



10 DOWNING STREET

From the Private Secretary

MR. WRIGHT
CABINET OFFICE

Anglo-Irish Joint Studies

The Prime Minister has seen Sir Robert Armstrong's minute to Michael Alexander of 9 October, reference A05695.

The Prime Minister is content with Sir Robert's proposals for the handling of his meeting with Mr. Nally on 14 October, based on the decisions of OD, with one exception. As I reported to you earlier today, the Prime Minister was unhappy with the proposal that Sir Robert might agree to the inclusion of the words in square brackets in paragraph 14 of the draft summary of the five joint studies, and especially with the reference to the "guarantee". She felt that the wording in square brackets implied that the guarantee was considered as a "remedial" measure, and that the UK Government might be willing to bargain it away. She commented that the guarantee was not a remedial measure and that it was not negotiable.

We spoke about the Prime Minister's concern, and I suggested that Sir Robert Armstrong might propose an alternative form of words for the passage in square brackets, which would meet the Prime Minister's concerns, but which might be acceptable to the Irish. The Prime Minister subsequently agreed the following re-draft of the third and (square-bracketed) fourth sentences of paragraph 14 of the draft summary attached to OD(AI)(81)13:

"As between Northern Ireland and the South, the problem went deeper. Issues about which there was a particular need for greater mutual understanding were the 'constitutional claim', the 'guarantee' and Church/State relationships. Action to promote this greater degree of understanding would need to be sustained. Institutional arrangements were also required"

I am copying this to John Halliday (Home Office), David Heyhoe (Lord President's Office), Stephen Boys-Smith (Northern Ireland Office), Stephen Gomersall (Lord Privy Seal's Office) and Jim Nursaw (Law Officers' Department).

W/S Rickett

12 October 1981

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Redraft of third and (square-bracketted) fourth sentences of para 14 of draft summary attached to OD(AI)(81)13.

"As between Northern Ireland and the South, the problem went deeper. Issues ^{about} which ~~particularly gave rise to~~ ^{there was a former need for greater under-} ^{standing} ~~misconceptions~~ were the "constitutional claim", the "guarantee" and Church/State relationships. ~~(Remedial)~~ ^{mutual} Action ^{to provide this greater degree of understanding would} ~~(to correct these misconceptions)~~ ^{sustained} and need to be ~~far reaching~~. Institutional arrangements were also required....."

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Prime Minister

Ref: A05695

Content to proceed as

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at A ?

MR. ALEXANDER

Yes - but see note below on point 1. cannot offer Mr. Nally

Anglo-Irish Joint Studies

My submission to the Prime Minister of 30th July (A05350, paragraphs 2 and 3) reported my agreement with Mr. Nally's suggestion that before her Summit meeting with Dr. Fitzgerald (6th November) officials should draft a summary of the outcome of the five Joint Studies which, if she and Dr. Fitzgerald agreed, could be published as an annex to the Summit communique.

2. Attached to OD(AI)(81) 13 of 5th October is a draft summary for this purpose which has recently been agreed with the Irish at Mr. Wade-Gery's level. I am meeting Mr. Nally to consider this on 14th October. Meanwhile OD's Ministerial Sub-Committee on Anglo-Irish Relations met on 8th October under the Lord President's chairmanship (with the Secretary of State for Northern Ireland and the Lord Privy Seal present among others) and approved the draft, subject to the following points:

- (a) A reference to our common membership of the European Community should be inserted in paragraph 1 and perhaps also paragraph 10. We will agree a suitable form of words with the Foreign and Commonwealth Office before I see Mr. Nally.
- (b) I should insist that the title of the proposed intergovernmental body should include the word "Co-operation" before Council (so that the title is "Anglo-Irish Co-operation Council") in paragraph 2(i) of the summary, as well of course as in the structures Study itself (which on present plans will not be published).
- (c) I should insist on the inclusion of the words in square brackets in paragraph 9, in order to demonstrate publicly that we have raised the extradition issue which is so important to Unionist opinion.
- (d) I could if necessary agree to the inclusion of the words in square brackets in paragraph 14, including the reference to the "guarantee".

*Yes
mt*

I am unhappy about the wording. It needs a bit. The guarantee being a "remedial" measure (??) we can propose to buy our way. It is in a remedial measure and in fact, buy our way with the exemption

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A / 3. I should be grateful if you could confirm with the Prime Minister before 14th October that she is content for me to proceed on this basis. On 2(b), the title of the proposed Council, I should like to be free to offer "Council for Anglo-Irish Co-operation", if the Irish would be prepared to settle for that.

4. My meeting with Mr. Nally will also have before it the five actual Studies, as annexed to OD(AI)(81) 8 - 12. I do not think the Prime Minister need look at these in detail at this stage. She has already seen the most important of them, on structures (now at OD(AI)(81) 8 but also attached to my minute to the Prime Minister A05414 of 6th August). The only other sensitive issues arise on the extradition passage in paragraph 14 of the security Study (at OD(AI)(81) 10); and on the different treatment of the Republic's nationals as between Northern Ireland and Great Britain, as discussed in paragraph 55a and 56 of the citizenship Study (at OD(AI)(81) 9). The Ministerial Sub-Committee was content with the five texts subject to -

- (i) my pressing Mr. Nally to accept our formulations rather than the Irish ones where these are at present in square brackets in the Structures Study, and failing that to set out the two divergent views side by side;
- (ii) my securing an amendment to the opening of the final paragraph of the security Study, to make clear that the argument against amending the Irish constitution to meet our extradition wishes is an Irish one and not something on which both sides agree; and to remove the reference to the adequacy of evidence as a difficulty (since typically the evidence in such a case is not inadequate so much as undeplayed).

5. I am sending copies of this minute for information to the Private Secretaries to the Home Secretary, the Lord President, the Secretary of State for Northern Ireland, the Lord Privy Seal and the Attorney General.

RA

Robert Armstrong

9th October 1981