



Foreign and Commonwealth Office

London SW1A 2AH

25 November 1985

Handwritten signature: Charles

*Handwritten: Prime Minister
CDP
25/xi*

Dear Charles,

Anglo-Irish Agreement: Debate in the Irish Dail

In preparing for the debate in the House of Commons, the Prime Minister may find it helpful to glance through the enclosed extracts from the speeches made by Dr FitzGerald and Mr Barry during the debate on the Anglo-Irish Agreement in the Dail last week.

The Prime Minister will be aware that on 21 November after a three-day debate, the Anglo-Irish Agreement was approved decisively in the Dail by 88 votes to 75. The Taoiseach, and the other Ministers who spoke in the debate, delivered low-key and conciliatory speeches. They stuck very closely to the agreed language in describing the contents of the Agreement and its purposes. The quotations contained in the enclosed note illustrate this clearly.

Mr Haughey opened the debate for the Opposition with a strong denunciation of the Agreement. He said that his party could not accept "the abandonment of our claim to Irish unity or the recognition of British sovereignty over the North of Ireland which is involved in the Agreement". The Agreement was, he argued, in conflict with the Irish constitution. He warned that "since neither the Government of the day, nor the Oireachtas (Parliament) have any authority to act in conflict with Articles 2 and 3 of the constitution, no future Irish Government need, unless it so wishes, be bound by the provisions of any international agreement which are incompatible with those of the constitution". But Mr Haughey took care not to tie his hands in any way.

Mr Haughey's uncompromising initial line clearly caused disquiet in some parts of Fianna Fail, no doubt because Irish public opinion appears to be generally in favour of giving the Agreement a chance. Following intense discussion within his party throughout 20 November, Mr Haughey signalled an important softening of his position. He declared publicly that if those committed to the Intergovernmental Conference could use it "to ameliorate the condition of the nationalist community in Northern Ireland, we could and would

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not wish to put any difficulties in their way". This shift in Fianna Fail's position was reflected in a rather tame speech by Mr Lenihan (Deputy Leader) when he wound up for the Opposition on 21 November.

In the final vote, the Government were joined by the former Fianna Fail Cabinet Minister, Mr Desmond O'Malley, and one Fianna Fail backbench dissident. The two members of the Marxist Workers Party also voted with the Government, giving it one of the largest majorities it has achieved during its term of office.

I also enclose for reference purposes a checklist of all the statements and messages of support for the Agreement which we have received from foreign governments and international organisations.

I am copying this letter with its enclosures to Jim Daniell (Northern Ireland Office) and to Michael Stark (Cabinet Office).

Yours we,

Le Appleyard

(L V Appleyard)
Private Secretary

C D Powell Esq
10 Downing Street



KEY EXTRACTS FROM SPEECHES MADE DURING THE DAIL DEBATE ON THE
ANGLO-IRISH AGREEMENT BY IRISH MINISTERS

Status of Northern Ireland

Dr FitzGerald:

"It is on these twin pillars - the maintenance of the aspiration to Irish unity, as a legitimate objective of Irish nationalism on the one hand, and the acceptance of the need for the consent of a majority of the people of Northern Ireland for any change in the status of that area on the other - that progress had been made."

"The process that has led to this Agreement was started 5½ years ago at a meeting between the then Taoiseach ... Deputy Charles J Haughey, and the British Prime Minister, Mrs Margaret Thatcher. The starting point for this Agreement has been the section of the Communiqué issued after that meeting, in which the then Taoiseach declared that any change in the constitutional status of Northern Ireland would only come about with the consent of a majority of the people of Northern Ireland. This affirmation in a formal communiqué issued jointly on behalf of the two Governments had, as I recall, the assent of all Parties in this House. It provides one of the cornerstones of what has now been agreed, even though the word "constitutional" has been omitted from this phrase in the text of the Agreement before the House. I support most strongly this affirmation I believe that no sane person would wish to attempt to change the status of Northern Ireland without the consent of a majority of its people. That would be a recipe for disaster and could, I believe, lead only to a civil war that would be destructive of the life of people throughout our island."



Mr Barry:

"These agreed propositions, taken together, are of importance to Unionists because they make it crystal clear that Irish unity will come about only if and when consent to unity should emerge."

Reassurance to the Unionists

Dr FitzGerald:

"The people of Northern Ireland must be at the centre of our thoughts - nationalists and unionists alike."

"It is our task, and we now, perhaps, have an opportunity to undertake it in a way that had not hitherto been thought possible, to attempt to heal these divisions, to remove the alienation of one community, and to still the fears of the other."

"The Agreement and the Communiqué stand on their merits. There are no secret agreements and no hidden agendas The transparency of the Agreement is an essential prerequisite to its future acceptance by the parties most intimately affected."



Mr Barry:

"The Irish Government has no designs on the North. We have no desire to have dominion over the unionist people We recognise the identity of the unionists: their Britishness, their ethos, their sense of being threatened by Irish unity We are committed to Irish unity by consent and only by consent. Article 1 now makes that unambiguously clear."



Role for the Irish Government

Dr FitzGerald:

"The British Government accept that the Irish Government will put forward views and proposals on matters relating to Northern Ireland This provision, going beyond a consultative role, but necessarily because of the sovereignty issue falling short of an executive role, provides, in the Government's view the most effective method by which to ensure the existence of structures capable of eroding the alienation of the nationalist minority."

Mr Barry:

"It is, as the Taoiseach said, essential that we be clear that the Agreement does not confer a formal role of executive decision-making on the Irish Government."

Devolution

Dr FitzGerald:

"Both Governments support the policy of devolution of certain matters within the powers of the Secretary of State for Northern Ireland on a basis which would secure widespread acceptance throughout the community To the extent that devolution on this basis proves practicable, the Conference will obviously not have to concern itself with these matters."

Mr Barry:

"The Agreement, in its provisions on devolution, is not envisaging a "solution" within the confines of Northern Ireland. The Agreement does, however, aim at providing every possible reassuring incentive to both sets of constitutional politicians to take a hand in real politics."



Secretariat

Dr FitzGerald:

"The Conference will, of course, be serviced on a continuing basis by a Secretariat to be established by the two Governments, in Belfast, where the Conference itself will normally meet."

UDR/RUC


Dr FitzGerald:

"At its very first meeting the Conference will be considering the application of the principle that the armed forces, which include the Ulster Defence Regiment, operate only in support of the civil power, with the particular objective of ensuring as rapidly as possible that, save in the most exceptional circumstances, there is a police presence in all operations which involve direct contact with the community. The Conference will also at this first meeting consider ways of underlining the policy that the Royal Ulster Constabulary and the armed forces in Northern Ireland, discharge their duties even-handedly, and with equal respect for the unionist and nationalist identities and traditions."

Legal Matters

Dr FitzGerald:

"A possible harmonisation of the criminal law applying in the North and in the South respectively and measures to give substantial expression to the aim of ensuring public confidence in the administration of justice, considering inter alia the possibility of mixed courts in both jurisdictions for the trial of certain offences, will be the responsibility of the Conference."



European Convention on the Suppression of Terrorism

Dr FitzGerald:

"It is the intention of my Government to accede as soon as possible to the European Convention on the Suppression of Terrorism."

Cross-border Cooperation

Dr FitzGerald:

"Also included is the whole area of cross-border cooperation, not merely in relation to security, but also in relation to promoting 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. Provision is made for the two Governments to consider the possibility of securing international support for this work, and this aspect of the Agreement has already attracted interest and a promise of tangible support from the Government and Congress of the United States. Other indications of similar interest have come from a number of other Governments in Europe - both in the Community and elsewhere in Western Europe - and from other countries overseas."

Republic of Ireland Department
Foreign and Commonwealth Office
25 November 1985



ANGLO-IRISH AGREEMENT

MESSAGES AND STATEMENTS OF SUPPORT FROM FOREIGN GOVERNMENTS AND INTERNATIONAL ORGANISATIONS

The United States

- statement by President Reagan
- statement by Speaker O'Neill
- statement by the 'Congressional Friends of Ireland'; signators include Majority and Minority leaders of both Houses of Congress, Speaker O'Neill, Chairman of Senate Foreign Relations Committee, and Senators Kennedy and Moynihan.

European Community

- Federal Republic of Germany - message to Prime Minister from Chancellor Kohl
- message to Foreign Secretary from Foreign Minister Genscher
- Government statement.
- Italy - message to HM Queen from President Cossiga
- Government statement.
- France - Government statement.
- Belgium - Government statement.
- Netherlands - Government statement.
- Denmark - Government statement.
- Luxembourg - Government statement.
- Greece - Government statement.
- Spain - Government statement.



Portugal

- Government statement.

European Commission

- Statement by President Delors.

Commonwealth

Canada

- statement by Prime Minister Mulroney

Australia

- Government statement

New Zealand

- statement by Prime Minister Lange

United Nations

- statement by Secretary General

Council of Europe

- statement by Committee of Ministers.

Sweden

- statement by Prime Minister Palme

Japan

- Government statement

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