relation to matters coming within its remit, the Committee would constitute a framework within which the Government of the United Kingdom and the Government of the Republic of Ireland could work together:

- i. for the accommodation of the rights and identities of the two traditions which exist in Northern Ireland; and

ii. for peace, stability and prosperity throughout Ireland by promoting reconciliation, respect for human rights, co-operation against terrorism and the development of economic, social and cultural co-operation.

7. It is the declared policy of the British Government that responsibility in respect of certain matters within the remit of the Secretary of State for Northern Ireland should be devolved within Northern Ireland on a basis which would secure widespread acceptance throughout the community. The Irish Government support that policy. The arrangements described in this agreement would be largely unaffected by the creation of a devolved government in Northern Ireland, but ~~some of~~ the matters in paragraphs 9 and 12 might need to be reviewed, to ^{exclude} take account of the ^{those} transfer ^{transferred} of responsibilities (to the devolved administration).

8. Both Governments recognise that devolution can be achieved only with the co-operation of the constitutional representatives within Northern Ireland of both the traditions there. If full

devolution had not taken place, the Committee would constitute a framework within which the Irish Government could put forward views and proposals on the modalities of devolution in Northern Ireland, in so far as they bore on the interests of the minority community.

Political Matters

9. The Committee would concern itself with measures to recognise and accommodate the rights and identities of the two traditions in Northern Ireland, to protect human rights and to prevent discrimination. Matters to be considered in this area in respect of Northern Ireland include measures to foster the cultural heritage of both traditions, changes in electoral arrangements, the use of flags and emblems, the avoidance of economic and social discrimination and the advantages and disadvantages of some form of Bill of Rights in Northern Ireland.

10. The focus of discussion of these matters would be on Northern Ireland, but the possible application of any such measures by the Irish authorities in the South would not be excluded.

11. Should it prove impossible to achieve and sustain devolution on a basis which would secure widespread acceptance in Northern Ireland, the Committee would constitute a framework within which the Irish Government could put forward views on proposals for ^{major} legislation on Northern Ireland matters, and on major policy issues within the responsibility of the Secretary of State for Northern Ireland, significantly affecting the interests of the minority community.

12. The Committee would provide a framework within which the Irish Government could put forward views on appointments to be made by the Secretary of State for Northern Ireland to bodies including -

the Standing Advisory Commission on Human Rights;

the Fair Employment Agency;

the Equal Opportunities Commission;

the Police Authority for Northern Ireland;

the Police Complaints Board.

Security and Related Matters

13. The Committee would consider:

- a. security policy;
- b. relations between the security forces and the community;
- c. prisons policy.

14. The Committee would address the security situation at its regular meetings. This would provide an opportunity to address policy issues, serious incidents and forthcoming events (eg parades and processions).

15. The Committee would consider relations between the security forces and the community, with particular reference to the minority community in Northern Ireland. With a view to promoting greater confidence in the security system, a programme of action would be put in hand which might include: the establishment of local consultative machinery, training in community relations, crime prevention schemes involving the community, improvements in

arrangements for handling complaints, and action to increase the proportion of members of the minority in the RUC. It would be accepted by both sides that these matters would be directed primarily towards Northern Ireland, with the object of making the security forces more readily accepted by the minority community there, but that some of them might be developed by the Irish authorities in ways which might also have an application in the South.

16. The Committee would also be able to consider policy issues in the prisons. Individual cases could be raised as appropriate, so that explanations could be given or inquiries instituted.

Legal Matters, Including the Administration of Justice

17. The Committee would deal with issues of concern to both countries relating to the enforcement of the criminal law. In particular it would consider whether there are areas of the criminal law applying in the North and in the South respectively which might with benefit be harmonised. The two Governments agree on the desirability of ensuring that there is public

confidence in the administration of justice.

[United Kingdom version: The Committee will seek means to this end, considering inter alia the possibility of establishing] [Irish version: The Committee would devise the necessary steps to establish] a system of joint courts for trying terrorist crimes. It would also be concerned with the oversight and review of arrangements between North and South for extradition and extra-territorial jurisdiction.

Cross-border Co-operation

Security Co-operation

18. With a view to enhancing co-operation between the security forces of the two Governments, the Committee would set in hand a programme of work to be undertaken by the Chief Constable and the Commissioner and groups of officials in such areas as threat assessments, exchange of information, liaison structures, technical co-operation, training of personnel, and operational resources.

19. The Committee would have no operational responsibilities; responsibility for police operations would remain with the heads of the

respective police forces, and the Chief Constable of the Royal Ulster Constabulary would maintain his existing links with the Secretary of State and the Commissioner of the Garda Siochana his accountability to the Minister for Justice.

Economic, Social and Cultural Co-operation

20. The two Governments would co-operate to promote the economic and social development of those areas of both parts of Ireland which have suffered most severely from the consequences of the instability of recent years, and consider the possibility of securing international support for this work.

21. Should it prove impossible to achieve and sustain devolution on a basis which would secure widespread acceptance in Northern Ireland, the Committee would constitute a framework for the promotion of co-operation between North and South in Ireland in relation to cross-border aspects of economic, social and cultural matters in relation to which the Secretary of State contrived to exercise authority.

22. If responsibility were devolved in respect of certain matters under this heading currently within the remit of the Secretary of State, there would need to be machinery for practical co-operation between the responsible authorities North and South in respect of cross-border aspects of those issues.

IV. Inter-Parliamentary Relations

23. The two Governments agree that it would be for the Houses of Parliament in Westminster and the Oireachtas in Dublin to consider whether an Anglo-Irish Parliamentary body of the kind adumbrated in the Anglo-Irish Studies Report of November 1981 could be established.

Ref. A085/1165

PRIME MINISTER

Anglo-Irish Relations: OD(I)(85) 2

BACKGROUND

Following a Cabinet decision in February 1984 officials entered into a confidential dialogue with Irish officials in search of the basis of an intergovernmental agreement which would contribute to easing the problems in Northern Ireland. The course of the negotiations is spelt out in Annex B to OD(I)(85) 2. At Annex A is the paper which it is proposed should be handed over to the Irish. This is the second formulation of the United Kingdom proposal and takes into account the Irish response to our first proposal, handed over on 21 January. Since the Irish response on 8 February there has been a further round of official talks, and the Foreign Secretary and the Northern Ireland Secretary visited Dublin on 22 March. No formal reply has yet been given.

2. Dr FitzGerald has said that he is anxious to press ahead as quickly as possible and would like to see negotiations completed by mid-June. He has accepted that no agreement will be concluded before the local elections in Northern Ireland in May, and that it would not be right to fix a date for a further Summit meeting without being sure that the outcome would be a successful completion of the negotiations.

3. The paper at Annex A proposes a new formal structure of consultations with the Irish on matters affecting Northern Ireland. While it would not give them executive responsibility in decision-making, it would provide them, for the first time, with a formal means by which they could express their views on certain matters affecting the minority community in Northern Ireland. In return it could offer us improved security co-operation



greater prospects for SDLP participation in devolution and a positive impact on international opinion, particularly in the United States, all of which could contribute to bringing about a reduction in terrorist activity. For an agreement of the kind envisaged the Irish will not be prepared to risk a referendum to amend Articles 2 and 3 of their Constitution - it seems doubtful whether they would be prepared to do so in the context of any agreement we could conceivably offer on joint consultation - but they have offered formally to reiterate the undertaking in the Sunningdale Agreement (to the effect that Northern Ireland would remain part of the United Kingdom for as long as the majority so wished) and to enshrine it in a Treaty lodged with the United Nations.

4. The paper OD(I) (85) 2 outlines:

a. The proposals contained in Annex A; (paragraph 7-9).

b. The "confidence building measures" that might be undertaken by either side (paragraphs 10-11). These include some measures (unacceptable in the form put to us) suggested by the Irish such as the reorganisation of the Royal Ulster Constabulary (RUC), major changes in the Ulster Defence Regiment (UDR) and the early release of some terrorists who have served a substantial portion of their sentences.

c. The likely impact of an agreement, notably on the SDLP, the Unionists and the prospects for security co-operation and our international image.

d. Timing considerations.

It seeks the Sub-Committee's approval to hand the text at Annex A to the Irish and seeks guidance on the next round of negotiations.



HANDLING

5. This is the first meeting of this Sub-Committee. The purpose is to assess the political acceptability of the proposals on offer. You could ask the Foreign and Commonwealth Secretary and the Secretary of State for Northern Ireland to introduce the paper.

CDP?
↻

6. In discussion the following issues might be addressed:

a. If we do sign an agreement on these lines:

i. Will the inevitable Unionist outcry be manageable?

ii. What is the risk of a short-term escalation in violence starting from the Unionist reaction?

iii. Is such an agreement likely to ease the problems of Northern Ireland in the longer term?

b. The Irish demand for inclusion of economic and social matters as a separate item on the formal agenda for the Standing Committee has been resisted. But they are included under the heading "political matters" linked to discrimination in paragraph 8 of the paper, and again there is also an item "cross-border co-operation in economic, social and cultural matters" (paragraph 18). These provisions recognise that the Irish wish to expand the areas of consultation outside the security area; do they sufficiently safeguard our interests?

c. The paper envisages the conclusion of an agreement being accompanied by action by the SDLP to join in serious discussion of devolved government. Is it reasonable to expect this to happen? What are the indications so far from the Irish contacts and those of Mr Patten with the SDLP?



- d. What effect might the local elections in Northern Ireland in May have on the prospects for this agreement?

CONCLUSIONS

7. Subject to the discussion, you might guide the Sub-Committee to:

- a. endorse the text of the paper to be handed over to the Irish;
- b. resist any significant extension of the scope of the agreement;
- c. encourage the Secretary of State for Northern Ireland to find out all he can about the likely attitude of the SDLP to an agreement on these lines and, in particular, their willingness to discuss seriously the setting up of a devolved Government;
- d. discuss scope for meeting Irish concerns over confidence building measures;
- e. discuss timing on the next steps.

Approved by
ROBERT ARMSTRONG
and signed in his absence.

23 April 1985

CM

PRIME MINISTER

ANGLO-IRISH RELATIONS

This is the first meeting of OD(I). The main purpose is to test out the reactions of a wider circle of your colleagues to the sort of agreement with the Irish Republic which looks attainable.

The main point which needs to be established is that the three aspects of an arrangement all need to be agreed simultaneously, viz:

- the Irish dimension;
- explicit Irish Government recognition of the constitutional status of the North;
- a firm undertaking from the Irish Government that John Hume and the SDLP will co-operate in moves towards devolution. (This may be the most difficult, but I don't see how you can go ahead without it).

Decisions needed are:

- (i) should we now hand over our revised paper to the Irish Government?
- (ii) is the next step to have further official discussions, followed by a Ministerial meeting?
- (iii) do we continue to refuse to be pinned down on the date of a summit?

C.D.P.

23 April, 1985



Ref. A085/1402

MR POWELL

*PM has seen
the version in the
telegram from
Dublin*

I attach a copy of the speech which the
Taoiseach made at his Party Conference in
Cork on 18 May.

CDP.

2. The Prime Minister may like to glance at
the section on Northern Ireland, which is to be
found on pages 24-28.

LONDON

Rx

Approved by
ROBERT ARMSTRONG
and signed in his absence

21 May 1985



CF
For meeting
held on
Tuesday
night.
CD

10 DOWNING STREET

Prime Minister

This is the
joint paper by the
Foreign Secretary and
the Northern Ireland
Secretary for the
first meeting of
OD (1) on Wednesday.

CDP
19/4.

mr



2/14

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. A085/1002

1 April 1985

My dear David,

Meeting record attached

At the end of the Taoiseach's meeting with the Prime Minister in Brussels on 30 March, he very briefly mentioned a problem in connection with the provision of evidence by a Swiss bank for the legal case now underway in the Irish Republic about the IRA funds which were confiscated as a result of the recent legislation.

The Taoiseach subsequently spoke about this in a little more detail to me; and, for this reason, I agreed with Charles Powell that I should record this particular part of the discussion.

The Taoiseach's mind was more than usually difficult to fathom, but the point appeared to be this. They are seeking to establish for the purposes of giving evidence a chain through which the money was laundered before it reached Dublin. They have assembled the evidence save for what the Taoiseach described as the last link in the chain, and that is the Swiss bank (through which the money presumably passed to Dublin). It appears that they will need not only written evidence from the Swiss bank, but somebody from the bank to come and testify to that evidence in the Irish court. The Taoiseach wondered whether we could use our good offices to help in this respect. In that connection he referred mysteriously to a law or an agreement (I was not quite sure which) of 1939 between us and the Swiss Government. He said that they would be very grateful for any help which we could give. I promised to look into the matter.

I should be very grateful if you could pursue this matter to discover if possible what the Taoiseach has in mind and see whether we can do anything to help. It may be that I ought to

/ask

A D S Goodall Esq CMG

ask Dermot Nally (who heard the conversation) for fuller and better particulars; but I thought that I would have a word with you in the first instance.

Yours ever
Robert

0 11 APR 1985



Press Statement.

The Taoiseach, Dr. Garret FitzGerald, and the Prime Minister the Right

Honourable Mrs Margaret Thatcher had a brief meeting in the margins of the European Council in Brussels today.

They reviewed progress on the dialogue agreed between them at their meeting in Chequers last year which has been conducted at Ministerial and official level. They agreed that there was real merit in continuing with the process. It is, however, not possible at this stage to predict the eventual outcome.



do VC 11
u MARLEN SET

10 DOWNING STREET

From the Private Secretary

30 March 1985

Dear Len,

MEETING BETWEEN THE PRIME MINISTER AND THE TAOISEACH
IN BRUSSELS ON SATURDAY 30 MARCH 1985 AT 0925

The Prime Minister met the Taoiseach this morning shortly before the start of the second day of the European Council in Brussels. Dr. FitzGerald was accompanied by Mr. Nally and Mr. Lillis. Sir Robert Armstrong was also present.

Anglo-Irish Relations: Northern Ireland

The Taoiseach said that there had been useful discussions between British and Irish Ministers in Dublin last week. These had clarified areas still needing discussion at official level. Despite the 'static' following the Chequers summit, progress had been made in adjusting expectations on both sides. The Chequers communiqué remained the point of departure and opened up real opportunities for progress, although he recognised that there were also risks. He would be interested in the Prime Minister's assessment of the prospects.

The Prime Minister agreed that progress had been made in adjusting expectations, though reaction to the Taoiseach's recent speech in London had been something of a setback. It had upset the Unionists as had also an article in the Sunday Mail, in response to which it had been necessary for the Northern Ireland Secretary to issue a statement. The Taoiseach said that he had been somewhat taken aback by the amount of press briefing that appeared to be going on by the British side on the progress of the Anglo-Irish talks. He could understand why some briefing was needed but altogether too much was being said. The Prime Minister said that she had not authorised any briefing of the press.

The Prime Minister continued that her main concern was at the lack of progress in the talks between the parties in Northern Ireland. There had been no sign that the SDLP were ready to involve themselves seriously in discussions on devolution. If the United Kingdom and the Irish Governments were to reach agreement on an Anglo-Irish dimension, it would be essential for there to be an assurance that the Nationalist minority would take part fully in moves towards

ST

devolution. The Taoiseach said that he could assure the Prime Minister that the SDLP would be willing to play a part. But they wanted to see progress, first, towards establishing an Anglo-Irish dimension. The SDLP's concern was exactly the opposite of the British Government's: they feared that if they became involved in talks and made progress towards devolution, HMG might say that there was no need for an Anglo-Irish dimension. Furthermore, the timing was difficult because of the approach of the May local elections. But he could say with authority that the SDLP were willing to contemplate an exercise in devolution if the Unionists behaved reasonably and the Anglo-Irish talks succeeded in creating the right framework.

The Prime Minister said that it was essential, as part of any agreement on a consultative role for the Republic in the North, that the Irish Government should make a firm statement about the constitutional position of Northern Ireland. Of course a referendum to amend the Irish constitution would be better still but she recognised the difficulties of this. The Taoiseach agreed that there should be a formal declaration which should be incorporated in any agreement and should use words that would not be subject to legal challenge in the Republic. The Sunningdale formula might serve.

Turning to other issues under discussion by officials, the Taoiseach said that the Irish Government were waiting for formal comments on their amendments to the British paper of 21 January. There was a particular point which he hoped we would look at further and that was Joint Courts. The Prime Minister commented that Lord Lowry was strongly against these and had said as much to the Taoiseach. The Taoiseach acknowledged this but pointed out that Joint Courts could be an important step towards acceptance of any agreement by the Nationalists. He wondered whether Lord Lowry's opposition would be so strong if he appreciated the wider context in which the idea had been launched.

The Taoiseach continued that he also hoped that the Prime Minister would consider various suggestions which the Irish Government had made for confidence building measures, particularly in relation to policing. It was unacceptable that there should be areas such as Creggan where 13,000 people had to live without postal services because no police protection could be provided. He wondered whether in areas such as these there could be local unarmed community police forces. They would be part of the police, but acceptable to the local communities. He was not suggesting that the role of the RUC should be reduced but that there must in addition be local policemen on the beat. He wanted to leave the idea with the Prime Minister. The Prime Minister said that clearly there would be difficulties: we needed to avoid any impression of establishing vigilantes but she would seek the RUC's views on the proposal.

The Taoiseach repeated that he would like to continue work with the aim of a further summit in early June. The Prime Minister said it would be a mistake to fix a date,

although she would be prepared to earmark one privately in her diary. The essential thing was that we must know exactly what was going to be achieved at a further summit before fixing a date. The communiqué must be worked out and agreed in advance. The Taoiseach said he absolutely agreed with the Prime Minister on these points, but stuck to his hope for early June.

Contributions from the United States to Irish Causes

The Prime Minister said that during a recent talk with the Mayor of San Fransisco, she had conceived the idea of a fund for charitable purposes in Ireland as a whole to which those in the United States who wished to give money to Irish causes could contribute. The purpose would be to divert funds which would otherwise go to NORaid. She did not see this as cutting across the ideas of a reconstruction fund which already featured in the Anglo-Irish talks. The Taoiseach said that a similar idea was being floated by backbenchers in his own party in Ireland. He was a bit sceptical although he agreed with the aim of constructive fund-raising. He had raised the subject of American financial support for both Northern Ireland and the Republic in the wake of an agreement with Tip O'Neill who had seemed favourably disposed. The Taoiseach added that, in his view, any contribution by the United States should be matched by the European Community. The Prime Minister agreed that this was a sensible aim.

Press Statement

The Prime Minister and the Taoiseach agreed that they would use the following line in briefing the press:

"The Taoiseach, Dr. Garret FitzGerald, and the Prime Minister the Right Honourable Mrs Margaret Thatcher had a brief meeting in the margins of the European Council in Brussels today.

"They reviewed progress on the dialogue agreed between them at their meeting in Chequers last year which has been conducted at Ministerial and official level. They agreed that there was real merit in continuing with the process. It is, however, not possible at this stage to predict the eventual outcome."

The Taoiseach consulted the Prime Minister about an invitation which he had received from a group of backbench Conservative MPs ("Nick's Diner") to address them. The Prime Minister said that there would be a risk of stirring up Unionist anxieties: she thought the Taoiseach ought to be very cautious.

The Prime Minister again complimented the Taoiseach on the action he had taken to stop the transfer of funds to the IRA. This had been a brilliantly successful operation.

The meeting ended at 0955.

SECRET AND PERSONAL

- 4 -

I am copying this letter to Jim Daniell (Northern Ireland Office) and Sir Robert Armstrong.

Yours sincerely
C.D. Powell

C.D. POWELL

L.V. Appleyard, Esq.,
Foreign and Commonwealth Office.

SECRET AND PERSONAL

PRIME MINISTER

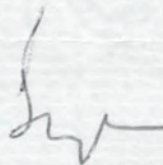
Your Meeting with Dr. FitzGerald

This note may be helpful about the presentation of this event, in which an inordinate media interest is being taken.

First, I am fearful of the consequences of a long meeting - ie one which lasts substantially more than 30 minutes.

Second, I believe your interests would be better served by allowing me to reveal more rather than less of what you discussed. The reason for this is that a terse and uninformative communique will fuel suspicion.

In practice, if I can give a reasonably full account of the subject headings plus an approximate date when you will hold the next Summit there should be few problems.



BERNARD INGHAM

29 March 1985

PM



CONFIDENTIAL

NORTHERN IRELAND OFFICE
WHITEHALL
LONDON SW1A 2AZ

Handwritten initials and number: 393

C D Powell Esq
Private Secretary
10 Downing Street
LONDON SW1

Handwritten initials: MF

28th March 1985

Dear Charles,

EC SUMMIT: ANGLO-IRISH PARLIAMENTARY BODY

The Prime Minister will be seeing Dr FitzGerald in the margins of the EC meeting in Brussels on 29 March. The Taoiseach may wish to take the opportunity to press both Governments to take the lead in establishing an Anglo-Irish Parliamentary Body.

Dr FitzGerald raised this when he saw the Foreign Secretary and Mr Hurd on 22 March. Mr Hurd reminded the Taoiseach that this was a matter for the two Parliaments. The Taoiseach strongly disagreed: it was for the two Governments to take the lead. The British Government had a large majority which should be used. He suggested that at his meeting with the Prime Minister in November 1983, the Prime Minister had agreed in principle that such a body should be established, and that it should be drawn from the Westminster and Dublin Parliaments, the European Parliament and the Northern Ireland Assembly.

Dr FitzGerald's recollection is mistaken. The joint communique and related documents published after the November 1983 Summit (Cmnd 8094) did no more than refer back to the November 1981 Joint Studies Report and the communique which followed it. The Joint Studies White Paper (Cmnd 8414) recorded the narrow area of agreement reached on the body. This is as follows:

"It was agreed that it would be a natural and desirable development for the establishment of a new inter-governmental body to be complemented at an appropriate moment by the development of an inter-parliamentary body."

The Report summarised briefly the British view that this should be considered further in the light of experience and parliamentary opinion. The Irish then went on to set out

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their views /

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their views on the objectives, composition and powers of a parliamentary body in much more detail.

The Summit communique issued on 6 November 1981, held to the position that it was a matter for the two Parliaments:

"The Prime Minister and the Taoiseach agreed that it would be for the Parliaments concerned to consider at an appropriate time whether there should be an Anglo-Irish body at parliamentary level comprising members to be drawn from the British and Irish Parliaments, the European Parliament and any elected Assembly that may be established for Northern Ireland."

We have been able to find no record of the Prime Minister giving any specific undertaking to the Taoiseach at any time about either the timing or form of a parliamentary body which modified the Government's ideas set out in the 1981 Joint Studies. Our position has consistently been that this is a matter for the two Parliaments to consider at the appropriate time.

The Prime Minister recently considered the Government's approach again with the Foreign Secretary and Mr Hurd in the context of a possible visit to Dublin by Mr Michael Mates MP, the Chairman of the All-Party Anglo-Irish Parliamentary Group. The Prime Minister decided that now was not the time to encourage Mr Mates to pay a visit to Dublin to encourage inter-parliamentary interest in the establishment of a Parliamentary Body.

If Dr FitzGerald were to raise this again on 29 March, the Prime Minister may wish to draw on the following:

We have consistently said that the establishment of an Anglo-Irish Parliamentary Body should be a matter for the two Parliaments to consider at an appropriate time. This is what we agreed in the joint communique following the Anglo-Irish Summit in November 1981, and we repeated it in the November 1983 communique.

There should be no grounds, therefore, for any misunderstanding about our current view. We cannot ignore parliamentary opinion or out vote the opposition parties since we would need their support. We could not endorse a parliamentary body unless there was a broad measure of agreement among all the political parties about its composition and terms of reference: without that it would be still-born. We need a better climate before we can take this forward.

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

Yours sincerely
Neil Ward

N D WARD

CONFIDENTIAL



28 MAR 1965



CONFIDENTIAL



PM/85/23

COO
2/3

PRIME MINISTERAnglo-Irish Relations

1. The Secretary of State for Northern Ireland and I went to Dublin on 22 March for talks with Mr Spring and Mr Barry. Dr FitzGerald joined us for lunch. For part of the time we met Irish Ministers alone: there was also a discussion in the presence of the officials who have taken part in the Armstrong/Nally exchanges.
2. On timing, I think that we persuaded the Irish that it would not be possible to finalise an agreement or hold another Summit before the local elections in May. Dr FitzGerald was anxious to press ahead with the negotiations quickly and if possible see them successfully completed by mid-June, with a Summit before the end of that month: we were careful to make no commitment on this, arguing that the negotiations should proceed without delay but at their own pace.
3. On substance, we made the points in (a) - (d) of paragraph 4 of my minute to you of 19 March. We made it clear that we wanted progress to be made simultaneously on two tracks: devolved government in Northern Ireland (on which Douglas Hurd explained the background to Christopher Patten's nomination as intermediary) and the intergovernmental agreement which has been the subject of our exploratory talks. The Irish while accepting this also stressed the importance of what have come to be known as "confidence building measures" which might accompany or follow such an agreement. They defined these as measures which each side would take unilaterally, and which would not form part of the agreement itself.
4. On the Irish side, they gave as examples of such measures action to safeguard the constitutional status of Northern Ireland

/(of



(of which more below), and the possibility of redeploying elements of the special task force to border areas. As to action from the British side, they were still hoping for a reorganisation of the RUC sufficient to make it more palatable to the Nationalists; some release of prisoners convicted of terrorist offences, or at least a review of sentences; and major changes to limit the size and areas of operation of the UDR (with of course a preference for its complete disbandment). In response, we made it clear that radical changes in either the RUC or the UDR would be quite unacceptable on both security and political grounds. Any swift or dramatic changes in these areas would indeed threaten the whole operation. We pointed out that the agreement itself was intended to promote confidence, and that this would gradually strengthen as the agreement was seen to work effectively: meanwhile the measures outlined in the British proposal of 21 January were the limit of what we had so far identified by way of initial steps to improve relations between the security forces and the Community. We agreed, however, that if the Irish had specific proposals to make, it would be sensible for officials to consider them.

5. On the constitutional issue, Messrs Spring and Barry emphasised that in their view the sort of consultative arrangements now under discussion would not be sufficient to enable the Irish Government to seek to amend their Constitution. Dr FitzGerald, by contrast, did not altogether dismiss the possibility; but it was clear that the view of the Irish Government as a whole is that constitutional amendment would be achievable only on the basis of an agreement which gave the Irish a share in decision making in the North as distinct from a right to be consulted. While acknowledging that the decision on this was a matter for the Irish Government's judgement, we left them in no doubt of the importance we attach to the constitutional issue and the need for an entrenched declaration of some kind by the Irish Government accepting the present constitutional status of Northern Ireland. The Irish indicated that they were considering something on the lines of the 1974

/Cosgrave



Cosgrave Declaration. Dr FitzGerald himself volunteered that this might be embodied in an international agreement to be registered at the United Nations. They undertook to give further thought to the possibilities on this front.

6. The Irish also pressed hard for the inclusion of economic and social matters in the range of topics to be covered by the proposed intergovernmental arrangements. While not wholly excluding the possibility of doing something to meet this request, we made it very clear that it would depend on the extent to which the Irish could go in providing sufficient and durable guarantees of the existing constitutional status of Northern Ireland. We explained the very serious difficulties which the inclusions of economic and social matters would cause, and we pointed to the existing references in the current British text which would already give the Irish Government some of the substance of what they wanted.

7. One point on which we agreed there could usefully be further discussion was the possibility of creating some form of "economic reconstruction" fund for both parts of Ireland, to which the United States and perhaps European countries would contribute. It was agreed that the modalities and purposes of such a fund should be examined further by officials, with a view to including the possibility of an appropriate provision in the eventual agreement. This kind of arrangement is of course already foreshadowed in both the British and the Irish drafts (para 5 of the text attached to my minute of 19 March).

3 8. Over lunch, Dr FitzGerald raised the question of a joint parliamentary body, to include representatives from Westminster and Dublin and members of the European Parliament and the Northern Ireland Assembly. We counselled caution about this, drawing attention to the difficulties the idea would cause for the Northern Ireland Assembly and the ineffectiveness in practice

/of



of bodies like the WEU Assembly. Mr Barry proved to be more sceptical than Dr FitzGerald about the merits of a joint parliamentary body; but the Taoiseach himself is clearly very keen on it and may raise it when he sees you. (The NIO will provide a separate brief on this.)

9. Dr FitzGerald also raised the possibility of establishing joint courts for the trial of terrorist offences North and South of the border. We explained in some detail the political and practical difficulties. Dr FitzGerald showed some understanding of these and is of course aware of Lord Lowry's views. But he made it clear that this was an idea which could, in his view, be of considerable value in winning the support of the Nationalist minority for an eventual agreement. We judge that Dr FitzGerald's understanding of the difficulties could well lead him eventually to accept something like our text on this point.

10. To sum up, there is still a significant gap to be bridged. If the Irish come up with something sufficiently attractive on the constitutional front, it is possible that we might be able to go some way towards accommodating them on economic and social matters. But the difficulties here are very real; and the Irish still need to be brought down to earth about the "confidence building measures" which might be contemplated on the British side. We shall have to continue to make this clear to them. On the positive side, the idea of an "economic reconstruction" fund (which we know that the US Government would be willing to support) has its attractions and might usefully be discussed when you see Dr FitzGerald in Brussels this weekend.

11. More generally, the Secretary of State for Northern Ireland and I suggest that when you meet Dr FitzGerald this weekend you might make the following points:

/(a)



- (a) there can be no Summit until we are in sight of an agreement. Dr FitzGerald takes the same view on this point. In the light of the Dublin meeting it looks doubtful whether an agreement is sufficiently close to think in terms of a Summit as early as June. But we, like they, are certainly ready to continue the discussion;
- (b) the constitutional issue is of real importance. There can be no question of giving the Irish Government a decision-making role in Northern Ireland in order to facilitate an amendment of the Irish Constitution. We shall be very interested to see what alternative ways the Irish can suggest of meeting our requirement for a clear and entrenched declaration about the constitutional status of the North. Without a challenge-proof undertaking of this kind by the Irish Government, any agreement will have to be narrowly drawn and exclude economic and social questions other than possibly cross-border aspects;
- (c) an agreement of the kind which we are envisaging will in itself be a major confidence building measure. We certainly could not consider adding to it any measures which would undermine the morale or effectiveness of the security forces and produce a Unionist backlash. This would be in the interests of neither side. But we are willing to consider any suggestions they might make which would not have this effect.

12. Since the meeting we have had Dr FitzGerald's London speech (drafted before our meeting) which together with our visit has fuelled newspaper speculation that some dramatic agreement is in sight. This has produced predictable Unionist reactions. You may wish to mention this to Dr FitzGerald as illustrating vividly the need for great caution if our dialogue

/is



is not to create more problems in Northern Ireland than it solves.

13. Subject to the outcome of your meeting with Dr FitzGerald, the Secretary of State for Northern Ireland and I believe that the next step should be for us to put a paper to OD(I) reporting to colleagues the stage reached in our negotiations and circulating the text annexed to my minute of 19 March. There would then need to be a further round or two of talks with the Irish at official level, followed by a further Ministerial meeting. Only if we were by then within sight of substantial agreement on all the issues would it be appropriate to think in terms of a Summit meeting between yourself and Dr FitzGerald to set the final seal on the process.

14. I am sending copies of this minute to Douglas Hurd and to Sir Robert Armstrong.

CR Budd (Private Secretary)

GEOFFREY HOWE

(Approved by the Secretary
of State and signed in
his absence)

Foreign and Commonwealth Office

28 March 1985



Foreign and Commonwealth Office

London SW1A 2AH

28 March 1985

CDP

*Dear Charles,*Contributions from the United States to Irish Causes

Thank you for your letter of 22 March about the Prime Minister's conversation with Mayor Feinstein, during which she developed the idea that she and the Taoiseach should encourage the creation of a charitable fund to benefit worthwhile causes both in the Republic and in Northern Ireland.

The Foreign Secretary thinks that this could be an excellent scheme but has pointed out that it needs to be related to the idea of setting up a fund for economic reconstruction and development in Ireland which forms part of the secret proposals under discussion between the British and Irish Governments (see para 5 of the draft British Proposal attached to the Foreign Secretary's minute to the Prime Minister of 19 March). This was discussed in some detail by officials in the margins of the Ministerial meeting in Dublin on 22 March. It appeared that the Irish had already taken some preliminary soundings in Washington, where they had been reassured that President Reagan was interested in the proposed fund and was generally benevolent towards it. (We have received similar indications from officials in the State Department.) It was suggested that if such a fund were set up the possibility would be for it to be administered by a charitable foundation rather than by the two Governments. There was also some discussion in Dublin of the possibility of attracting contributions from the European Community; and it was noted that the subject of the Fund would be likely to be raised at the meeting between the Prime Minister and Dr FitzGerald in the margins of the coming European Council.

If the Prime Minister wishes to raise the subject with Dr FitzGerald, she may wish to make the following points:

/(i)



- (i) the idea of a fund for reconstruction is a good one;
- (ii) it is encouraging that the Americans appear to be looking favourably on it, but we must beware of raising hopes prematurely;
- (iii) the organisation of the fund and the modalities of running it would require great care;
- (iv) one possibility might be to establish a charitable foundation, independent of governments but with representatives of all the interested parties (i.e. Republic of Ireland, HMG, US Administration and perhaps EC) included on it;
- (v) officials will need to think very carefully about the terms of reference and scope of the fund.

Whether or not the subject comes up in the margins of the European Council, the Foreign Secretary thinks that it is important that we should avoid taking any action which would have the effect of pre-empting the proposal under discussion between the two Governments, since that proposal could prove to be an important element in any agreement which we might eventually reach in relation to Northern Ireland. To launch in isolation a fund of the kind envisaged by the Prime Minister would cut across the present negotiations and, for that reason, would be misunderstood by the Irish, whose support we should want to seek.

You mentioned in your letter that Mayor Feinstein reacted enthusiastically to the Prime Minister's idea and said that she might well make some public comment. So far she does not appear to have done so, but if she does we will no doubt be asked for a reaction. Subject to your views, we would propose simply to confirm that the subject was indeed discussed between the Prime Minister and the Mayor, and to say that the idea is under careful consideration.

I am copying this letter to Jim Daniell (NIO) and to Richard Hatfield (Cabinet Office).

*Yours ever,
Colin Budd*

(C R Budd)
Private Secretary

C D Powell Esq
10 Downing Street



Foreign and Commonwealth Office

London SW1A 2AH

17 January 1985

Dear Charles,

NBR
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17/1

Interview with the Taoiseach in "Der Spiegel"

The Prime Minister may be interested to see the attached extracts from a translation of a recent interview with Dr Garret FitzGerald in the West German magazine "Der Spiegel" on 24 December 1984.

You will see that the Taoiseach showed considerable restraint in the face of provocative and sometimes hostile questioning from "Der Spiegel" in sticking to the line expressed in the Chequers communique. Although he was forthright in regretting the Prime Minister's rejection of the term "alienation", he was in all other respects at pains not to criticise her and to stress the common elements in the approaches of the two Governments to the Northern Ireland problem.

Yours ever,

Len Appleyard

(L V Appleyard)
Private Secretary

C D Powell Esq
10 Downing Street

1955

1955



Dear Sirs

Yours faithfully

W. J. ...

1177 JAN 1955



HEADING: "THE VIOLENCE COMES FROM THE NORTH"
IRELANDS PRIME MINISTER GARRET FITZGERALD ON THE REUNIFICATION
OF HIS COUNTRY AND THE IRA.

SPIEGEL: TAOISEACH, IN THE LAST 15 YEARS THE UNREST IN ULSTER HAS CAUSED MORE THAN 2400 CASUALTIES. A FURTHER ATTACK BY THE IRA, THE USUAL "CHRISTMAS BLITZ" IS TO BE FEARED. IN VIEW OF THIS FRIGHTENING FIGURE, IT SEEMS AS IF YOU, AS YOUR IRISH AND BRITISH COLLEAGUES BEFORE, HAVE FAILED POLITICALLY, HAVEN'T YOU?

FITZGERALD: WE HAVE NOT YET SUCCEEDED IN SOLVING THE PROBLEMS IN IRELAND THE ORIGINS OF WHICH DATE BACK TO FOUR OR EIGHTHUNDRED YEARS AGO - DEPENDING ON WHAT YOU REGARD AS THE STARTING POINT. WE HAVE DEFINITELY NOT SUCCEEDED IN SOLVING THESE PROBLEMS DURING THE LAST SIXTY YEARS.

SPIEGEL: DO YOU HOLD ONLY YOUR PREDECESSORS RESPONSIBLE FOR MURDER AND MANSLAUGHTER IN NORTHERN IRELAND?

FITZGERALD: NO, I DON'T. WE HAVE, HOWEVER, MADE CERTAIN PROGRESS BY TRYING TO FACE THE REALITY OF THE EXISTING SITUATION - REGARDLESS OF ITS HISTORICAL REASONS. AS A MATTER OF FACT, THERE ARE TWO COMMUNITIES IN NORTHERN IRELAND. ONE OF THEM FEELS BOUND TO GREAT BRITAIN IN ITS LOYALTY WHEREAS AT THE SAME TIME IT FEELS IT BELONGS TO THIS ISLAND. THE OTHER ONE FEELS A COMMITMENT ONLY TO IRELAND.

SPIEGEL: THAT IS NOT NEW. THE QUESTION IS RATHER HOW THE MURDEROUS TENSIONS BETWEEN THE TWO COMMUNITIES CAN BE RESOLVED.

FITZGERALD: ANY POLITICAL SOLUTION IN ULSTER MUST DO JUSTICE TO BOTH GROUPS, TO THEIR IDENTITIES AS WELL AS TO THEIR TRADITIONS. THEY SHOULD GET THE FEELING THAT THEIR LIVES ARE NOT THREATENED AND THAT THEY WILL NOT LOSE THEIR PARTICULAR IDENTITY.

SPIEGEL: "IDENTITY" IS ONLY A WORD. THERE ARE "GROUP IDENTITIES", THERE ARE PERSONAL IDENTITIES. IN ULSTER THE POLICE ARE PARTICULARLY EFFICIENT IN FINDING OUT THE "IDENTITY OF A PERSON". IN OUR OPINION THE REAL PROBLEM IN NORTHERN IRELAND IS NOT SO MUCH A QUESTION OF NATIONAL AND EMOTIONAL IDENTITY BUT RATHER OF A LACK OF CIVIC TIES AND SOCIAL LOYALTY AND OF INADEQUATE ADMINISTRATION OF JUSTICE.

FITZGERALD: THE CATHOLIC MINORITY IN NORTHERN IRELAND FEELS THAT IT CANNOT GIVE ITS LOYALTY TO THE PRESENT HOLDER OF EXECUTIVE POWER, I.E.

THE BRITISH GOVERNMENT SYSTEM AND THE GOVERNMENT SYSTEM IN NORTHERN IRELAND. THE CATHOLIC MINORITY ALSO THINKS THAT IT CANNOT ACCEPT THOSE ACTIONS OF THE SECURITY FORCES WHICH ARE PRIMARILY AGAINST THEM.

SPIEGEL: ACTIONS WHICH ARE AIMED AGAINST THE CATHOLIC MINORITY OR AGAINST THE MEMBERS OF THE IRA HIDDEN AMONG THEM?

FITZGERALD: IT IS TRUE THAT IRA MEMBERS ARE TO BE FOUND AMONG THEIR RANKS. HOWEVER, THE CATHOLIC MINORITY CANNOT IDENTIFY ITSELF WITH THE COURTS, EITHER, THE DECISIONS OF WHICH WERE UNACCEPTABLE FOR THEM IN SOME CASES. CONSEQUENTLY THE PROBLEM HAS TO BE SOLVED, FOR THERE IS NO STABLE STATE, IF 40 PER CENT OF ITS CITIZENS REFUSE TO SHOW LOYALTY. WE MUST, HOWEVER, SOLVE IT IN SUCH A WAY THAT THE SAME UNCERTAINTY DOES NOT RISE AMONG THE PROTESTANT MAJORITY. CONSEQUENTLY THE POINT IS TO UNIFY BOTH GROUPS OF POPULATION BY A POLITICAL STRUCTURE WHICH IS ACCEPTABLE TO THE IRISH AS WELL AS THE BRITISH GOVERNMENT.

SPIEGEL: WHEN YOU BECAME PRIME MINISTER TWO YEARS AGO, YOU PROMISED TO TAKE AT LEAST ONE IMPORTANT STEP TOWARDS AN "IRISH SOLUTION". AFTER NUMEROUS TALKS ON THIS SUBJECT WITH MRS. THATCHER, HOWEVER, MATTERS SEEM TO BE WORSE THAN EVER BEFORE.

FITZGERALD: NO, TODAY THE SITUATION IS CONSIDERABLY BETTER THAN BEFORE. TWO YEARS AGO THE BRITISH GOVERNMENT HAD EVEN NOT YET RECOGNISED WHAT THE REAL NORTHERN IRELAND ISSUE WAS. BUT TODAY IT UNDERSTANDS THAT IT IS ABOUT A CRISIS OF TWO IDENTITIES WHICH HAVE TO BE HARMONISED, AND THAT IN DOING SO THE IRISH GOVERNMENT HAS A LEGITIMATE AND IMPORTANT ROLE TO PLAY. ALSO ON OUR PART THERE IS A NEW WILLINGNESS IN THIS RESPECT.

SPIEGEL: YOUR OWN PRESS GIVES A COMPLETELY DIFFERENT IMPRESSION. IN A CARICATURE YOU WERE RECENTLY DEPICTED AS A BLIND MAN WHO IS ROTATING AND DOES NOT WANT TO SEE THAT, AFTER THE LAST MEETING WITH YOU IN CHEQUERS, MRS. THATCHER HAS REJECTED ALL BASIC IRISH SUGGESTIONS REGARDING A SOLUTION OF THE ULSTER PROBLEM.

FITZGERALD: SHE HAS NOT DONE SO. SHE HAS ONLY REJECTED THREE MODEL SOLUTIONS WHICH WERE INTENDED TO SHOW HOW THE NORTHERN IRELAND CRISIS COULD BE TACKLED.

SPIEGEL: SHE HAS REJECTED A UNITED IRELAND, SHE HAS REJECTED THE PROPOSAL OF A CONFEDERATION, SHE HAS SPOKEN AGAINST A JOINT EXERCISE OF EXECUTIVE POWER. MOREOVER THE TONE IN WHICH SHE SWEEPED ALL THESE PROPOSALS FROM THE TABLE WAS EXTREMELY ARROGANT.

FITZGERALD: WHEN OUR SIDE EXPLAINED THESE THREE MODELS FOR THE FIRST TIME IN PUBLIC, WE STATED THAT WE WOULD LISTEN ALSO TO OTHER OPINIONS. OF COURSE THERE ARE OTHER POSSIBLE SOLUTIONS. WE HAVE PUT THOSE FORWARD, TOO. SOME OF THESE PROPOSALS WERE EVEN INCLUDED IN THE FINAL COMMUNIQUE WHICH WAS PUBLISHED AFTER MY RECENT MEETING WITH MRS. THATCHER IN CHEQUERS LAST MONTH. BUT EVEN IF WE HAVE A COMMON BASIS THERE, THAT DOES NOT MEAN THAT THE REMARKS QUOTED BY YOU HAVE NOT CAUSED CONSIDERABLE DAMAGE.

3

SPIEGEL: WITH REGARD TO HER POLICY ON IRELAND, MRS. THATCHER APPEARS TO BE AS STUBBORN AS THE EXTREME RIGHT-WING MEMBER OF THE HOUSE OF COMMONS, ENOCH POWELL, WHO OCCASIONALLY ADVISES HER ON THE ULSTER ISSUE. EVEN DURING THE IMPERIALISTIC YEARS BEFORE THE FIRST WORLD WAR BRITISH PRIME MINISTERS WERE MORE PROGRESSIVE WITH REGARD TO SOLUTIONS PROPOSED BY THEM THAN MRS. THATCHER IS AT PRESENT.

FITZGERALD: THAT IS A MATTER OF OPINION. AT THAT TIME IT WAS ABOUT "HOME RULE" AND LIMITED AUTONOMY FOR THE IRISH.

SPIEGEL: FOR IRELAND AS A WHOLE.

FITZGERALD: NOWADAYS WE IRISH HAVE A SOVEREIGN STATE. IN 1922 WE BECAME INDEPENDENT. AT THAT TIME NORTHERN IRELAND WAS SEPARATED. MAYBE HISTORY SHOULD NEVER HAVE TAKEN THAT COURSE, BUT TODAY IT CANNOT BE CHANGED. DURING THE SIXTY YEARS WHICH HAVE PASSED SINCE THEN THE TWO GOVERNMENTS IN DUBLIN AND LONDON HAVE NEVER BROUGHT THE PROBLEMS TO A COMMON DENOMINATOR.

SPIEGEL: IN PUBLIC MRS. THATCHER ALSO DENIES THAT - AS YOU CLAIM - THERE IS A FEELING OF "ALIENATION" AMONG THE CATHOLIC MINORITY IN NORTHERN IRELAND, AN ALIENATION FROM THE SOCIETY IN WHICH THIS MINORITY IS LIVING. YOUR BRITISH COLLEAGUE SEEMS TO DISLIKE THIS TERM BECAUSE OF ITS MARXIST ASSOCIATIONS.

FITZGERALD: MRS. THATCHER DEFINITELY CAUSED GREAT DAMAGE TO A PUBLIC UNDERSTANDING OF OUR TALKS WHEN SHE PUBLICLY REJECTED THE TERM OF "ALIENATION" - WHICH MEANS THAT A LARGE PART OF THE NORTHERN IRISH MINORITY DOES NOT ACCEPT THE EXISTING GOVERNMENT. THIS, HOWEVER, DOES NOT ALTER THE FACT THAT AT PRESENT OUR TWO GOVERNMENTS ARE TRYING TO FIND A SOLUTION FOR NORTHERN IRELAND. I THINK SHE WAS UNABLE TO UNDERSTAND WHY HER REMARKS CAUSED SUCH A BITTER REACTION IN OUR COUNTRY. HOWEVER, THIS IS EXACTLY THE SORE SPOT IN ANGLO-IRISH RELATIONS: A LACK OF MUTUAL UNDERSTANDING.

SPIEGEL: AS A RESULT OF SUCH ANGLO-IRISH MISUNDERSTANDINGS PEOPLE WILL CONTINUE TO BE KILLED. FOR HOW LONG MORE?

FITZGERALD: WE CAN NO LONGER AFFORD TO LOOK ON PASSIVELY FOR TWO OR THREE YEARS AND HOPE FOR A SOLUTION WHILE PEOPLE CONTINUE TO DIE. WE HAVE TO FIND THE SOLUTION SOON. IF WE DO NOT SUCCEED IN DOING SO, WE WILL DEFINITELY FACE A TRAGEDY - ALL THE MORE SINCE OUR PEOPLE IN THE REPUBLIC OF IRELAND ARE PREPARED TO ACCEPT A SOLUTION WITHOUT OUR GAINING PARTICULAR ADVANTAGES FROM IT FOR OURSELVES. 4

SPIEGEL: SO WITH REGARD TO "IRISH RE-UNIFICATION" YOU HAVE GIVEN UP THE POSITION OF ALL OR NOTHING?

FITZGERALD: THIS IS NOT A MATTER OF ALL OR NOTHING. AMONG THE ORDINARY PEOPLE OF NORTHERN IRELAND THERE IS A GREAT DESIRE FOR PEACE. IF WE MISS THIS CHANCE, IF WE FAIL NOW, THAT WOULD BE A GREAT MISFORTUNE.

SPIEGEL: OBVIOUSLY YOU ARE IN A GREATER HURRY THAN THE BRITISH. THE GOVERNMENT IN LONDON SEEMS TO BE INTERESTED ONLY IN DESTROYING IRISH TERRORISM.

FITZGERALD: THE BRITISH GOVERNMENT HAS UNDERSTOOD THAT THERE MUST BE A POLITICAL FRAMEWORK IN NORTHERN IRELAND WHICH IS ACCEPTABLE TO BOTH SIDES. IT IS AWARE OF THE SECURITY PROBLEM WHICH - AS MRS THATCHER HAS RECOGNISED - CONCERN ALSO THE CONDITIONS IN NORTHERN IRISH PRISONS AND IN THE JUDICIAL SYSTEM.

UP TO NOW BRITISH GOVERNMENTS TENDED TO REGARD THE SECURITY PROBLEM SIMPLY AS A MATTER OF BEATING THE IRA. HOWEVER, THEY OVERLOOKED COMPLETELY ANOTHER IMPORTANT ASPECT: THE FACT THAT THERE IS NO REAL SECURITY SYSTEM FOR A MINORITY, THAT THESE PEOPLE HAVE NO POLICE WITH WHOM THEY CAN IDENTIFY AND THAT THEY ARE NOT PROTECTED FROM THE IRA OR ANYBODY ELSE.

SPIEGEL: IT WOULD BE EASY FOR US TO LEAVE YOUR OFFICE AND WITHIN TEN MINUTES TO MEET A MEMBER OF THE HARD CORE OF THE IRA, A TERRORIST, IN THE CENTRE OF DUBLIN. IS IT NOT UNPLEASANT FOR YOU THAT SOME OF YOUR FELLOW-CITIZENS TAKE SUCH A SMALL RISK IN OPENLY SUPPORTING THE IRA?

FITZGERALD: THE IRA IS SUPPORTED BY A MINORITY, BY ABOUT 4 PER CENT OF OUR POPULATION. AS FAR AS THE IRA ITSELF IS CONCERNED, ANY MEMBER COMMITTING A CRIME OR WHO IS CONVICTED OF A CRIME, FOR INSTANCE USE OF VIOLENCE, HERE OR IN NORTHERN IRELAND, HAS TO EXPECT ARREST AND IMPRISONMENT.

SPIEGEL: HOW MANY IRA PRISONERS ARE THERE IN YOUR COUNTRY?

FITZGERALD: NORMALLY OVER 200.

SPIEGEL: AND ABOUT ONE-THIRD OF THEM ARE MEMBERS OF THE HARD CORE?

FITZGERALD: I THINK IT IS LESS. BESIDES, ALMOST ALL IRA PRISONERS
HERE COME FROM NORTHERN IRELAND. OUR PROBLEM IS THAT VIOLENCE
HAS SPILLED OVER FROM NORTHERN IRELAND TO THE REPUBLIC. BANK-
ROBBERIES, MURDERS AND SO ON ARE NO LONGER UNUSUAL FOR US. 5

SPIEGEL: HOW WOULD YOU CHARACTERISE YOUR RELATIONSHIP WITH
MRS. THATCHER? DOESN'T SHE SOMETIMES "OVERCOMPENSATE"?

FITZGERALD: WHAT DO YOU MEAN BY "OVERCOMPENSATE"?

SPIEGEL: WELL, THE "IRON LADY" SEEMS TO BE PARTICULARLY ADAMANT
TO PROVE TO HERSELF AND OTHERS THAT SHE IS A SUPERMAN.

FITZGERALD: IT IS NOT MY TASK TO PSYCHOANALYSE THE BRITISH
PRIME MINISTER. MY TASK IS TO DISCUSS AND NEGOTIATE WITH HER IN
ORDER TO FIND A SOLUTION TO THE PROBLEMS OF NORTHERN IRELAND.
SINCE OUR FIRST MEETING WE HAVE ALWAYS HAD A GOOD RELATIONSHIP.

SPIEGEL: SOMETIMES, HOWEVER, IT SEEMS THAT THE IRA AND MRS. THATCHER
HAVE A COMMON INTEREST: NO COMPROMISES IN NORTHERN IRELAND.

FITZGERALD: YOU CAN ONLY SAY THAT OF THE EXTREME UNIONISTS IN
IRELAND, WHO HAVE A COMMON INTEREST WITH THE IRA IN PREVENTING
A PEACEFUL SOLUTION. BUT YOU REALLY CAN'T SAY THAT OF THE BRITISH
PRIME MINISTER.

SPIEGEL: FOR THE PROTESTANTS IN ULSTER A UNION WITH IRELAND
ON A CONSTITUTIONAL BASIS IS A BLEAK PROSPECT, AS YOUR CONSTITUTION
STILL PROHIBITS DIVORCE AND ABORTION. HOW WOULD YOU LIKE, IF YOU
WERE A PROTESTANT.....

FITZGERALD: I AM A CATHOLIC.....

SPIEGEL:THE PROSPECT OF HAVING TO JOIN A STATE WITH 35
BISHOPS, THOUSANDS OF PRIESTS AND NUNS AND A PREDOMINANT CATHOLIC
CHURCH?

FITZGERALD: WE ACCEPT THAT AT THE MOMENT THE PROTESTANT MAJORITY
IN IRELAND IS NOT WILLING TO ACCEPT A POLITICAL UNION WITH
IRELAND.

.....

SPIEGEL: ONE OF THE REASONS WHY GREAT BRITAIN REJECTS THE IDEA OF A UNITED IRELAND SEEMS TO BE YOUR NEUTRALITY. IN 1939 CHURCHILL OFFERED THE IRISH PRIME MINISTER DE VALERA NEGOTIATIONS ON REUNIFICATION IF HE FOUGHT AT THE BRITISH SIDE AGAINST HITLER. DE VALERA REFUSED. WHEN HITLER COMMITTED SUICIDE IN 1945, DE VALERA EVEN SENT A TELEGRAM OF CONDOLENCES TO THE GERMAN AMBASSADOR IN DUBLIN.

FITZGERALD: THIS WAS AN ACT OF DIPLOMATIC GOOD MANNERS.

SPIEGEL: BUT IT WAS UNPARALLELED IN THE WHOLE WORLD, AN ABSURD ACT.

FITZGERALD: DE VALERA HAD NO SYMPATHY AT ALL FOR NATIONAL SOCIALISM. NOBODY, NOT EVEN HIS WORST ENEMY, HAS EVER ACCUSED HIM OF THAT. HE SENT THAT TELEGRAM AT A TIME, WHEN OTHER COUNTRIES ENTERED THE WAR AGAINST GERMANY, WHICH WAS ALREADY WON, IN ORDER TO GET CERTAIN POLITICAL ADVANTAGES FOR THEMSELVES. APPARANTLY DE VALERA DID NOT WANT TO ADOPT THIS DISREPUTABLE ATTITUDE.

PLS READ: WHICH WAS ALREADY WON, IN ORDER TO GET....

SPIEGEL: BUT WHY IS IRELAND STILL NEUTRAL?

FITZGERALD: THE PSYCHOLOGY OF THE IRISH NEUTRALITY IS VERY COMPLICATED. DURING THE FIGHT FOR INDEPENDENCE 60 YEARS AGO NEUTRALITY WAS SIMPLY UNDERSTOOD AS AN EXPRESSION OF INDEPENDENCE. OUR PEOPLE STILL REFUSE CATEGORICALLY ANY PARTICIPATION IN A MILITARY ALLIANCE. BUT IT WOULD BE GROSSLY WRONG TO ALLEGE THAT IT DOES NOT CARE TO WHICH PART OF EUROPE IT BELONGS OR THAT IT WOULD NOT MIND IF THE SOVIET UNION SEIZED WESTERN EUROPE. OF COURSE WE ARE NOT INDIFFERENT ABOUT THAT. OF COURSE OUR INTERESTS AND ETHICS ARE ORIENTED EXCLUSIVELY TO THE WEST. THIS IS WHY THE SECURITY OF EUROPE MATTERS A LOT TO US.

SPIEGEL: ARE YOU SURE THAT THERE ARE NO NUCLEAR WEAPONS ON IRISH TERRITORY, INCLUDING NORTHERN IRELAND?

FITZGERALD: I AM CONVINCED THAT THERE ARE NO NUCLEAR WEAPONS ON OUR ISLAND.

SPIEGEL: CONVINCED, BUT NOT SURE. PERHAPS YOU WANT TO MAKE SURE ON THE OCCASION OF YOUR NEXT MEETING WITH MRS. THATCHER. WHEN WILL YOU SEE HER AGAIN?

FITZGERALD: IN THE SPRING.

SPIEGEL: IN LONDON AS USUAL? IRISH PRIME MINISTERS MUST NEARLY ALWAYS GO TO LONDON, SELDOM DO YOUR BRITISH COLLEAGUES COME HERE. DOES THAT HURT?

FITZGERALD: FROM 1973 TO 1977 SIX SUMMIT MEETINGS TOOK PLACE: FIVE IN LONDON, ONE IN DUBLIN. IN THE YEARS FROM 1977 TO 1981 THERE WAS A CHANGE OF GOVERNMENT. DURING THIS TIME SIX SUMMIT MEETINGS WERE HELD, FIVE IN LONDON AND ONE IN DUBLIN. I DON'T KNOW IF THERE IS SOMETHING SIGNIFICANT ABOUT THIS NUMERICAL PROPORTION. I ONLY MENTION THE SINGLE FACTS.

RESTRICTED

Foreign and Commonwealth Office

London SW1A 2AH

*sub
25/12*



Telephone 01-

Mr R Hatfield
PS/Sir R Armstrong
Cabinet Office
Whitehall

Your reference

Our reference

Date 19 December 1984

Dear Richard,

PUBLIC REACTION TO THE ANGLO-IRISH SUMMIT IN THE REPUBLIC

1. Sir Robert Armstrong may find it interesting to see the attached selection of letters which our Embassy in Dublin received from members of the public in the Republic of Ireland following the Anglo-Irish Summit. The most striking feature of these letters and of the telephone calls which the Embassy also received is that most of those who took the trouble to express their views stressed their close links with Britain. Indeed many of them are British.

2. The fact that the Embassy received relatively few letters and that most of them were couched in language expressive of sorrow and dismay rather than of anger or vituperation, suggests that Irish nationalists, whose views would have been expressed in a much more unrestrained manner, saw little point in writing to us.

Yours sincerely

Gerald

G E Clark
Republic of Ireland Department

cc: Mr Powell, No 10 Downing St

RESTRICTED

Quiet Waters
Flagmount
Co. Clare

26-XI-84.

(2)
28/11

Dear Ambassador,

As an English woman who has been living in Ireland for the last ten years, I would like to express my total abhorrence at the display of arrogance, and insensitivity displayed by our Prime Minister, Mrs Thatcher during, and after her Press Conference last Monday. This contrasted starkly with the courtesy, restraint, and respect for confidentiality shown by the Irish Prime Minister, Mr Fitzgerald.

I, and my family have always been staunch supporters of the Conservative party, but on this occasion I was so ashamed of being British that I seriously considered renouncing my British citizenship and becoming an Irish National -

I know I am not by any means the only English person living in Ireland who feels

this way about Mrs Thatchers disgraceful
behaviour, and I hope you will find
some means of conveying these sentiments
to her -

Yours sincerely,

Winfred M. Unsworth.

Atlantic

Dublin Road

Oranmore

County Galway.

21-11-84

Your Excellency,

As a British citizen living in this state I wish to convey to you my disgust at our Prime Minister's behaviour on Television yesterday. The monosyllabic dismissal of a year's work by constitutional nationalists was degrading, unnecessary and perfect for the cause of the IRA.

I would ask that you convey my comments to the Prime Minister and add that the defeat of terrorists will only come when the genuine aspirations of moderate men

like Doctor Fitzgerald are listened to.

When one adds to the Prime Minister's comments, the patronising comments of Mr Hurd I dread to think how many more people must die and be maimed before my government realises that it has a potential friend in the person of Doctor Fitzgerald.

I feel my country is moving on a very dangerous road. Please ask Mrs Thatcher to think again.

Yours faithfully

David Kenney

British Citizen.

25th November 1984

The Flags
Dalkey Avenue
Co Dublin

28/11

His Excellency
The British Ambassador

Your Excellency

I will be grateful if you will read and acknowledge this letter and forward it to the appropriate quarter in the U.K.

I am an Irish citizen in my mid fifties but my family and forebears were heavily involved in the British armed forces. My father fought at Gallipoli in world war 1 until invalided out following serious wounding there. His brother was killed beside him at Gallipoli. A third brother, an army doctor, was killed when the 'Leinster' was torpedoed outside Dun Laoghaire. On my mother's side, one brother was killed in the British army in France in 1915 - where he won the M.C. Another brother survived the 1914 - 1918 war and subsequently served in the British army in India. A third brother in the Merchant Navy survived 2 torpedo attacks in 1914 - 18 but eventually became captain of a Merchant vessel in the 'Clan-' line sailing out of Glasgow and was finally torpedoed in the North Atlantic in 1940 where he died. A cousin of mine served in the Parachute Regiment in the late 40's.

By background therefore I might be expected to sympathise with the British and Unionist viewpoint. I am also a Protestant.

I want to say that I am appalled by your Prime Minister's press conference following the recent summit. I am appalled by her ignorance and apparent indifference to the utter injustice of the situation in Northern Ireland so far as the minority population is concerned. I am appalled by the manner in which she has humiliated Ireland and our Prime Minister whose credibility has been seriously undermined by her intemperate remarks.

In Northern Ireland you have created an artificial state with a permanent 'majority' - which is what the Unionists wanted in 1920. It is all in Hansard.

-1-

↑
5th Series
Volume 127
Col 990 - Craig's speech.

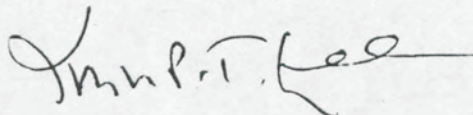
His Excellency
The British Ambassador

25th November 1984

To be viable you must enable the minority to participate.
There must be power sharing and there must be Irish Govern-
ment involvement.

Please convey to your 'masters' the utter dismay of people
like me when we contemplate the invincible arrogance and
ignorance of your Prime Minister and Government. She is
the best recruiting sergeant the I.R.A. ever had.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'John P. T. Lee', with a long horizontal flourish extending to the right.

John P. T. Lee

24/11/84

Dear Ambassador

Reflecting on
the recent meeting of your Prime
Minister Mrs Thatcher and our own
Prime Minister Dr Fitzgerald it
seems that the Good Lady was grievously
misinformed of the cohesiveness of
the Irish people and its sensitivity.

It is only fair to point out that
your own office has been remiss
in the areas of communication and
information normally given to its own
Government. The "Tragedy" of our dear

Country in simple and concise terms is one of the "Original Sin" Syndrome i.e. the creation of a false majority from a real majority, and, unfortunately no "whitewashing" can cover this fact, even though specious arguments can be made out for the present Unionist Majority "A terrible beauty was born."

Your Prime Minister has a sane and reasonable Prime Minister with whom to deal and negotiate, and there is every reason to assume that it might now be too late unless urgent steps are taken to control

or countrywide surge of passion
(which is already developing) and
disenchantment with the reasonable
approach style of Dr Fitzgerald,
Heaven knows where this will end.

Why oh Why was this not recognised.

Discussion at the highest level
means compromise with dignity and
not with arrogant ignorance. It is up
to both parties to be fully informed, and
and in such delicate talks the
Joint Communique to the Press would
give a fair, balanced and ~~disciplined~~
disciplined summary to the Media.

Finally the Northern problem
could be compared to drawing a
line across Severn + Loxmwall and
separating them from England and
defending this line by the expedient
of the word "majority" which wishes
to be self governing, hence its rights
to be defended by the forces of
army and internal police.

This letter is not written in
Rancour but with a genuine *Cri de*
Coeur in the face of a very real
alienation of ~~the~~ the vast majority

of all the people of Ireland.

It seems an awful pity that
our nearest neighbours ~~are~~ are not
our dearest friends. God willing this
will happen with courage, goodwill
and understanding of the two
cultures

Yours sincerely,
Patrick J. O'Brien
(PATRICK J. O'BRIEN)



10 DOWNING STREET

3 December 1984

Subject on
 E. O. P. C., Euro Council
 in Dublin PC. 19
CC. IRELAND:
Meetings with
the Taoiseach
 + Master Set

From the Private Secretary

MEETING BETWEEN THE PRIME MINISTER AND THE TAOISEACH IN
 DUBLIN CASTLE ON 3 DECEMBER 1984 AT 1855 HOURS

During the afternoon session of the European Council, Mr. Nally (Irish Cabinet Secretary) approached us to say that the Taoiseach would like a bilateral meeting with the Prime Minister to discuss Northern Ireland on the morning of 4 December. On the Prime Minister's instructions, I subsequently told Mr. Nally that the Prime Minister had some misgivings about this. She thought that there was a risk of building up expectations in the press which could not be fulfilled; and that her preference would be to stick to the proposal for a meeting in the early months of next year. However, if the Taoiseach nonetheless believed that a meeting was important, she would readily agree. Mr. Nally consulted the Taoiseach and came back to say that, in his view, the press would be much more impressed by a failure to hold a meeting. In the light of this, a meeting was arranged immediately after the conclusion of the afternoon session of the European Council on 3 December.

The meeting began with some brief exchanges about progress in the European Council itself. The Taoiseach thought that a solution on wine was in sight but that integrated Mediterranean Programmes could prove very difficult. He did not discount the possibility that Papandreou would block enlargement unless he received satisfaction.

/Turning to

Turning to Northern Ireland affairs, the Taoiseach explained the reasons why he thought it important that he and the Prime Minister should meet if only briefly. It would show that relations between them were carrying on normally. The Prime Minister agreed that it was important from the point of view of public presentation that it should be known that they had met.

The Prime Minister said that she found it difficult to understand the reaction in the Republic to her press conference following the Anglo/Irish Summit. She had made clear that the British Government would try to get a new political framework for a settlement in Northern Ireland. Far from brushing the problem aside, she had stressed the importance of their decision to meet again in the early months of next year. She had been very disappointed in the reaction of John Hume. Indeed, her inclination on hearing his remarks in the House of Commons had been to say that the efforts under way between the Irish and British Governments might as well be abandoned.

The Taoiseach said that Mr. Hume had been under great pressure. His first reaction to the outcome of the Anglo/Irish Summit had been supportive. But when he had heard the impact made by the Prime Minister's press conference in the Republic, he had gone too far in the other direction. The Taoiseach continued that there was no point in going back over what had happened at the press conference. He then proceeded to do precisely that. He was grateful to the Prime Minister for sticking to the line which they had agreed between them. Unfortunately, her answers to two of the questions - those concerning the models in the New Ireland Forum report and "alienation" - had come over abruptly and dismissively on television. He admitted readily that this had not been the impression of those actually present at the press conference. However, the overall effect had been unfortunate by focusing attention on the points in the New Ireland Forum report which the Irish Government was trying to move away from. It was a pity that the Prime Minister had not been able to refer positively to other aspects of the report. He understood her semantic difficulty with the

word "alienation". But again the effect at the press conference had been to suggest that she did not understand the problem of the minority community. The phraseology used in her recent letter to him had been very much more helpful. He was very grateful for the letter.

The Prime Minister replied that nothing which she had said at the press conference should have surprised anyone. The Government had made plain many times in recent months that it could not accept the models in the New Ireland Forum report. "Alienation" was a word which she was loth to use for reasons which she had explained at the Summit. Against these points had to be set her positive approach to finding a new political framework for a settlement, her determination not just to play the problem away but to work actively for a solution, and her readiness to meet again within a short time. The fact that there was a problem in Northern Ireland was so obvious that it surely did not need to be said. But one thing was clear: one had to develop an extra sensitivity for commenting on the Irish problem. Her own style was to give a direct answer to a direct question.

The Taoiseach said that, after 800 years, extra sensitivity was indeed needed. He appreciated that the Prime Minister had been endeavouring to be positive. He recognised that he had contributed very largely to subsequent problems. "I gave the worst press conference in my life". The Prime Minister said she had been astonished by how big an issue the Irish press had made of it. The Taoiseach said that, for the UK, Northern Ireland was a subsidiary problem but for the Republic it was the most important issue in national life. However, he wanted to put these problems to rest and re-build. He would be making a speech next week in which he would try to steady things. But it would be very helpful if the Prime Minister could, in her press conference the following day, refer to the positive aspects of the New Ireland Forum report and recognise the problems of the minority community in Northern Ireland.

/The Prime Minister

The Prime Minister said that she was nervous of making any further comment on Irish affairs. Would it not be best simply to say that they had had a brief and friendly meeting and confirm their intention to hold further discussions early in the New Year? The Taoiseach said that it would be an enormous help to him if the Prime Minister could speak as he had suggested. The Prime Minister said that she would not want to give the impression of backing down or changing her mind. But, depending on the nature of the questions at her press conference and the tone in which they were asked, she would attempt to speak in terms helpful to the Taoiseach.

The meeting ended at 1912 hours.

I am sending copies of this letter to Graham Sandiford (Northern Ireland Office) and to Sir Robert Armstrong.

CHARLES POWELL

Len Appleyard, Esq.,
Foreign and Commonwealth Office.

mtg with Taoiseach

PRIME MINISTER

Nally has now told us that the Taoiseach would like a bilateral tomorrow morning at 0900.

We have not said yes or no. But FERB and I agree that you cannot decline without risking 'Thatcher snubs FitzGerald' headlines.

I don't suppose that a meeting will yield much. But we would only need to be able to say afterwards that you had discussed developments since the Summit and continue to plan a meeting early next year.

Agree to meeting?

I will if he wishes -

C.D.P.

but I really think that the less said the better and that such a meeting will raise expectations with the press that cannot be fulfilled.

3 December 1984

I would rather say that we shall be meeting in the early months of next year when talks have been better fulfilled and



10 DOWNING STREET

From the Private Secretary

29 November 1984

ANGLO-IRISH RELATIONS: NORTHERN IRELAND

I enclose a message from the Prime Minister to Dr. FitzGerald. I should be grateful if it could be telegraphed to Dublin for delivery to the Taoiseach personally as soon as this can be arranged.

The Prime Minister has noted the minutes by Sir Robert Armstrong and Mr. Goodall of 28 November recording their conversations with Mr. Lillis. The Prime Minister does not wish to proceed with the proposed Written Question and Answer.

I am sending copies of this letter and enclosure to Graham Sandiford (Northern Ireland Office) and to Sir Robert Armstrong.

(C.D. POWELL)

Len Appleyard, Esq.,
Foreign and Commonwealth Office.



10 DOWNING STREET

THE PRIME MINISTER

29 November 1984

Dear Aunt,

Thank you for your letter of 22 November. I had indeed noted and appreciated the trouble you took to make sure that your presentation, both at your press conference and in the Dail, followed the lines which we had agreed together at Chequers and, as you say, I was careful to do the same at my own press conference and in the House of Commons. I share your concern that my references to the Forum Report and the situation of the minority community in Northern Ireland have been taken totally out of context.

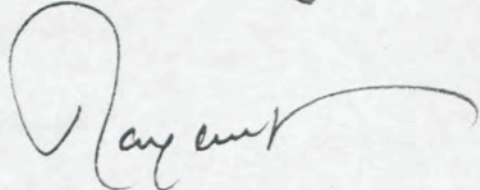
As regards the Forum Report, when I was explicitly asked at my press conference whether the British Government had ruled out the three models put forward in Chapters 6-8 of the Report, I was bound to reaffirm that none of these models is acceptable to us. There was nothing new in that: it was made clear by Jim Prior in his speech in the House of Commons on 2 July, and I reaffirmed it to you when we met in London at the beginning of September. If I had been asked for my view on the Forum Report as a whole, I should certainly have endorsed Jim Prior's references to those elements in the Report which we found helpful. I acknowledge how much personal effort and commitment you yourself have put into the search for an acceptable way forward.

As to alienation, you will know from our talks both in London and at Chequers that I think that the unqualified use of this term is liable to exacerbate the problem which it purports to describe. There is a danger that people

will overlook the measures which British Governments have taken in Northern Ireland in recent years to safeguard the rights of both communities, and the extent to which members of the nationalist minority are involved in the institutions of the province. But I do not dispute that, though many members of the minority community support the existing system and work within it - for instance as members of the Northern Ireland Civil Service and in other parts of the public service - there are members of the minority community in Northern Ireland who do not have confidence in the system of authority and law and order and who look to the Republic, and therein lies the problem which both of us are trying to resolve.

I share your own conviction that our joint search for ways of promoting lasting peace and stability in Northern Ireland must continue. Neither of us underestimates the difficulties; but I thought that our talks at Chequers were valuable in helping to approach the problems realistically, and the goodwill between us is a solid foundation on which to build. For our part, we are reflecting carefully on the ground covered in the Chequers talks, and I hope that we shall be able before long to let you have an indication of the areas which we believe that it would be fruitful to explore further with you.

I look forward to seeing you at the European Council.

Yours sincerely


Dr. Garret FitzGerald, TD.

SECRET AND PERSONAL



10 DOWNING STREET

From the Private Secretary

Sir Robert Armstrong

Anglo-Irish Relations: Northern Ireland

Your minute of 27 November to the Prime Minister proposed that she should send a message to the Taoiseach, following up their discussion at the Anglo/Irish Summit; and put on record the Government's views on the Forum Report in the form of a written Parliamentary Question and Answer.

The Prime Minister is not enamoured of either proposal. She sees no reason to give the impression that we have something for which we need to apologise to the Irish Government or to be seen to be stating views on the Forum Report under pressure from them. She thinks that the device of a written Parliamentary Question and Answer would be obviously contrived. She does not agree to it.

The Prime Minister is ready to send a somewhat shorter message to Dr. FitzGerald. I enclose the version which she would be prepared to sign. It would be helpful to know, if possible in the course of today, whether her Ministerial colleagues believe that the message would serve a useful purpose in this form, or whether it would be better to drop the idea of a message altogether.

I am copying this minute and enclosure to the Private Secretaries to the Foreign and Commonwealth Secretary, and the Secretary of State for Northern Ireland.

28 November, 1984.

SECRET AND PERSONAL

File JD2AAG

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C.D.P.

CST



Prime Minister
C.M.
4

Ref. A084/3176

MR POWELL

Anglo-Irish Relations: Northern Ireland

Thank you for your minute of 28 November.

2. Since my minute of 27 November we have had a visit today from Mr Michael Lillis. Mr Lillis has been to see Mr Goodall, Mr Andrew and me in that order. I attach Mr Goodall's account of his conversation. I understand that the conversation with Mr Andrew was very similar.

3. In talking to me Mr Lillis added a further point. In the present political situation in Dublin, as he reports it, there is a danger that, if nothing changes before the meeting of the European Council, that meeting will, for the media, be dominated by its significance in terms of Anglo-Irish relations, which are much more important to the Irish press than European issues. Mr Lillis, speaking on the Taoiseach's instructions, said that the Taoiseach was very anxious to avoid that situation if possible, for the sake of the European Council as well as for himself and the Prime Minister. The Taoiseach fears that, if the Prime Minister arrives at Dublin for the European Council without having found some sort of public opportunity to defuse the situation, she will come into a hostile situation at Dublin, and into some difficult press questioning at her press conference at the end of the European Council. The Taoiseach will face similar questioning. If she were to be able to say something before the European Council, both she and the Taoiseach could then confine themselves to saying that the meeting of the European Council was to discuss European questions, that she and the Taoiseach had had only a brief word en marge about Anglo-Irish matters, and that she had no statement to make about those conversations beyond reaffirming that the close and continuing dialogue referred to in the Chequers communique would go forward.



4. The Prime Minister will wish to consider, in the light of this, whether, despite the air of contrivance, it would be worth going forward with an arranged Question and Answer of the kind suggested in my minute of 27 November. The text would of course need to be altered to fit the revised text of the Prime Minister's message to the Taoiseach.

5. As to the message to the Taoiseach, I should be content for the message to go forward to the Taoiseach, and I think that it would be useful that it should go, subject to one small change indicated in manuscript on the copy attached.

6. As to the draft Parliamentary Question and Answer I attach a first shot at a new version, taking account of the revised version of the message to the Taoiseach.

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

REA

ROBERT ARMSTRONG

28 November 1984

28 NOV 1984

FILING INSTRUCTIONS

FILE No.

SECRET AND PERSONAL

Sir Robert ~~Armstrong~~ ^{RWA}

From A.D.S. Goodall

Date 28 November, 1984.

cc Private Secretary
Mr. Powell, No. 10
Mr. Andrew, NIO

ANGLO/IRISH RELATIONS: NORTHERN IRELAND

Mr. Lillis telephoned me last night at home to say that he wished to see me urgently on the Taoiseach's instructions. He came over by the first flight this morning and saw me at 10 a.m. He will be calling on you later today and hopes also to see Mr. R. Andrew.

2. Mr. Lillis gave me a frank account of the political situation in Dublin. He said that the Taoiseach's political standing and authority had been significantly weakened. He was not predicting his early departure but was anxious that we should understand that the tidal wave of criticism of his handling of the Summit and his alleged inability to stand up to the Prime Minister or achieve any definite results have been the worse thing that had happened to him since he became Taoiseach. The Irish Government were extremely anxious that the Dublin Summit should not provide a further focus for Anglo/Irish differences.

3. Irish Ministers were doing their best to calm things down and were strongly committed to continuing the discussions between the two governments agreed on at Chequers. They hoped that you would be authorised to resume talks on the Armstrong/Nally channel if possible before Christmas. I assured Mr. Lillis that the British Government regretted the political storm which the Taoiseach had encountered in Dublin and that British Ministers too were committed to continuing the dialogue.

4. Mr. Lillis said that the Taoiseach wanted the Prime Minister to know that he was fully aware that the Prime Minister had not had any intention of creating political difficulties for him and that her handling of the press conference and of subsequent Parliamentary Questions had been entirely consistent with what had been agreed between them at Chequers. He had meant to put this into his personal message to her. The Irish Government did however feel resentful about Mr. Hurd's press conference which had disclosed matters discussed confidentially at the Summit and presented them in a way which accorded the Irish Government the most minimal role possible. From an Irish perspective these remarks appeared to have been designed to cause the Irish Government embarrassment and they had certainly done so. What had fuelled the anger of Irish public opinion more than anything else had been the triumphalist reaction of the unionists and the impression created that the British Government was not prepared to contemplate any action in Northern Ireland which did not have unionist approval and support.

SECRET AND PERSONAL

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5. Mr Lillis repeatedly stressed the Taoiseach's personal conviction of the Prime Minister's good faith. He said that the Taoiseach had searched his memory of the Fine Gael party meeting and was sure that he had not actually used the phrase attributed to him. But he badly needed some help from the British side if his political position was not to be irretrievably damaged. In addition to points made in his letter to the Prime Minister, it would be helpful if the Prime Minister could find some way of indicating that she had some understanding and sympathy for the position of the constitutional nationalists in Northern Ireland and wanted to find some way of accommodating their concerns within a Northern Ireland which remained part of the United Kingdom. This would help to offset the impression in Ireland that the Prime Minister was 100% on the side of the Unionists in everything.

6. Reverting to the Dublin European Council Mr Lillis said that he hoped that both the Prime Minister and the Taoiseach could be advised to refrain from making any comment at their press conferences on any conversations they might have about Northern Ireland and Anglo-Irish bilateral relations.

I undertook to report these points to you as soon as possible.

David Goodall

A D S Goodall

DRAFT PARLIAMENTARY QUESTION AND ANSWER

Q. To ask the Prime Minister, in the light of the meeting with the Taoiseach on 18 and 19 November, what is the Government's position on the Report of the New Ireland Forum.

A. The Forum was dominated by parties committed to an Irish nationalist viewpoint. It was thus inevitable that there would be much in its Report which the British Government would find unacceptable.

At the same time, as my Rt Hon Friend the Member for Waveney, then the Secretary of State for Northern Ireland, indicated in his speech in the House on 2 July last, the Report is helpful in its acknowledgment, from a predominantly nationalist viewpoint, of the validity of the unionist identity; in its efforts to identify common ground between unionist and nationalist opinion; in its condemnation of violence as an instrument for bringing about political change; and in its emphasis on the need for lasting peace and stability in Northern Ireland.

In its later chapters, the Forum Report identified three possible models for a change in the constitutional status of Northern Ireland. As my Rt Hon Friend made clear on 2 July, none of those models is acceptable to the British Government. None of them would be compatible with the constitutional status of Northern Ireland as part of the United Kingdom which a majority of the people of Northern Ireland wish to preserve. The Forum Report is however careful to leave room for other views.

The Report emphasises the need to reconcile the minority community in Northern Ireland to the system of government and authority there. It is important not, by exaggerating that

problem, to exacerbate it. Many members of the minority community support the system and work positively with or within it, for instance as members of the Northern Ireland Civil Service. Nonetheless, we recognise that there are many other members of that community who do not have confidence in that system and look more to the Republic. That is a problem which both the British and the Irish Governments are committed to seeking to alleviate.

PRIME MINISTER

Ireland: Letter to Dr FitzGerald

I have consulted Douglas Hurd, Geoffrey Howe and Robert Armstrong on your revised letter to Dr FitzGerald. All three think it worth sending. Douglas Hurd has proposed some minor amendments (marked). All three think it better to leave out the reference to John Hume.

You will also wish to see the further effort mounted by Dr FitzGerald to calm things down by sending Lillis over here. His main concern appears to be not to muddy 'his' European Council. I doubt that you will think this a strong enough reason to change your mind on a statement.

CDD

*Revised - with
D.H.'s changes mb*

28 November 1984

will overlook the measures which British Governments have taken in Northern Ireland in recent years to safeguard the rights of both communities, and the extent to which members of the nationalist minority are involved in the institutions of the province. But I do not dispute that, though many members of the minority community support the existing system and work within it - for instance as members of the Northern Ireland Civil Service and in other parts of the public service - there are ~~some~~ members of the minority community in Northern Ireland who look more to the Republic, and therein lies the problem which both of us are trying to resolve.

I share your own conviction that our joint search for ways of promoting lasting peace and stability in Northern Ireland must continue. Neither of us underestimates the difficulties; but I thought that our talks at Chequers were valuable in helping to approach the problems realistically, and the goodwill between us is a solid foundation on which to build. For our part, we are reflecting carefully on the ground covered in the Chequers talks, and I hope that we shall be able before long to let you have an indication of the areas which we believe that it would be fruitful to explore further with you.

I may see John Hume fairly soon, although his remarks both in and outside Parliament have been singularly unhelpful.

I look forward to seeing you at the European Council.

* RTA wishes to amend:

"... minority community in Northern Ireland who do not have confidence in the system of authority and law and order and who look to the Republic..."

Dr. Garret FitzGerald, TD.

010

Prime Minister 2
An olive branch -
of a sort.
COP
20/11

SECRET AND PERSONAL

Sir Robert Armstrong

From A.D.S. Goodall

Date 28 November, 1984.

cc Private Secretary
Mr. Powell, No. 10
Mr. Andrew, NIO

ANGLO/IRISH RELATIONS: NORTHERN IRELAND

Mr. Lillis telephoned me last night at home to say that he wished to see me urgently on the Taoiseach's instructions. He came over by the first flight this morning and saw me at 10 a.m. He will be calling on you later today and hopes also to see Mr. R. Andrew.

2. Mr. Lillis gave me a frank account of the political situation in Dublin. He said that the Taoiseach's political standing and authority had been significantly weakened. He was not predicting his early departure but was anxious that we should understand that the tidal wave of criticism of his handling of the Summit and his alleged inability to stand up to the Prime Minister or achieve any definite results have been the worse thing that had happened to him since he became Taoiseach. The Irish Government were extremely anxious that the Dublin Summit should not provide a further focus for Anglo/Irish differences.

3. Irish Ministers were doing their best to calm things down and were strongly committed to continuing the discussions between the two governments agreed on at Chequers. They hoped that you would be authorised to resume talks on the Armstrong/Nally channel if possible before Christmas. I assured Mr. Lillis that the British Government regretted the political storm which the Taoiseach had encountered in Dublin and that British Ministers too were committed to continuing the dialogue.

4. Mr. Lillis said that the Taoiseach wanted the Prime Minister to know that he was fully aware that the Prime Minister had not had any intention of creating political difficulties for him and that her handling of the press conference and of subsequent Parliamentary Questions had been entirely consistent with what had been agreed between them at Chequers. He had meant to put this into his personal message to her. The Irish Government did however feel resentful about Mr. Hurd's press conference which had disclosed matters discussed confidentially at the Summit and presented them in a way which accorded the Irish Government the most minimal role possible. From an Irish perspective these remarks appeared to have been designed to cause the Irish Government embarrassment and they had certainly done so. What had fuelled the anger of Irish public opinion more than anything else had been the triumphalist reaction of the unionists and the impression created that the British Government was not prepared to contemplate any action in Northern Ireland which did not have unionist approval and support.

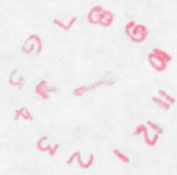
5. Mr Lillis repeatedly stressed the Taoiseach's personal conviction of the Prime Minister's good faith. He said that the Taoiseach had searched his memory of the Fine Gael party meeting and was sure that he had not actually used the phrase attributed to him. But he badly needed some help from the British side if his political position was not to be irretrievably damaged. In addition to points made in his letter to the Prime Minister, it would be helpful if the Prime Minister could find some way of indicating that she had some understanding and sympathy for the position of the constitutional nationalists in Northern Ireland and wanted to find some way of accommodating their concerns within a Northern Ireland which remained part of the United Kingdom. This would help to offset the impression in Ireland that the Prime Minister was 100% on the side of the Unionists in everything.

6. Reverting to the Dublin European Council Mr Lillis said that he hoped that both the Prime Minister and the Taoiseach could be advised to refrain from making any comment at their press conferences on any conversations they might have about Northern Ireland and Anglo-Irish bilateral relations.

I undertook to report these points to you as soon as possible.

David Goodall

A D S Goodall



28 NOV 1984



CDD

Anglo-Irish Relations

The questions are:

1. Do you want to send a message to the Taoiseach?

NO

2. Do you want to get on record your views on the Forum report by way of a written PQ and answer?

NO

I think a message a good idea but it should not be apologetic. If it is, it will be treated as Thatcher backs down. I have suggested some amendments to it in blue ink. Those in red are Mr Hurd's suggestions.

I find the idea of the written PQ and answer rather contrived, though the text seems fine. Might it be better to get Mr Hurd to answer it?

So: agree message as amended?

NO

agree written answer by Mr Hurd, if he is willing?

NOT NECESSARY

agree to see John Hume fairly soon?

Yes

C.D.P.

27 November 1984

This whole proposal is too contrived & too apologetic. Why? no

Ref. A084/3160

PRIME MINISTER

Anglo-Irish Relations: Northern Ireland

I have now been able to discuss with the Foreign and Commonwealth Office and the Northern Ireland Office the message from the Taoiseach and the aide-memoire attached to my minute of 22 November (A084/3109).

2. The Taoiseach refers to two matters which arose at your press conference after the Summit: your comments on the Forum Report and your "dismissal of the reality of alienation". On both he asks you to find an opportunity of a further public statement which will ease the political difficulty in which he finds himself at home.

3. We recommend that you should send a message in reply as soon as possible, and in any case before you meet Dr FitzGerald at the European Council on 3 December.

--- 4. The draft message which I attach envisages that you would tell the Taoiseach that you would seek an opportunity of publicly restating the Government's position on these two points. This could most conveniently be done by means of a Written Answer to a Parliamentary Question (which someone like Mr Michael Mates MP might be asked to put down). I attach a draft of the sort of answer which we think that you might be able to give.

5. As to the Forum Report, we think that you can reasonably say to the Taoiseach that, when you are asked a direct question about the three "models" (a unitary state, a federal state, joint authority), you are bound to make it clear that none of them is acceptable to us. Clearly none

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SECRET AND PERSONAL

No
cont'd

of them is consistent with the constitutional status of Northern Ireland as part of the United Kingdom, which the majority of the people of Northern Ireland do not want to change. Nonetheless, you recognise that the Forum Report not only acknowledged the validity of the unionist identity and the legitimacy of unionists' rights to express that identity, but also recognised that change can come about only by freely negotiated agreement and in peace, and that the aim must be to provide lasting peace and stability. That was also the aim on which the Taoiseach and you agreed in the Chequers communique, and you can confirm that you wish to see close and continuing dialogue between the two Governments on the subjects discussed at Chequers.

6. As to "alienation", both the previous Secretary of State for Northern Ireland and the present Secretary of State have made public statements acknowledging that there is a degree of alienation. The question at issue is one of degree, and perhaps of semantics. We suggest that you could say to the Taoiseach that you accept that (in his words) some of the nationalists are estranged from the system of authority, security and justice in Northern Ireland; there are also many members of the nationalist community who feel able to support the system and work within it (for instance by serving in the Northern Ireland Civil Service and in the police); and that, while both Governments must do what they can to enable those who are estranged to reconcile themselves to the system, it is unhelpful to exaggerate the degree of estrangement or to talk in terms which suggest the alienation of a whole community.

7. You could tell the Taoiseach that you regret it, if the manner in which what you said at your press conference was reported has created difficulties for him at home. You could repeat that you thought that the discussion at

Certainly
NOV

Chequers had been constructive and valuable, and that you were committed to continuation of the dialogue. You could say that you and your colleagues were urgently considering the position in the light of the discussion at Chequers, and that we should be proposing a further Armstrong-Nally meeting shortly, when that review was completed.

8. A revised "position" paper is in preparation. I shall submit that to you and the Secretaries of State as soon as it is ready, as a basis for discussion.

9. I am sending copies of this minute and the attached drafts to the Secretaries of State for Foreign and Commonwealth Affairs and Northern Ireland.

RA

ROBERT ARMSTRONG

27 November 1984

DRAFT MESSAGE FROM THE PRIME MINISTER TO THE TAOISEACH

Thank you for your letter of 22 November. I had indeed noted and appreciated the trouble you took to make sure that your presentation, both at your press conference and in the Dail, followed the lines which we had agreed together at Chequers and, as you say, I was careful to do the same at my own press conference and in the House of Commons. I share your concern that my references to the Forum Report and the situation of the minority community in Northern Ireland have been taken *to lathly* out of context ~~[and I am sorry that this has created political difficulties for you at home.]~~

2. As regards the Forum Report, when I was explicitly asked at my press conference whether the British Government had ruled out the three models put forward in Chapters 6-8 of the Report, I was bound to reaffirm that none of these models is acceptable to us. There was nothing new in that: it was made clear by Jim Prior in his speech in the House of Commons on 2 July, and I reaffirmed it to you when we met in London at the beginning of September. If I had been asked for my view on the Forum Report as a whole, I should certainly have endorsed Jim Prior's references to those elements in the Report which we found helpful: ~~[to its acknowledgement of the unionist identity and the legitimacy of the unionists' right to express that identity; to its condemnation of violence and its insistence that change can come about only by freely negotiated agreement and in peace; and to its recognition that the aim must be to provide lasting peace and stability in Northern Ireland, which is the aim to which we jointly committed ourselves in the Chequers communique.]~~ I ~~should also have wanted to~~ acknowledge how much personal effort and commitment you yourself have put into the search for an

acceptable way forward. (I do not at all dismiss or underrate the efforts made in the Report to identify common ground between nationalist and unionist opinion and to approach the problems of Northern Ireland in a new and constructive spirit.)

3. As to alienation, you will know from our talks both in London and at Chequers that I think that the unqualified use of this term, ~~with its Marxist overtones,~~ is liable to exacerbate the problem which it purports to describe. (I also believe that ~~the extent of the problem can be exaggerated.~~) There is a danger that people will overlook the measures which British Governments have taken in Northern Ireland in recent years to safeguard the rights of both communities, and the extent to which members of the nationalist minority are involved in the institutions of the province. But I do not dispute that, though many members of the minority community support the existing system and work within it - for instance as members of the Northern Ireland Civil Service ~~or the police,~~ ^{and in other parts of the public service,} there are also ^{some} many members of the minority community in Northern Ireland who ~~feel estranged from~~ ^{walk away from the Rep. while} the system of authority, security and justice there; ^{and there is less the problem} and that, as Jim Prior said in the House of Commons on 2 July, the violence of recent years has deepened suspicions and mistrust in both communities.] That is the situation which both of us are ^{trying} struggling to find a way of improving. ^{to resolve. I hope you will understand the difficulty for us of having a remedy which}

4. [In the light of your letter, I shall be looking for an early opportunity of publicly stating my views on these points. Meanwhile] I want you to know that I fully share your own conviction that our joint search for ways of promoting lasting peace and stability in Northern Ireland must continue. Neither of us, I think, underestimates the difficulties; but I thought that our talks at Chequers were ^{very} valuable in helping to ^{clarify} ~~clarify~~ the problems ^{realistically} and the goodwill between us is a solid foundation on which to build. For our part, we are reflecting carefully on the ground covered in the Chequers talks and I hope

that we shall be able before long to let you have an indication of the areas which we believe that it would be fruitful to explore further with you. ~~If you agree, I think that initially this might best be done, as before, in contacts between Robert Armstrong and Dermot Nally. I should like to assure you that Geoffrey Howe, Douglas Hurd and I will be taking a close personal interest in the continuing discussions between our two Governments over the coming months.~~

I ~~also hope to~~ see John Hume fairly soon, although his remarks both in and outside Parliament have ~~not~~ been ~~at all~~ ^{surprisingly} unhelpful.

I look forward to seeing you at the European Council.



DRAFT PARLIAMENTARY QUESTION AND ANSWER

Q. To ask the Prime Minister, in the light of the meeting with the Taoiseach on 18 and 19 November, what is the Government's position on the Report of the New Ireland Forum.

A. The Forum was dominated by parties committed to an Irish nationalist viewpoint. It was thus ~~inevitable~~ ^{to be expected} that there would be much in its Report which the British Government would find unacceptable.

At the same time the Report is positive in its acknowledgement, from a predominantly nationalist viewpoint, of the validity of the unionist identity and the legitimacy of the unionists' right to express that identity; in its efforts to identify common ground between unionist and nationalist opinion; in its condemnation of violence as an instrument for bringing about political change; in its insistence that change can come about only by freely negotiated agreement and in peace; and in its emphasis on the need for lasting peace and stability. In these respects the Report was a helpful element in the background to the full and constructive discussions which the Taoiseach and I had at Chequers on 18 and 19 November and will continue to be taken into account in the close and continuing dialogue between the two Governments which we agreed should follow the meeting.

In its later chapters, the Forum Report identified three possible models for a change in the constitutional status of Northern Ireland. As my Rt Hon Friend the Member for Waveney, then the Secretary of State for Northern Ireland, made clear in his speech in the House on 2 July last, none of those models is acceptable to the British Government. None of them would be compatible with the constitutional status of Northern Ireland as part of the United Kingdom which a majority of the people of



Northern Ireland wish to preserve. The Forum Report is however careful to leave room for other views.

We understand the emphasis placed in the Report on the need to reconcile the minority community in Northern Ireland to the system of government and authority there. It is important to remember that many members of that community [support the system and] work positively with or within ^{the system} it, for instance as members of the Northern Ireland Civil Service. Nonetheless, we recognise that there are many other members of that community who for historical or other reasons do not feel able to identify with many aspects of government or with the forces of law and order there. That is a problem which both the British and the Irish Governments are committed to seeking to alleviate.

conqueror

Ireland
PT 7



Mtgs with
TAOIS EACH

COMPTROLLER

PART

Pt 7

ends:-

Dublin tel no 686 d 23/11.

PART

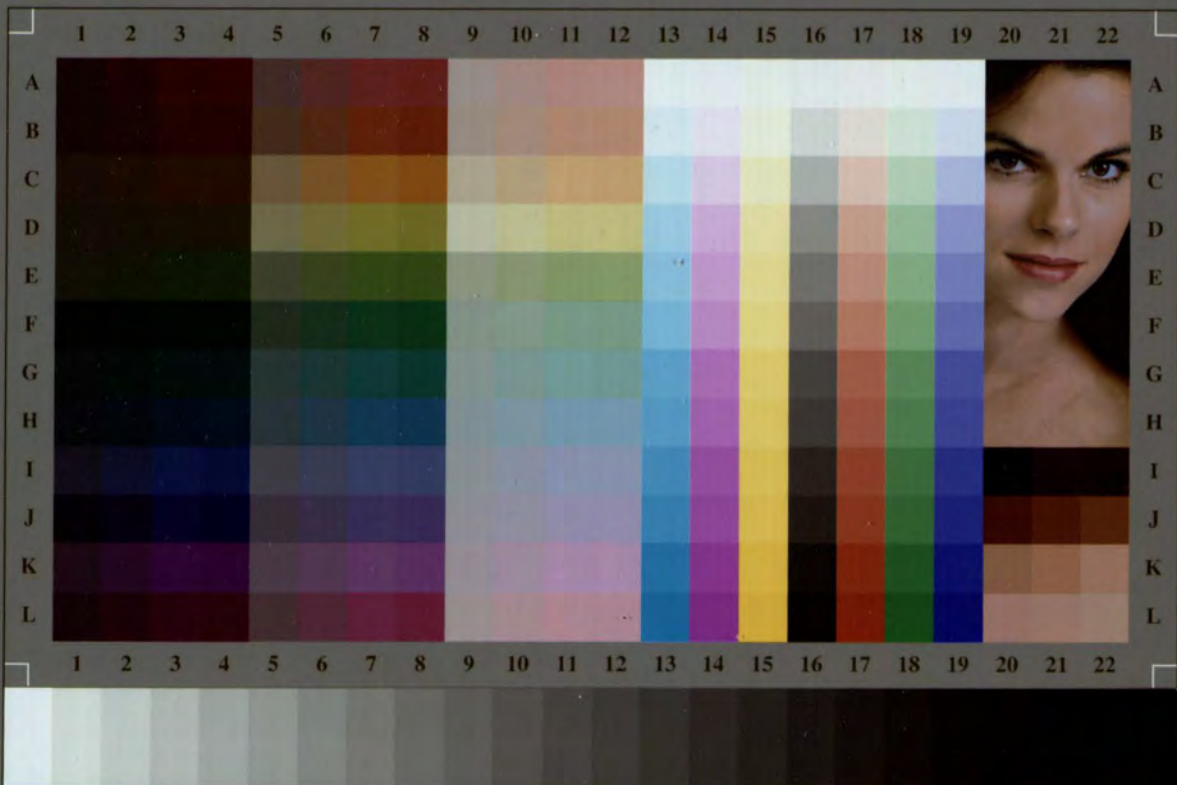
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RFA to fm (A084/3160) 27/4/84

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