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From: THE PRIVATE SECRETARY

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NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

John Coles Esq
10 Downing Street
LONDON SW1

17 June 1983

ADL 20/6

p.a.

Dear John

EUROPEAN COUNCIL STUTTGART: MEETING WITH DR FITZGERALD

The Commissioner of the Garda last night warned the RUC of the possibility that Dr FitzGerald might raise with the Prime Minister when they meet in Stuttgart the McGovern case. It concerns allegations of collusion between the two forces last year when the RUC arrested a key witness in a case in the Republic against the brother-in-law of the Minister of Justice in Mr Haughey's Government, which was then in office. There has been no previous indication from the Irish that this might come up, and we do not consider it is an appropriate topic for a meeting of this kind. But I attach a note against the possibility that Dr FitzGerald mentions it.

Copies of this letter and its enclosure go to John Holmes (FCO) and Richard Hatfield (Cabinet Office).

Yours ever

Dave

D A HILL

Enc

P.S. I am arranging to have this telegraphed to Stuttgart.

JLD

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McGOVERN CASE

Line to Take

1. I am naturally anxious that all suspicions about this matter should be cleared up as far as possible. I gather various points have been put to the RUC. To get anywhere we need hard evidence not just allegations. I know the Chief Constable will ensure that any evidence is fully investigated.

Background

1. The McGovern case concerns the arrest by the RUC of a key witness in the trial of the brother-in-law of the then Minister of Justice in the Republic in Mr Haughey's Government, shortly before the Irish General Election last year. The brother-in-law was acquitted for lack of evidence. The case acquired notoriety in the Republic, and allegations were made in the press of collusion between the two forces at the behest (it was suggested) of the Irish Minister. The suspected originator in the Republic was the then Head of Special Branch under Mr Haughey who resigned following Dr Fitzgerald's appointment as Taoiseach.

2. The Chief Constable of the RUC has made clear his willingness to investigate any evidence of collusion offered by the Garda, although he has been unable to find any evidence independently within the RUC as a result of the inquiries he has conducted. The chances of finding evidence of a kind which can be satisfactorily pursued are very slim. The Garda Commissioner recently wrote to the Chief Constable with a number of points concerning a senior officer, although no evidence to substantiate them. The difficulty is that the letter from the Garda is not in a form which provides useful leads which can be followed up by investigation. The Chief Constable followed the proper course and drew the letter from the Garda to the attention of the Police Authority. It is likely that the Police Authority will instruct him to seek further evidence from the Garda in a form which can be pursued.



Foreign and Commonwealth Office

London SW1A 2AH

16 June 1983

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Dear John,

Meeting Between The Prime Minister and
Dr Garret FitzGerald at the European Council

/ I enclose short briefs for the Prime Minister's
meeting with Dr Garret FitzGerald in the margins of
the European Council in Stuttgart on 17 and 19 June.
They cover Anglo-Irish relations and Northern Ireland
and were prepared in the FCO and NIO. Where
appropriate they have been agreed by the Cabinet Office.
/ I also enclose a scene-setting telegram from Dublin, a
/ personality note on Dr FitzGerald and a draft press
/ statement which you might wish to put to Dr FitzGerald's
Private Secretary after the meeting.


I am copying this letter and enclosures to
Derek Hill (NIO) and Richard Hatfield (Cabinet Office).

Yours ever

J E Holmes

(J E Holmes)
Private Secretary

A J Coles Esq
No 10 Downing Street



EUROPEAN COUNCIL: STUTTGART 17/19 JUNE: MEETING BETWEEN THE
PRIME MINISTER AND DR GARRET FITZGERALD

ANGLO-IRISH RELATIONS

UK OBJECTIVES

1. To sound out Dr FitzGerald's thinking on the way ahead and to confirm our readiness to resume official contacts within the framework of the Anglo-Irish Intergovernmental Council; and more particularly to agree in principle on the establishment of 'Encounter', subject to agreement on details.

POINTS TO MAKE

General


2. Happy that improvement in Anglo-Irish relations continues slowly but steadily. Important to avoid raising false expectations and fears by too-rapid movement. Suggest that official contacts within the framework established two years ago should be resumed and taken forward at the level of Sir Robert Armstrong and Mr Dermot Nally.

Anglo-Irish Intergovernmental Council

3. Anglo-Irish Intergovernmental Council is suitable framework within which to continue to develop Anglo-Irish relations. See no advantage in giving Council more prominence in public pronouncements.

Encounter Organisation

4. Agree in principle to establishment of Encounter, subject



to satisfactory settlement of details, including finance. These should be discussed by Sir R Armstrong and Mr Nally. Inappropriate to announce publicly in the meantime.

New Ireland Forum

5. It is of course open to Irish political parties, and to Northern Ireland parties who may wish to participate, to exchange views on long term future of the island. But this cannot affect fundamental position that Northern Ireland is and will remain part of the United Kingdom while majority of its people so wish.

6. Majority community in Northern Ireland have expressed serious reservations on work of Forum. It could be damaging to the climate of Anglo-Irish relations (and you might also think unhelpful to the SDLP) if these are not kept in mind. Important to avoid raising unjustified expectations or fears in this context too.

Possibility of Anglo-Irish Summit (if raised by Dr FitzGerald)

7. Too early to make a decision, but will reflect on the idea. Sir Robert Armstrong and Mr Nally might perhaps discuss the possibilities in due course.

Proposed new Irish Ambassador: Mr Noel Dorr [if raised]

8. Understand request for agrément is being dealt with expeditiously. Grateful for Dr Kennedy's contribution to Anglo-Irish relations.

Republic of Ireland Department

16 June 1983

EUROPEAN COUNCIL: STUTTGART 17/19 JUNE: MEETING BETWEEN
THE PRIME MINISTER AND DR GARRET FITZGERALD

ANGLO-IRISH RELATIONS

BACKGROUND

1. At their last meeting in the margins of the European Council in Brussels on 22 March, the Prime Minister and the Taoiseach agreed that the resumption of contacts between British and Irish Ministers should be carried forward in a slow and deliberate way. Since that meeting the Irish Government have seemed to put that approach into practice, showing generally much greater discretion than their predecessors.
2. The Irish have indicated that Dr FitzGerald does not envisage a fixed agenda for this meeting but will wish to discuss the implications of the results of the general election in Northern Ireland for Anglo-Irish relations (they are concerned at the alienation of Catholic opinion from constitutional politics), and future measures to improve relations.
3. The line to take is intended to remind Dr FitzGerald of the continuing need for circumspection if we are to avoid false expectations and fears about what closer Anglo-Irish relations entail for Northern Ireland (though the signs are that Dr FitzGerald is well aware of the dangers).

Encounter Organisation

4. The Anglo-Irish Joint Studies recommend the establishment

of an 'Encounter' organisation. 'Encounter's' major function was to be the organisation of an annual conference bringing together participants drawn from wider circles than those traditionally concerned with the discussion of Irish questions, and looking at a wide range of aspects of the Anglo-Irish relationship, rather than concentrating on constitutional and political questions. At a meeting with the Secretary of the Irish Government, Mr Nally, in January 1982, Sir Robert Armstrong presented a paper setting out the UK view of the organisation's development. The Irish Embassy, on instructions, have now formally suggested that the setting up of Encounter might be confirmed at this meeting. They left a speaking note (copy attached) setting out how they see the body being constituted. The Irish note is broadly in line with our own thinking but is not a sufficiently detailed response to our own 8-page paper to allow matters to be taken forward immediately. The details could usefully be discussed by Sir R Armstrong and Mr Nally.

5. It would not be desirable to give publicity to the agreement in principle to establish Encounter. There are many details still to be settled (including its financing). The Irish speaking note does not dissent from this view.

Possibility of Anglo-Irish Summit

6. Dr FitzGerald may well raise the possibility of an Anglo-Irish summit meeting. It would be difficult to turn the idea down without appearing to rebuff Dr FitzGerald's declared policy of

/seeking



seeking closer relations with the United Kingdom. A summit could not be expected to make any great advances but would be valuable if it made it possible to develop further an atmosphere of mutual confidence, and, in particular, to steer the conclusions of the Forum in the direction least harmful to our interests. It seems likely that the Irish have not decided whether to go for a date before the Forum for a New Ireland concludes its work at the end of the year, or after. A summit meeting in late October or early November might provide a suitable opportunity to steer things as we would wish. A meeting after the Forum had reached its conclusions would run the risk of being interpreted as concerned with their implementation.

Anglo-Irish Intergovernmental Council

7. With the marked coolness in Anglo-Irish relations which developed during the Haughey administration the Anglo-Irish Intergovernmental Council has had little chance to develop, though a number of Ministerial meetings, mainly to discuss technical matters such as the Kinsale Gas project, have been agreed to be meetings of the Council. It seems right that the resumption of Anglo-Irish contacts should take place within the framework of the Council, without, however, too much stress being laid on the Council for the moment.

New Ireland Forum

8. The Irish Government's 'Forum for a new Ireland' held its first meeting in Dublin Castle on 30 May. It was attended by the three main political parties in the Republic and the SDLP. Further meetings are planned and Dr FitzGerald has said that the

/Forum

Forum must complete its work by the end of the year.

9. We cannot know what conclusions the Forum will reach. It seems likely that Mr Haughey will press for an unacceptable 'green conclusion': early negotiations between the United Kingdom and the Republic on 'British withdrawal' from the province. But Dr FitzGerald, Mr Spring and Mr Hume seem likely to take a far more moderate line, maintaining Irish unity as a distant aspiration, but accepting that it can only come about with a change in Northern opinion which may take many years to develop; and perhaps encouraging Northern Catholics to play a greater role in the political life of the province, and to work for reconciliation between the communities. Such an approach would on the whole be in the UK interest, and would deserve encouragement.

New Irish Ambassador to London

10. The present Irish Ambassador, Dr Eamon Kennedy, has requested agrément for his proposed successor, Mr Noel Dorr, who is currently Irish Permanent Representative at the United Nations in New York. This request is being processed. Preliminary reports suggest that he is a sincere, serious and intelligent man, if rather heavy-going, and would be likely to make a suitable Ambassador. He played an unwelcome role at the United Nations during the Falklands crisis, but this was clearly on the instructions of Mr Haughey. He expresses moderate views on Northern Ireland and is an implacable opponent of the men of violence.

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EUROPEAN COUNCIL: STUTTGART, 17-19 JUNE
MEETING BETWEEN THE PRIME MINISTER AND DR GARRET FITZGERALD

NORTHERN IRELAND

UK Objectives

1. To reiterate to Dr Fitzgerald the UK Government's commitment to the Northern Ireland Assembly and its belief that only through the participation in the Assembly of all constitutional parties can there be satisfactory development. To reassure Dr Fitzgerald that we have no intention of changing our policy towards Sinn Fein, and will maintain our links with the SDLP, though neither they nor HMG can disregard Unionist concerns.

Points to Make

2. The Government remains firmly committed to the Assembly and to the approach (devolution on a basis commanding widespread acceptance throughout the community) which it embodies. The General Election does not affect this commitment.

3. We continue to regret the SDLP's abstention from the Assembly, whilst recognising that they are not likely to make significant moves before the likely outcome of the New Ireland Forum is known. We are glad that the Election leaves the SDLP as the main voice of the minority community. We hope however that discussion in the Forum will lead the SDLP to reinvolve itself in Northern Ireland politics.

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2

4. The Government has not changed its attitude towards Sinn Fein, with which it will not have dealings on anything other than minor, purely constituency matters. The revocation of the exclusion order on Mr Adams was a necessary consequence of his election but does not indicate a different approach by the Government. Mr Prior has already made clear that he will not meet Mr Adams.

5. We value the excellent cross-border co-operation between the Garda and the RUC and will play our full part in continuing it.

6. We were encouraged by recent developments in the Irish courts on fugitive offenders, but our view remains that they are best dealt with by extradition.

7. (Defensive only)

We have not been able to reach agreement so far on the provision of Kinsale Gas to Northern Ireland. The terms of gas supply must permit a financially viable gas industry in Northern Ireland. The most crucial element remains the formula for the price of the gas. I hope that the Republic's Government will be able to accommodate our position when the two Ministers next meet. It would be most unfortunate if this good opportunity for cross-border co-operation is lost.

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EUROPEAN COUNCIL: STUTTGART, 17-19 JUNE

MEETING BETWEEN THE PRIME MINISTER AND DR GARRET FITZGERALD

NORTHERN IRELAND

Background

1. Dr Fitzgerald will wish to hear our assessment of the effect upon Northern Ireland of the outcome of the General Election. He is likely to repeat the sensitivity he has shown over recent months about Sinn Fein and its impact on the SDLP (concern for the SDLP being the main reason for the Irish Government's supporting the New Ireland Forum). He will view matters particularly with an eye to the Forum, which he sees as a major factor that will bear on debate not only about the longer future but about the way ahead for the Assembly and the attitude of the minority towards it.

Northern Ireland Political Affairs

2. The election was a success for the Official Unionist Party (34% of the vote, 11 seats out of 17, including 2 where a divided unionist vote might have lost them the seat); a considerable disappointment for the DUP (20% of the vote and 3 seats, the same as in the last Parliament, failing to win one of which they had been confident); a mild encouragement to the SDLP (18% of the vote and 57% of the nationalist vote, with one seat - Mr Hume's - but their vote held up better than some had expected); reasonably encouraging for Sinn Fein (13.5% of the vote and 43% of the nationalist vote with one seat - Mr Adams - and one near miss); a marked disappointment for the Alliance

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Party (8% of the vote and no where near success in any constituency, indicating they were unable to increase their support despite their activity in the Assembly); Mr Kilfedder easily won his seat.

3. It is too early to assess clearly how the Election results will affect the Northern Ireland Assembly, though there are already indications that the Official Unionist Party will intensify its efforts to secure devolution without the necessary cross-community support. The fact that the SDLP is still the main representative of the minority is helpful, although the size of the Sinn Fein vote will not increase their freedom of manoeuvre. The Dublin Forum will loom large in the SDLP's mind, as that of the Irish Government, and the party is not likely to see its way ahead more clearly until the Forum is further developed.

Security

4. Professional co-operation at a working level between the RUC and the Garda, and between the Garda and GB forces remain productive, although recent changes at a senior level on the Irish side have not yet settled down. This co-operation is a crucial element in the security policies of both countries, and HMG will continue to play its full part in fostering it. Whilst we are grateful for this co-operation it is thought best not to make much of it in public.

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5. The Irish often argue that existing extra-territorial legislation is enough to deal with fugitive offenders. This underestimates the symbolic importance of extradition and the likely beneficial longer-term effects. A recent Irish Supreme Court judgement appeared to undermine the Irish court's traditional reluctance to extradite the so-called "political" offenders, and we hope that this will lay the basis of a more forthcoming approach by their courts towards the extradition of terrorists.


Kinsale Gas

6. Last year Ministers approved the establishment of a natural gas industry in Northern Ireland based on gas piped from the Republic's Kinsale Field, subject to acceptable terms of supply being agreed with the South.

7. Subsequent negotiations, involving two meetings between Mr Butler and Mr Bruton (Republic of Ireland Minister of Industry and Energy) identified the main areas of difficulty. The most important was the formula for the price of gas in the years ahead. Satisfactory pricing is of critical importance to the financial viability of a Northern Ireland gas industry.

8. The Republic has proposed a new pricing formula which moves some way towards the UK position. But further negotiation is required to determine whether this can provide a basis for agreement.

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9. A third meeting between Mr Butler and Mr Bruton was due when the Election was called. This will be rearranged soon.

Northern Ireland Office

16 June 1983

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FM DUBLIN 151440Z JUN 83

TO IMMEDIATE FCO

TELEGRAM NUMBER 185 OF 15 JUNE 1983

AND TO IMMEDIATE NIO (LONDON)

INFO PRIORITY NIO (BELFAST)

INFO SAVING TO WASHINGTON

STUTT GART: PRIME MINISTER'S MEETING WITH DR FITZGERALD

1. I SPOKE TODAY TO LILLIS, THE HEAD OF THE ANGLO-IRISH DIVISION, ABOUT MATTERS THE TAOISEACH WOULD WISH TO RAISE WITH THE PRIME MINISTER IN STUTT GART.

2. LILLIS SAID THAT THE IRISH WERE PLEASED WITH THE PROSPECT OF A STRONG GOVERNMENT IN LONDON WHICH SHOULD RUN ITS FULL TERM. THE COALITION HERE FELT INCREASINGLY CONFIDENT THAT THEY WOULD SEE THEIR TIME OUT, SO THERE WAS A REAL OPPORTUNITY FOR A NEW START IN ANGLO-IRISH RELATIONS.

3. SPECIFICALLY, THE TAOISEACH WOULD RAISE:

(A) THE NORTHERN IRELAND ELECTION RESULTS:

THE IRISH GOVERNMENT WERE MOST CONCERNED AT SINN FEIN'S INCREASED SUPPORT AND THE ALIENATION OF CATHOLIC OPINION FROM CONSTITUTIONAL POLITICS, AND INDEED AUTHORITY IN LONDON AND DUBLIN.

(B) THE NORTHERN IRELAND FORUM:

HE WOULD PRESENT THIS AS A RESPONSIBLE INITIATIVE WHICH COULD BE OF BENEFIT TO BOTH SIDES, AND EXPLAIN HOW HE SAW WORK PROGRESSING.

(C) AN ANGLO-IRISH SUMMIT:

THE IRISH DO NOT HAVE A FIRM DATE IN MIND. LILLIS BELIEVED THAT A SUMMIT BEFORE THE FORUM REPORTS (IN LATE DECEMBER) WOULD ENDANGER CONSENSUS THERE AS MR HAUGHEY WOULD BE OBLIGED TO SCORE PARTY POLITICAL POINTS. I ARGUED THAT FOR A SUMMIT TO FOLLOW THE REPORT MIGHT OBLIGE HMG TO TAKE A FIRMER VIEW ON THE FORUM'S CONCLUSIONS THAN WOULD REALLY SUIT EITHER OF US AND COULD INCREASE UNIONIST HOSTILITY. IN ANY CASE, MR HAUGHEY APPEARED TO BE UNDERMINING THE END OF YEAR DEADLINE. LILLIS SAW THE FORCE OF THESE ARGUMENTS AND I SUSPECT THAT THE TAOISEACH WILL NOT HAVE FIXED IDEAS ON A DATE.

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(D) THE ENCOUNTER ORGANISATION:

THE IRISH HOPE THAT AGREEMENT CAN BE REACHED ON THE LINES
SKETCHED OUT AT OFFICIAL LEVEL.

(E) CAPITAL PUNISHMENT:

LILLIS SAID THE RE-INTRODUCTION OF CAPITAL PUNISHMENT IN BRITAIN
WAS THEIR 'GREATEST NIGHTMARE'. DR FITZGERALD WOULD, WHILE
RECOGNISING IT WAS NOT HMG'S POLICY, WISH TO EXPRESS HIS
PERSONAL CONCERN. MOST IRISH PEOPLE SHARED OUR WORRIES OVER
LAW AND ORDER AND OUR ANGER AT IRISH TERRORISM. BUT EXECUTIONS
WOULD HAVE A DISASTROUS EFFECT ON ANGLO-IRISH RELATIONS AND
COULD EVEN ENDANGER THE STABILITY OF THE REPUBLIC.

FCO PLEASE PASS SAVING TO WASHINGTON

TATHAM

(REPEATED AS REQUESTED)

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- 2 -
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FITZGERALD, DR GARRET MICHAEL DESMOND TD

An Taoiseach (elected 14 December 1982). Leader of Fine Gael.

Born: 6 February 1926 in Dublin. Education: Belvedere College, Dublin; University College Dublin (BA in History and French, PhD in Economics); King's Inns Dublin (called to bar in 1947 but never practised).

Worked 1947 to 1958 for Aer Lingus, mainly as economic planner. Journalist since 1953 (has been Irish correspondent of the BBC, the Financial Times and the Economist). Lecturer in Economics, UCD, 1959-73. Managing Director, Economist Intelligence Unit of Ireland, 1961-72. Joined Fine Gael 1964; Fine Gael Senator 1965-69. Fine Gael Deputy for Dublin South-East since 1969; spokesman on Education 1969-72; Finance 1972-73. Minister for Foreign Affairs 1973-77; Leader of Fine Gael since 1977. Taoiseach June 1981 - March 1982.

Dr Garret FitzGerald has a family background which he believes gives him a special interest in and insight into the conflicting traditions in Ireland. His parents took part in the 1916 Rising. His mother, Mable McConville, was a Presbyterian from Belfast; his father, Desmond FitzGerald, was a Roman Catholic, born and brought up in London, who was Minister for External Affairs and then Defence in the 1922-32 Governments.

Dr FitzGerald contributed greatly to the policies which reshaped Fine Gael in the 1960s. In 1972 his book 'Towards a New Ireland' argued that reconciliation required radical changes in the Republic as well as in Northern Ireland. These ideas were elaborated in his (uncompleted) 'crusade', launched in 1981 during his first short spell as Taoiseach, to amend the Republic's Constitution in a non-confessional direction. His ideas on the whole subject were spelt out in his Dimpleby Lecture 'Irish Identities' delivered on BBC TV in May 1982.

He was elected unopposed to lead Fine Gael following Mr Cosgrave's resignation in July 1977. Since then the party has benefitted electorally from the widespread popularity which he has enjoyed (in particular contrast to Mr Haughey) as an honest and unselfish politician ('Garret the Good'). He is also widely respected overseas and was an impressive Minister for Foreign Affairs during the Republic's first spell in the Presidency. He is a committed European.

He sees himself as a social democrat and his front-bench appointments in 1981 and again in 1982 have given the party a less conservative image than in the past. But his reforming instincts are subject to current financial constraints and the conservative instincts of some of his

own party. In general he is happier adumbrating reforms than pushing them through. At times he will use Labour's weight in Coalition to offset his own right-wing. While generally a defender of civil liberties, he is also a devout Catholic and finds difficulty on issues like abortion and divorce in squaring his personal orthodoxy with his belief in a pluralist United Ireland.

He is an intelligent and often over-fluent speaker who is still learning not to get bogged down in detail. Personally easy and approachable, he is quick to respond and to engage in debate. He likes his professorial image and is most at home with journalists and academics. A degree of self-righteousness, reinforced by impetuosity and reliance on a coterie of advisers, can lead him into major errors of judgment. His ill-considered intervention with HMG over the H-Block hunger strike in 1981; his tough but insensitive 1982 budget (which brought down his first Government) and his proposed all-Ireland courts and police force in the November 1982 campaign were all own goals. But his personal appeal, his intellect, energy and sense of mission make him a formidable, if rather unorthodox, political leader.

He is deeply devoted to his wife Joan (née O'Farrell) who has a strong personality and influence on him. In recent years she has been crippled by severe arthritis. They have two sons and one daughter.