

VK3ABK  
cpc.



10 DOWNING STREET

*From the Private Secretary*

SIR ROBERT ARMSTRONG

ANGLO-IRISH RELATIONS: NORTHERN IRELAND

The paper sent forward under cover of your minute of 11 January will, together with the expected paper from the Northern Ireland Secretary on progress with contacts with the political parties in the North, form the basis for discussion at the Prime Minister's meeting on 16 January.

You may find it helpful to have in advance of that meeting a note of the Prime Minister's reactions to some of the points in your paper.

On paragraph 13, the Prime Minister has reservations about the proposal for the Standing Committee of the Anglo-Irish Inter-Governmental Council to meet in Dublin.

The Prime Minister interprets the second sentence of paragraph 31 as meaning that the Taoiseach is not interested in improvements to combat terrorism in their own right.

The Prime Minister disagrees with the view in paragraph 35 that an offer to the Irish Government of anything other than Option B would seem to them a retreat from the position taken by HMG at the Chequers Summit.

The Prime Minister has a host of objections to the detailed proposals in Annex B. She has commented that the points in paragraph 2 of that Annex could only be carried through if the referendum to change the Irish constitution

were carried through successfully. She finds the proposals in paragraph 5 too far-reaching and objects to inclusion of "supervision of local government" in paragraph 6. She has commented indeed that, taken as a whole, paragraph 6 would commit us to joint government of the North with the Republic. Finally, the Prime Minister does not like the idea of a Republic Liaison Office in the North.

I am copying this minute to Mr. Appleyard in the Foreign and Commonwealth Office and Mr. Ward in the Northern Ireland Office.

C.D. POWELL

14 January 1985

TMS



Ref. A085/108

MR POWELL

Prime Minister <sup>2</sup>  
 For meeting on  
 Wednesday.  
 (Your meeting with  
 John Hume is on  
 Thursday)  
 C.D. 11/1

Anglo-Irish Relations: Northern Ireland

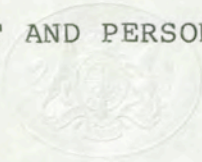
I attach a note - not, I am afraid, a short note - on the way forward for the discussions with the Irish Government. I am sending copies of this minute and the submission to the Private Secretaries to the Foreign and Commonwealth Secretary and the Secretary of State for Northern Ireland.

2. The submission has been prepared in consultation with the Foreign and Commonwealth Office and the Northern Ireland Office at official level, and does not commit the Secretaries of State. I should have liked to have had an opportunity of discussing it with them before putting it to the Prime Minister, and I know that this would have been welcome to the Foreign and Commonwealth Secretary. But you said that the Prime Minister was anxious to have something this weekend, and with the Foreign and Commonwealth Secretary in Africa this week and the Secretary of State for Northern Ireland in Northern Ireland on 14 and 15 January, it was not possible to arrange a meeting between the two Secretaries of State before your meeting on 16 January.

RA

ROBERT ARMSTRONG

11 January 1985



Ref. A085/99

MR POWELL  

---

Anglo-Irish Relations: Northern Ireland

As soon as the Foreign and Commonwealth Secretary is back, the Prime Minister will need to discuss with him and the Secretary of State for Northern Ireland where we stand on the discussions with the Irish Government, and what instructions should be given to officials for the next meeting of the Armstrong-Nally group.

2. When the Taoiseach came to Chequers in November, his expectations and hopes were set on two foundations:

a. He knew that none of the three "models" in the Forum Report (a unitary Ireland, a federal or confederal Ireland, joint authority) were acceptable to the Unionists or the British Government; but he saw the Report itself as a positive and hopeful development in its recognition by all sections of nationalist opinion of the validity of and the need to respect and provide for the unionist "identity", in its recognition that change in the status of Northern Ireland could come about only by freely negotiated agreement and in peace, and in its commitment to the aim of lasting peace and stability in Northern Ireland. He thus saw the Report as a mandate for a settlement with the British Government that could be durable for a generation.

b. He believed that the British Government shared his view that it was no longer possible to do nothing about Northern Ireland, or at least that the risks of doing nothing were greater than the risks of an agreement with the British Government that exchanged a formal waiver of the

territorial claim on Northern Ireland, and perhaps even a formal endorsement of the British Government's and Parliament's guarantee that the constitutional status of Northern Ireland could be changed only with the consent of the majority of the people of Northern Ireland, for some 'say' for the Irish Government in the affairs of Northern Ireland.

3. At the Chequers meeting, and in the discussions that preceded it, three general areas of possible joint activity by the two Governments were identified: security matters, legal matters and political matters.

4. On security, it seemed that there would be a possibility of reaching agreement, as part of a wider range of measures, on a joint security commission (probably in the framework of the Anglo-Irish Intergovernmental Council) consisting of the Secretary of State for Northern Ireland and the Irish Minister for Justice, with their top security advisers, which would give the Irish Government an institutional framework in which they could contribute to the formulation of security policy and to the process of making certain appointments in the law and order field.

5. On legal matters, there was agreement that it would be useful to pursue the idea of mixed courts on both sides of the border for certain offences, and harmonisation of the criminal law as between Northern Ireland and the Republic.

6. On political matters, the Irish Government sought a role in the administration of Northern Ireland affairs for which the British Government was responsible, other than foreign affairs, defence and finance. Matters devolved to a Northern Ireland Assembly and Executive would be excluded; and it was coming to be recognised that, if no devolution was possible, the range of matters in which the Irish Government had a role would have to



be limited by some other means. The problem remained what the nature of the Irish Government's role should be. We made it clear throughout that we could not contemplate any role other than one which was consultative, and which left the final power of decision solely with the British Government. The Irish Government have at various times and at all levels appeared to accept this, but have all along been apprehensive that a role which was described as consultative would be regarded by nationalist opinion as inadequate, and have therefore sought to find arrangements or words which would demonstrate that, although the right of decision would remain with the British Government (so that there would be no formal sharing of authority), consultation would be more than a formality and the Irish Government would be given "an effective say" or (as the Taoiseach put it at Chequers) that the consultation would be "genuine".

7. A late development in the discussions leading up to the Chequers meeting was the emergence of a British view that a measure of devolution in Northern Ireland, which would have to be widely acceptable across the community, and might have to be based on majority power with safeguards for the minority rather than on power-sharing, was a key element in any progress. This was in a sense the obverse of an Irish position: the Irish Government had argued that the conclusion of an Anglo-Irish agreement which gave the Irish Government a formal role in Northern Ireland would be a considerable incentive to the unionists to accept and support a measure of devolution which would significantly narrow the Irish Government's role and take devolved matters out of its reach. But they continued to believe that only "power-sharing" devolution would be acceptable to nationalist opinion, and they became alarmed at the prospect of going for a referendum for a change in the Irish constitution



to waive the territorial claim, only to find that the rest of the agreement collapsed because the British Government failed to get the Northern Ireland parties to agree to devolution on an acceptable basis.

8. In the aftermath of the Chequers meeting the Prime Minister's rejection of the three "models" in the Forum Report, though in fact it was consistent with what the previous Secretary of State for Northern Ireland had said in the House of Commons on 2 July 1984, was seen in Ireland as outright rejection of the whole of the Forum Report, and thus as a severe setback to the Taoiseach's conciliatory approach to the Northern Ireland question. The resulting political damage to the Taoiseach and his Government was partly (and only partly) repaired by the Prime Minister's remarks at her press conference after the meeting of the European Council in Dublin. The public discussion after the Chequers meeting also produced a fairly clear indication of the nature of the balanced set of measures that had been under discussion, and in particular highlighted the most sensitive and difficult issue of all: the nature of any role for the Irish Government in the conduct of affairs in Northern Ireland. The effect of this has been to make it more difficult for the Irish Government to accept a role which is described as, or can be seen to be no more than, "consultative".

9. At the Chequers meeting and since, the British Government has canvassed with the Irish Government the possibility of an agreement in effect confined to a joint security commission (with terms of reference possibly extended to cover mixed courts and the harmonisation of the criminal law), with no role for the Irish Government in relation to other matters in Northern Ireland and no amendment of the Irish constitution. Both the Taoiseach at Chequers and Mr Nally and his colleagues subsequently have made it clear that this proposal has no attraction for the Irish Government. It would be unacceptable



on its own to nationalist opinion on both sides of the border, and would expose the Irish Government to the charge of helping the British do their dirty work in Northern Ireland without any change in the system of government there to make it more attractive to the nationalist minority.

10. Mr Nally has, however, stated (making it clear that he was speaking on instructions) that the Irish Government is still in business for a settlement which includes a role for the Irish Government in "political" affairs in Northern Ireland and an amendment of the Irish constitution to waive the territorial claim and endorse the constitutional guarantee of Northern Ireland, and is still prepared to go for, and believes that with the right set of accompanying measures it could win, a referendum for that purpose.

11. In the light of this, officials have worked out two models, (Models A and B) as a possible basis for continuing the discussions with the Irish Government. Descriptions of the models are attached. Both models have been prepared on the basis that the British Government's aim in the discussions is to see if any arrangements can be devised with the Irish Government that would increase the confidence of the nationalist community in the institutions of government, and particularly of law and order, in Northern Ireland, and so contribute to greater and more lasting stability there.

#### Model A

12. Model A is in effect a development of the agreement limited to security referred to in paragraph 9 above, though it has been broadened to include legal matters and measures to recognise the nationalist identity in Northern Ireland. It consists of measures which are considered to be practicable, and which we can be reasonably confident would not arouse uncontrollable controversy: of measures with which we should in fact be



prepared to go ahead without insisting upon an amendment to the Irish constitution to waive the territorial claim, although we would hope for some unequivocal statement recognising the separate existence of Northern Ireland for the foreseeable future.

13. On policing, our earlier proposal for a Joint Security Commission represents a safe basis from which to start discussions (all its elements have, in a different context, been accepted by the Chief Constable and the GOC, Northern Ireland), but Model A would aim to make it more attractive to the Irish by converting the Commission into a Standing Committee of the Anglo-Irish Inter-Governmental Council, meeting at Ministerial or official level, in Belfast or in Dublin, and given responsibility both for considering how counter-terrorism could be enhanced, and for improvement in police - community relations in Northern Ireland.

14. On legal matters, although it is of doubtful practical value, a body to consider the scope for harmonisation of the criminal law in Northern Ireland and the Republic would do no harm. We now know that the Irish proposal for mixed courts (in which an Irish Judge would sit in a Northern Ireland court, and vice versa) would be strongly opposed by the Lord Chief Justice of Northern Ireland; despite what was said at Chequers about this, therefore, it cannot at this stage be accepted, even in principle; but it would be possible to agree, as proposed in Model A, that the issue should be studied further. it is possible that, in the context of an Anglo-Irish agreement which could be seen as a significant contribution to greater peace and stability in Northern Ireland, judicial opposition could be overcome.

15. There were indications at the official discussions on 17 December that the Irish would find any proposals more attractive if they gave some separate focus to the question of recognising

the separate nationalist identity of the minority in Northern Ireland. For this reason, Model A suggests that the Standing Committee might meet in a separate mode to consider measures of identity. We can safely offer that such a body should give advice on local measures to respect the nationalist identity (street names in Irish, abolition of the Flags and Emblems Act, etc), though even our widest collection of such measures does not add up to an impressive package. The most important measure in the Irish shopping list is a Bill of Rights for Northern Ireland: the difficulties in this concept are formidable, and we should need to explore more fully the Irish Government's apparent reluctance to take reciprocal action in the Republic.

16. In the same context of "identity" measures, Model A also proposes that the Irish members of the Standing Committee might have some role in relation to appointments in Northern Ireland that are in the gift of the Secretary of State. It would be a matter of great sensitivity if it appeared that the Irish Government was in effect removing names from short lists, and for this reason it is not suggested that appointments should be formally scrutinised by the Standing Committee. Nonetheless, it would be bound to become known - indeed the Irish Government would have a strong interest in letting it be known - that they were being informally consulted, and it would therefore be advisable to spell out the role to be given to the Irish Government in whatever agreement was reached.

17. The main characteristics of Model A are that it would give the Irish a separate focus on most of the areas previously mentioned in discussion, but would in the majority of cases concentrate on creating machinery for discussion, rather than on taking new decisions on issues of principle.

18. The reciprocal action we would seek from the Irish would lie mainly in their involvement in the machinery proposed and in particular more effective co-operation in security matters;

but we would also expect an undertaking that they would press the political representatives of the nationalist community in Northern Ireland to join whole-heartedly in the process of government there; and we would ask the Irish to go as far as they can, short of an amendment to their constitution, to recognise the status of Northern Ireland.

#### Model B

19. An amendment of the Irish constitution which waived the territorial claim, substituted for it a general aspiration, and endorsed the constitutional guarantee of Northern Ireland would - if it could be delivered - be an immense step for the Irish Government and people to take. Unionist opinion would no doubt tend to belittle it, as being no more than a belated recognition of the facts of life. Nonetheless, I believe that it would be a prize well worth the having, at the right price. Once it was entrenched in the Irish constitution, it would not be easy for a successor government to change or dilute it.

20. Since we do not believe that the Irish Government would go for a referendum on the basis of Model A, we have thought it right to work out in more detail the outlines of an arrangement to give the Irish Government a role in the conduct of non-devolved affairs in Northern Ireland, which could be proposed to the Irish Government as a counterpart to an amendment of the constitution. This arrangement is described in Model B.

21. The proposals set out in Model B are to be seen as complementary to and supplementing Model A: in other words the proposition to be put to the Irish Government would be Model A plus Model B. The combined package of measures is essentially that which Ministers authorised officials to put forward during the Autumn. The main ingredient in Model B added to those already set out in Model A is the giving to the Irish of a role

what  
role

in decision-taking in the administration of Northern Ireland. Because the Irish object to this role being described as "consultation" that word is not used in Model B, though it is not intended that the relationship should be anything other than consultative: the key paragraph in Model B is paragraph 7 of Annex B.

22. There is a risk that offering the Irish a role in relation to all the areas of government listed in paragraph 6 of Annex B would lead to an undue level of interference in the administration of Northern Ireland. It is not easy to see how the Model can be drafted so as wholly to protect ourselves from this: if we remove subjects from the area of consultation, we might remove an area in which a genuine nationalist grievance occurs. Paragraph 5 (c) of Annex B, however, attempts to limit the scope of Irish intervention to broad issues of policy, and to individual issues where special interests of the minority community appear to be involved.

#### Devolution in Northern Ireland

23. In response to Mr Powell's minute of 2 December 1984 the Secretary of State for Northern Ireland is reporting separately to the Prime Minister on his talks with the political parties on the prospects of devolution.

24. Both Model A and Model B contain paragraphs explaining what would be the effect on those proposals if devolved government were created in Northern Ireland. The effect is minimal in the case of Model A, but in the case of Model B much of the Irish role in decision-taking in the administration of Northern Ireland would disappear unless the devolved government made some alternative arrangement with the Irish. The question of any such alternative arrangement seems too hypothetical to pursue at the present stage.

25. Progress towards a devolved government in Northern Ireland based on power sharing would remove many of the Irish Government's anxieties, and might well be sufficient to convince the Irish that they should accept the proposals in Model A. It is, however, not within the British Government's gift to produce that degree of progress towards devolved government. Present indications are (and the Irish Government probably accepts) that it is highly improbable that the Northern Ireland political parties could again be brought to agree upon power sharing, or anything bearing a similar attraction to the Irish. What the United Kingdom Government can offer the Irish Government is a renewed assurance that the principle of widespread acceptability will continue to govern any proposals for devolved government in Northern Ireland: but although that statement is a substantial protection for the minority community, it is not a novel one, and cannot be expected to do much to affect the Irish judgment of the proposals in the two Annexes to this paper.

26. No role for the Irish Government in the affairs of Northern Ireland which would have attractions for nationalist opinion will escape unionist criticism and attack. Unless we are prepared to face some measure of hostility, there is no prospect of achieving arrangements which would be less objectionable to the Irish Government than the status quo (which they believe will lead to disaster). The question is whether the hostility of the unionists to the sort of changes envisaged in Model B, placated to whatever extent it might be by an amendment of the Irish constitution to waive the territorial claim and endorse the constitutional guarantee, would be containable. Put another way, the question is whether the changes in Models A and B together, plus an amendment to the Irish constitution (and a commitment by the Irish Government to encourage the SDLP to participate in the process of government in Northern Ireland) would constitute a significant attraction to constitutional nationalists and sufficient assurance to the unionists that the Union itself is not threatened.



27. My judgment, based on what the Taoiseach said at Chequers and what Mr Nally and his colleagues said subsequently, is that Model A as it stands would now be rejected by the Irish Government. It would implicate them in security in Northern Ireland without giving them what they would regard as an effective role, and would expose them to the charge of being corralled into helping the British do their dirty work without getting any significant political return for it.

28. It is conceivable that the Irish Government might eventually come to accept Model A, if they judged that the role offered in Model B was not enough to enable them to carry a constitutional referendum and they were convinced that they could not persuade us to offer a role which would be enough. But I think that even that is unlikely, and I see Model A as mainly of tactical value: an offer of Model A on its own, after an abortive discussion of Model B, would provide a means of extracting ourselves from the current process with the minimum of damage to Anglo-Irish relations: the Irish could turn it down amicably, as a sincere but insufficient attempt, and we could implement unilaterally those parts of it which were intended to appeal to the nationalist community (eg repeal of the Flags and Emblems Act improvements of police complaints procedures, measures to attract more Catholics into the RUC). But this would be a damage limitation exercise: it would not engage the Irish in closer security co-operation, nor get the SDLP back into the political process in Northern Ireland, nor help to restore the Taoiseach's political position in the Republic.

29. A bargain on the lines of Model A plus Model B which included amendment of the territorial clauses of the Irish constitution (and a related declaration by the Irish Government that Northern Ireland would remain part of the United Kingdom as long as the majority of its inhabitants so wished), would have the merit of enabling the British Government to demonstrate that whatever arrangements were being introduced to take account of

nationalist concerns and aspirations in the North did not threaten the Union, and that the bargain struck was intended by both Governments to be a durable one. Whatever the unionists might say to denigrate it, it would carry a good deal of weight with opinion in Britain and abroad and would be a considerable political prize. But, if the stability of the province was not to be put at risk, the unionists would have to be brought to acquiesce in the bargain.

30. Whether Model A plus Model B would offer the Irish what they could regard as enough, we can discover only by trying. it is possible that, with Irish expectations lowered as a result of the outcome of the Chequers meeting, the Taoiseach might now be able to make more political capital out of what Irish opinion will see as a limited British offer than would have been the case if Irish expectations remained as high as they were before Chequers.

#### Conclusion

31. The Prime Minister and the Taoiseach agreed at the Chequers meeting, and again at their meeting in Dublin on 3 December, that discussions in the Armstrong-Nally Group should continue. The Taoiseach has made it clear that there would be no attraction for the Irish Government in any arrangement which associated them in the maintenance of the present system of law and order without giving them some role on other affairs of concern to the minority in Northern Ireland; and the Irish Government have since the Chequers meeting made it clear that they are still interested in an arrangement which would give them some kind of say not only on security and legal matters but on other Northern Ireland matters within the responsibility of the British Government and, as a quid pro quo, would provide for a referendum to change the Irish constitution so as to waive the territorial claim and endorse the constitutional guarantee.

*In other words he is not interested in referendum to be held. territorial*

32. I think that the key question which Ministers need to consider and decide is whether the sort of consultative arrangement described in Model B would be acceptable, and worth accepting as the price of a durable settlement which would give us an amendment to the Irish constitution waiving the territorial claim and endorsing the constitutional guarantee of the status of Northern Ireland, as well as of more effective security co-operation.

33. If Ministers judge that a set of measures covering security, legal and political matters of the kind indicated in Model A and B together would be acceptable to the British Government, and that the unionists could (albeit with difficulty) be brought to acquiesce in it, officials could be authorised to present to the Irish Government at the next Armstrong-Nally meeting proposals for a set of measures based on Models A and B. These proposals could be presented as going to the limit of what the British Government believes might eventually be tolerated by the unionists, if associated with an amendment of the Irish constitution to waive the territorial claim and to endorse the constitutional guarantee of the status of Northern Ireland.

34. The onus would then be on the Irish Government to respond. There would no doubt be a period of detailed discussion in which the Irish Government made a series of attempts to harden the "package" - and particularly their consultative role. At the end of that period they would have to decide whether the measures proposed (subject to any modifications agreed in discussion) gave them what they needed. If they decided that it did, we could offer to work the proposals up into a paper for presentation to the Prime Minister and the Taoiseach. If it did not, we could propose to abandon the search for the larger package, the proposals for a consultative role for the Irish Government in the conduct of non-devolved affairs (other than foreign affairs, defence, finance and security) in Northern





Ireland and the proposal for a referendum on amendments to the Irish constitution, and invite them to consider a more limited set of proposals on the lines of Model A. This would be discussed in detail, and the Irish Government would then have to decide whether this half-loaf was better than no bread, or whether it represented too much of a political risk for them at home. If they were minded to go ahead with it, we could again offer to work the proposal up into a paper for presentation to the Prime Minister and the Taoiseach. If they decided to reject it, we should need to discuss with them whether there should be a meeting between the Prime Minister and the Taoiseach (they as well as we might prefer no meeting to a meeting ending in failure) and in what way the current round of discussions could be discontinued with least risk of damage to Anglo-Irish relations, to the confidence of the constitutional nationalists in Northern Ireland, and to security co-operation between the two Governments.

No- 35. If Ministers judged that the consultative arrangements would not be acceptable to the British Government, or that the unionists could not be brought to acquiesce in them, it would be unwise to offer anything like Model B to the Irish Government. The danger would then be that the British Government might then seem to the Irish Government to have retreated from a position which it had been prepared to take before and at Chequers. It would then be for consideration whether to put forward Model A as representing the furthest the British Government was prepared to go - accepting that the Irish Government would not regard that as a basis for going ahead with a referendum to amend the Irish constitution. I think it unlikely that Model A could be accepted by the Irish Government. So a third matter for consideration is whether an amendment of the Irish constitution is a prize worth trying to win.

36. The Northern Ireland Office have the following reservations on these conclusions:

✓ 1. They do not doubt Dr FitzGerald's good faith in offering to go for an amendment of the Irish constitution; but they doubt his ability - in the face of Mr Haughey's opposition - to deliver it.

✓ 2. They question whether the impact of Model B on the nationalist minority in the North would be commensurate with the opposition it would generate among unionists, especially if the Irish Government in its referendum campaign was obliged to maximise the British concession and represent its role as something more than consultative.

✓ 3. They foresee practical difficulties in operating such a broad agreement as Model B, particularly if there were no devolved government in Northern Ireland.

✓ 4. They think that, if Ministers judge Model B to be unacceptable, Model A would be a realistic starting point for resumed talks with the Irish Government. They point out that it goes wider than earlier proposals for a joint security commission and covers some of the other areas in which the Irish Government maintain that the nationalist minority feels "alienated". They think that Model A might be accepted by the Irish Government (without of course any corresponding commitment to an amendment of the Irish constitution), if they were persuaded that there was nothing more on offer.

37. The Foreign and Commonwealth Office are against taking Model A as a starting point with the Irish on both substantive and tactical grounds. They consider that a wider settlement on the lines of Model B, to include amendment of the Irish constitution, remains a desirable objective in itself for the

reasons already discussed; and that the Irish Government would not accept Model B unless it was satisfied that the SDLP was fully behind it and that a referendum consequently stood a good chance of success. Tactically, the Foreign and Commonwealth Office believe that the only circumstances in which the Irish might be brought to accept Model A would be if it had first been shown Model B as the absolute limit of what the British Government could offer, and had concluded (as it would be likely to do) that this was an insufficient basis on which to seek a constitutional referendum. In that event Dr FitzGerald might reluctantly decide that Model A was less of a risk than having the Anglo-Irish talks end in failure.

38. On this last point I agree with the FCO view. I believe that everything that the Irish Government said makes it clear that they would have great political difficulty with nationalist opinion both sides of the border about any arrangement which implicated them in security in Northern Ireland but gave them no role in other matters affecting the minority. They have put great emphasis before Chequers, at Chequers and since Chequers on the essential need for them to be given a role in Northern Ireland affairs which goes wider than security. If we now simply say that that is impossible, I very much doubt whether they will be willing to look at anything on the lines of Model A; I think that it is conceivable (but unlikely) that they would look at something on the lines of Model A if they thought that we had at least tried to meet them on the wider role, even if they thought that the consultative role we were able to offer them did not give them what they could defend as enough of a say in the affairs of Northern Ireland.

RTA

ROBERT ARMSTRONG

11 January 1985

MODEL B

1. The arrangements in this model are in addition to those described in Model A. The additions would be:

a. In each of the three main areas identified in Model A (legal matters, policing and security, and identity matters) ways would be sought of deepening the involvement of the Irish authorities (see paragraph 2 below).

*decision?*  
b. A fourth area (decision taking in the administration of Northern Ireland) would be added.

c. The exchanges between the two Governments would be further institutionalised by the appointment of an Irish Government liaison office in Belfast headed by an official.

Deepening the contacts

2. The Model A proposals are designed to be realistic and effective. Any extension of them would require detailed negotiation but deepening of the contacts could include:

a. on legal matters, an immediate commitment to review the scope for harmonisation of criminal law and the arrangements for extradition and extra-territorial jurisdiction.

b. on policing, the immediate announcement of decisions (based on detailed preparatory discussion) on the procedures for handling police complaints, local liaison committees, and a programme for action to increase the number of Catholics in the RUC. *How?*

c. on 'identity' matters, decision on the use of the Irish language, the Flags and Emblems Act and electoral matters.

*all rest of the results of the negotiations*  
3. These all involve bringing forward action that might be expected to flow eventually from the arrangements in Model A: the fact that such decisions had already been taken would enable the Standing Committee to move on immediately to other issues, building on these decisions.

Decision taking in the Administration of Northern Ireland

4. The British Government would accept the entitlement of the Government of the Republic of Ireland to put forward as views in the interests of the people of Northern Ireland on a whole. *as?*

5. On all main areas of policy within the Secretary of State's control not already covered by these arrangements, the Government would seek the views of the Irish Government on:

- a. all proposals to legislate
- b. all issues referred to the Northern Ireland Assembly
- c. schemes, policies and, so far as practicable, proposed administrative actions not otherwise covered by the arrangements set out in this paragraph if they appear to the Secretary of State for Northern Ireland, whether or not as a result of representations made to him, substantially to affect the special interest of the minority community in Northern Ireland or an important section of it.

6. These main areas of policy include:

Housing policy (but not the day-to-day decisions of the Northern Ireland Housing Executive)

Transport policy (but not the day-to-day responsibilities of Northern Ireland Railways, Northern Ireland Airports Authority or Ulsterbus)

Roads

Water Supplies and sewerage

Fire protection policy

Pollution control

Supervision of local government

Industrial development policy (but only in exceptional circumstances the handling of individual cases)

Energy supply and conservation (but not the day-to-day operation of the Northern Ireland Electricity Service)

Tourism

Consumer protection

Industrial Science and technology promotion

Youth Training Programme

Employment Services

Government Training Centres

Other employment and training schemes

Education policy (but not the day-to-day responsibilities of the Education and Library Boards)

Recreation, culture, sport

Health Services

Social Security (but not individual cases, or questions of national policy)

Electoral matters

7. Meetings of the Standing Committee of the AIIC could review the issues that had been discussed; and in matters of particular importance the Committee might itself be the forum for discussion. Although the final responsibility for decision taking would remain with the Secretary of State, once an issue had been raised in the context of the Standing Committee, every effort would be made to reach agreement.

8. These exchanges would be in addition to, not a substitute for, existing contacts between the two Governments and their officials including meetings within the framework of the Anglo-Irish Inter-governmental Council, and the working contacts that take place between officials in Northern Ireland and the Republic.

Further steps to institutionalise the exchanges

9. To facilitate day-to-day contact on the matters discussed above the Republic of Ireland could establish an office of liaison with the Northern Ireland Office in Belfast. This office would be headed by a senior official. The Northern Ireland Office would establish a liaison unit in Stormont Castle for the purpose of encouraging and supervising contacts with the Irish Government; and to act as a channel of communication for and to that Government if needed.

Articles 2 and 3

10. In recognition of the need for greater stability and certainty, the Irish Government would promote changes to Articles 2 and 3.

*This is  
part  
of  
Government*

Devolved Government

11. In the event of a devolved government being created in Northern Ireland the framework described above would remain, as would the developments indicated in paragraphs 2 and 3: but most of the subjects listed in paragraph 6 (depending on the extent to which devolution was full or partial) would be within the responsibility of the devolved government, and therefore not matters on which the Secretary of State could consult with the Irish Government.

