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NOTE OF A PLENARY MEETING BETWEEN THE PRIME MINISTER AND THE
TAOISEACH, MR. J. LYNCH, T.D., AT No. 10 DOWNING STREET ON
WEDNESDAY 5 SEPTEMBER 1979 AT 1600

PRESENT

Prime Minister	An Taoiseach - Mr. J. Lynch TD
Foreign and Commonwealth Secretary	Mr. G. Colley (Tanaiste, Minister for Finance and Minister for the Public Service)
Secretary of State for Northern Ireland	Mr. M. O'Kennedy (Minister for Foreign Affairs)
Attorney General (for part of the time)	Mr. A. O'Rourke (Secretary, Department of Foreign Affairs)
H.E. Mr. W. R. Haydon	Mr. A. Ward (Secretary, Department of Justice)
Sir B. Cubbon	Mr. M. Horgan (Second Secretary, Department of Finance)
Mr. R. L. Wade-Gery	H.E. Dr. E. L. Kennedy (Irish Ambassador in London)
Mr. E. A. J. Fergusson	Mr. D. Nally (Deputy Secretary, Taoiseach's Office)
Mr. C. A. Whitmore	Mr. D. Nelligan (Assistant Secretary, Department of Foreign Affairs)
Mr. Ian Gow, M.P.	Mr. M. J. Donnelly (Assistant Secretary, Department of Justice)
Mr. H. James	Mr. W. Kirwan (Assistant Secretary, Taoiseach's Office)
Mr. M. O'D. B. Alexander	Mr. F. Dunlop (Government Press Secretary)
	Mr. S. O'Huiginn (Counsellor, Department of Foreign Affairs)
	Mr. B. McCarthy (Private Secretary to An Taoiseach)

The Prime Minister began the meeting by summarising the views that she had put to Mr. Lynch in the course of their tête-à-tête meeting. Events in the previous week had given both Governments a new opportunity. Both Prime Ministers were agreed that public opinion in their countries wanted terrorism stamped out. Whatever had been done in the past, it had not been enough. Law-abiding

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citizens had to be given protection. Mr. Atkins would take a political initiative in Northern Ireland when he was ready to do so but this would not of itself stop terrorism. Other things could and should be done.

The Prime Minister stressed that everything for which she had sought Mr. Lynch's agreement she was ready to do herself. Reciprocity would be complete. Her proposals had been:-

- (a) - and most importantly - that facilities should be made available for the RUC to question suspected terrorists, in the presence of Gardai, in police stations in the Republic. This should be of considerable assistance in enabling both Governments to convert evidence into convictions;
- (b) that British Army helicopters should be allowed to conduct surveillance patrols within a zone 10-15 kilometres south of the border. Identical facilities would be extended to helicopters from the Republic operating north of the border;
- (c) that Gardai anti-terrorist patrols of the type recently discontinued in County Monaghan should be resumed;
- (d) that a Gardai liaison officer should be attached to the Headquarters of the RUC. HMG would be happy to appoint a RUC liaison officer in the reverse direction;
- (e) that Mr. Atkins and his opposite number, together with the heads of their respective police forces, should meet soon to ensure that words were translated into deeds;
- (f) that HMG should give any help the Irish Government thought useful with training relevant to the defeat of the terrorists.

/The Prime Minister

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The Prime Minister pointed out that HMG had in recent years given ample evidence of its willingness to extradite individuals, including British citizens, in the effort to stamp out terrorism. She mentioned the Littlejohn case and also the recent extradition agreement with the Federal Republic. She regarded the extradition issue as of major importance. The Prime Minister concluded by saying that no political initiative would deter the PIRA and the INLA unless measures like those which she had summarised were implemented.

Mr. Lynch said that the Prime Minister's summary had been an accurate one. He and Mrs. Thatcher were agreed that it was in the interests of both countries to stamp out completely this particularly evil form of terrorism. He noted that there was a significant economic cost to terrorism in loss of tourism and retardation of investment. Irish Governments had had to deal with the IRA for many years. The Offences Against the State Act had been passed in 1939 and strengthened in 1972. The Irish people had been as horrified as the British by the murder of Earl Mountbatten.

Turning to the specific proposals made by Mrs. Thatcher, Mr. Lynch said that the high degree of co-operation between the two Governments in dealing with terrorism had always been acknowledged. However, good though it might have been, it had not been ^{as} successful as might have been hoped. This needed to be looked into. On extradition, Mr. Lynch said the Irish Government could not make an agreement such as that which the UK had just concluded with the Federal Republic. It would be against the Irish Constitution. In any case a number of other EEC countries did not extradite their own nationals and some had reservations where political offences were concerned. The Irish Government would be signing the new EEC agreement on extradition shortly. In relation to the Littlejohn case, Mr. Lynch commented that the Irish Attorney General had had to swear an affidavit in the United Kingdom, before the extradition had been approved, that no political charge would be made against Littlejohn.

/Mr. Lynch said

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Mr. Lynch said that the incidence of terrorism on the border had been exaggerated. Far more of the incidents took place deep inside the Province than took place on the border. Hot pursuit was essentially a naval concept and would cause considerable problems if implemented in the border context. Over-flying of the Republic by helicopters was at present only possible when advance notice was given. Absence of this notice would give rise to difficulties. As regards hot pursuit on the ground, Mr. Lynch commented that so far as he knew terrorist crimes had seldom, if ever, been witnessed in a way that had permitted a pursuit which had subsequently been halted at the border.

Mr. Lynch also foresaw difficulties over the presence of the RUC in police stations south of the border. It was possible that sources of information at present available to the Gardai would dry up. Members of the RUC visiting the south in these circumstances might be exposed to physical danger. Mr. Lynch said he was not aware of the withdrawal of the Gardai unit which had been operating in County Monaghan. But he noted that the increase in other forms of terrorist activity, e.g., in robbing banks, had forced his Government to pull some people back from the border. Liaison between the Gardai and the RUC was already very highly developed. If more meetings were required this would cause no difficulty.

Mr. Lynch said that he agreed that a meeting between responsible Ministers should take place at an early date. On the Irish side Mr. O'Kennedy would participate because of the importance the Irish Government attached to the preservation of the political dimension. It might be difficult to achieve progress in the political sphere but progress was required. Mr. Lynch could see no reason why Ministers should not meet as regularly as they liked.

As regards the presentation of the outcome of his meeting with the Prime Minister, Mr. Lynch agreed that there must be some indication that an advance had been made. He agreed that words would not suffice. But he hoped that no details would be made public. Progress in the fields of security and intelligence could only be made if secrecy was maintained. He intended to refrain from saying or publishing anything specific.

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The Prime Minister stressed that the proposed meeting between the Secretary of State for Northern Ireland and the Irish Foreign Minister would have no point unless it reviewed the security initiatives discussed by her and Mr. Lynch. The Ministers should monitor things that were happening. If this were not going to be possible, it would be better to be frank about the absence of progress. The Foreign and Commonwealth Secretary said that the Prime Minister had put forward a number of suggestions for new anti-terrorist measures: did Mr. Lynch have any ideas of his own to propose?

Mr. Lynch said that his proposals would depend on the receipt of advice from his experts. He was not himself familiar with the border. However, he had encouraged co-operation in every way and intended to continue doing so. He saw some risk of confusion if there were too many cross-border links. However, he would have no objection if the Armies on either side of the border were to communicate with each other direct in situations of real urgency. He did not know if there were any technical difficulties, e.g. about reception, with such communications, but he was sure something could be worked out. The Foreign and Commonwealth Secretary said that the British and Irish Governments had been co-operating for the last nine years but that they were still not winning the battle against the terrorists. The recent incidents were horrifying in their political as well as their human implications. There must be more that could be done if the two Governments had the will. The Prime Minister stressed that she would be unable to restrain public opinion in this country if, having agreed on the threat, she and Mr. Lynch were unable to point to anything new that would be done.

Mr. Lynch said that it was his understanding that the military and police presence immediately to the north of the border was not as intense as that to its south. In South Armagh, the Army remained 10 miles back from the border. Mr. Colley said that the Irish Government had 2,000 men on the border dealing with people as they crossed it. British troops and policemen in the border areas were not close enough to deal with cross-border incidents as they occurred. In many areas there were long intervals between visits by Army patrols. It was difficult for

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the Irish Government to explain to its citizens in border areas the absence of a continuous British security presence on the other side. The Foreign and Commonwealth Secretary said that what was at issue was a difference in tactics in dealing with terrorists and that the discussion was unlikely to prove fruitful.

The Prime Minister asked whether the Irish side were prepared to get down to brass tacks or whether they were in fact refusing to agree to the proposals she had made and specifically to that relating to helicopter flights. Mr. O'Kennedy said that the Irish authorities agreed automatically when a request for a helicopter over-flight was received. Blanket clearance of the kind proposed by the Prime Minister would require legislation and public debate in the Dail. The consequence of such debate could be damaging. However, this was the first time the Irish Government had heard that the present practice of over-flights was unsatisfactory. Perhaps the area in which the helicopters were at present operating could be extended. Consideration could also be given to authorising a specific number of flights in a specific period. The political will to improve co-operation existed but the Irish authorities would not wish to advertise what they were doing.

Turning to the question of making it possible for RUC officers to question suspects in police stations in the Republic, the Prime Minister said that the expert and informed questioning which this would make possible would assist in the vital process of turning intelligence into evidence that could be used in Court. It would increase the chances of securing convictions. This was more important in that the Irish Government still saw difficulties with the extradition of its subjects. The Foreign and Commonwealth Secretary explained why HMG thought that RUC officers were more likely to secure confessions from those suspected of committing offences in the North. The Attorney General pointed out that RUC officers were so familiar with the situation in the North that suspects under interrogation frequently gave them valuable information inadvertently. Mr. Colley enquired whether the Courts in Northern Ireland would accept evidence obtained by a member of the Gardai in an RUC station. He said that the Irish Attorney General had expressed doubt about the admissibility in an Irish Court of

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evidence obtained by an RUC officer in the South. The Attorney General said that there would be no problem about admissibility in the North provided the judge accepted that the statement was obtained voluntarily. Mr. Lynch said that he would wish to check with the Gardai whether they would be prepared to agree to the British proposal. As he had said earlier, it was possible that the presence of RUC officers in Gardai stations would be counter-productive but he would certainly consider the idea further: perhaps the Chief Constable and the Gardai Commissioner could examine it together.

The Prime Minister enquired why the special Gardai unit which had been operating in County Monaghan had been withdrawn. Mr. Ward said that the unit had been withdrawn because the Gardai had felt that its operations were unsuccessful. The Prime Minister said that there had been less trouble to the north of the border while it was operating. Mr. Lynch said that he would have the question looked at again. He also agreed that liaison between the RUC and the Gardai should be re-examined with a view to seeing whether it could not be further improved. The Prime Minister repeated that HMG were keen to offer any assistance in the training field that the Irish authorities would think useful. Contact between the Gardai and Scotland Yard might, for instance, be increased. Mr. Lynch agreed that this might be followed up when Ministers met at the end of the month.

In the course of a brief discussion of the political dimension, Mr. Colley said that while he agreed a political initiative would not of itself inhibit the terrorists, security initiatives would not on their own be sufficient. The uncommitted on both sides of the border needed a lead. The Prime Minister said that she was well aware of the importance of giving a political lead. It was her intention to give the local people in Northern Ireland more responsibility. When proposals to this end were introduced she would not wish any group in Northern Ireland to have the power of veto over them. Mr. Lynch said that the consent of all substantial groups in Northern Ireland would be required for an initiative. A proposal concerned solely with local government would be unacceptable to the SDLP. The Prime Minister repeated that at some stage HMG would wish to put forward a proposal and would wish to make it

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clear that no group had a veto over it. Mr. Lynch agreed that this was reasonable. There was then some discussion about the meaning of the phrase "general consent" in the Northern Ireland context. Mr. Colley attempted to argue that Northern Ireland was an artificial creation and adduced as evidence the fact that there had never been a change of Government in Stormont. He did not deny it when the Foreign and Commonwealth Secretary pointed out that there were many states in the world whose creation might, for one reason or another, be said to be artificial but whose existence was nonetheless a fact.

In a discussion of the line to be taken with the press, radio and television after the meeting, Mr. Lynch was insistent both that no specific proposals should be mentioned and that it should appear that those proposals which were discussed had emanated from both sides. He wanted the communiqué to stress that both Governments were anxious to stamp out terrorism and that co-operation was already good but that more could be done. He anticipated that he would be pressed about specific proposals since these had already been widely discussed in the British press. But he was determined to refrain from giving detailed replies. He hoped that the British side would do likewise. The Prime Minister said that she saw no difficulty in saying nothing.

Following discussion of, and agreement on, the communiqué the meeting broke up at 1745 hours.

Paul

5 September 1979

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