



NORTHERN IRELAND OFFICE
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Prime Minister
Brief for your meeting
with John Hume.
DH will also attend.

Communique of last Anglo-Irish
Summit also attached.
15 January 1985

Charles Powell Esq
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LONDON SW1

C.D.P. 161

Dear Charles,

MEETING WITH JOHN HUME MP : 17 JANUARY

Further to your letter of 4 January to Graham Sandiford ^{- with COP} requesting briefing material for the Prime Minister's meeting with John Hume on Thursday 17 January, I attach some material, approved by the Secretary of State, on which the Prime Minister may care to draw.

We have not covered in any detail the Secretary of State's exchanges with the Northern Ireland parties since the Summit or the prospects for further talks with them as this ground is covered in Mr Hurd's minute of 14 January to the Prime Minister, with which the attached brief might be associated.

The Secretary of State would like, if the Prime Minister is content, to be present at the meeting with John Hume. He also feels that it is very important that he should have five minutes with the Prime Minister beforehand. I have mentioned this to David Barclay and we have arranged for this to take place.

I am copying this to Peter Ricketts and Richard Hatfield.

Yours sincerely
Neil Ward

N D WARD

Hume

- 1) Absence of Order - We are only people who can sort out our law order.
- 2) Human life cheap.
- 3) Unisocial Community } Own identity
Not in
- 4) Phrase "Involuntary Dublin"
- 5) State's Problem as we see it.
- 6) ? where do they lead?

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MEETING BETWEEN THE PRIME MINISTER AND JOHN HUME : 17 JANUARY 1985

Steering Brief

A. BACKGROUND

Since the November 1984 summit, SDLP spokesmen have been increasingly critical of all aspects of Government policy in Northern Ireland. They have also claimed that the British Government's public statements since the summit have cut the ground from under the New Ireland Forum process. This has reinforced the SDLP public view that an internal settlement to the Northern Ireland problem would be deficient because it would not give sufficient recognition (and influence in decision making) to the (nearly 40%) of the population who are of Irish identity.

2. Hume has, privately, shown himself more moderate. He has had talks with the leaders of the three parties in the Republic and appears to be looking for a development of Anglo-Irish relations in the area between joint Authority and a low level, occasional, consultative process. He is, however, faced with a major party conference at the end of January and publicly he has stood by declared SDLP policies.

OBJECTIVES

3. Against this background, the Prime Minister's objectives for this discussion should be to:-

- (a) restate the Government's policy that a system of devolved government acceptable across the community provides the best way forward. All constitutional parties should intensify their efforts to secure this;

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- (b) point to the elements in the summit communique which recognise the nationalist viewpoint and underline the Government's commitment to building up good Anglo-Irish relations;
- (c) allow John Hume the opportunity to put his views on political developments and the position of the minority community in Northern Ireland including their attitude towards the security forces (and how this might be improved).

POINTS TO MAKE

4. With this in mind points to make might be:

A. Summit and Anglo-Irish Relations

"The Forum Report was valuable; it stimulated political thinking; its recognition of the Unionist identity, of the importance of consent and its opposition to violence are welcomed by HMG"

"But the three Forum models cannot be accepted. They would change Northern Ireland's constitutional position and would not gain the consent of a majority; Jim Prior made this clear on 2 July. I did no more than confirm this position after the summit".

"Public perception of the summit was wrong. A useful agreement was achieved with the Irish on principles; our dialogue continues, and there is to be a further summit, but we need to work out practical arrangements for Anglo-Irish co-operation. It would be wrong to expect too rapid results or assume that the two Governments can themselves reach an agreement without taking account of political development in Northern Ireland, which runs in parallel".

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B. Northern Ireland: Political Development

"Do not believe present situation is acceptable. Aim must be to involve both communities in constructive political activity. The Government want to continue the search to secure agreement on form of devolved government which commands support and involvement across the community. No question of changing criteria that whatever system is introduced must command wide-spread support across the community. This gives the SDLP an opportunity to put its proposals".

"This demands responsible approach from all constitutional political parties. Government is willing to help search for progress and may join in dialogue with ideas of its own. But to be stable and durable new arrangements must be acceptable to all".

C. National Identities

"UK Government has recognised the legitimacy of both identities. Successive administration have taken steps to introduce civil rights legislation or remedy longstanding problems (eg housing). We will continue to look for practical ways to recognise the identities of both communities (any ideas from Mr Hume)".

D. Anglo-Irish Security Co-operation

- "Close co-operation between police forces on both sides of the border is crucial to the defeat of terrorism and I shall do everything I can to maintain and increase it. Co-operation at working level remains good.
- I am open to all suggestions for improving cross-border security co-operation (including development of some form of Anglo-Irish Security Commission)
- I am determined that the security forces should work within the law [there is no policy of shoot to kill]."



RESPONSE TO POINTS BY MR HUME

5. Mr Hume may express distrust of the Unionist parties intentions. (Mr Paisley has emphasised majority rule with no power sharing executive; Mr Molyneaux has been lukewarm towards the Assembly and would prefer integration with a regional tier of local Government). He may point to the problems of accepting something that, in sum, falls below the 1974 arrangements made by the Government at Sunningdale. He may also suggest that the nationalist community needs to feel it has a positive role to play in the conduct of Northern Ireland affairs.

6. A response might point out:-

- (a) Government will continue to seek close Anglo-Irish relationship;
- (b) but this cannot bear all the weight of the constitutional nationalist case - the SDLP surely need a strong base in Northern Ireland, at District Council and 'Provincial' level;
- (c) the Government recognises it may have to assist the parties eventually in their search for devolution, but at this stage Mr Hume should state his party's requirements so these can be set against the propositions of the Unionists;
- (d) Ministers are aware of perceptions in the nationalist community that the present structures do not sufficiently take account of their Irish identity. And of the problems in "inner city" West Belfast and West Londonderry. But to counter unfounded criticism [eg from Sinn Fein] they need the support of all those of goodwill from both communities.

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7. It is possible that Mr Hume will also mention the procedures for reviewing the cases of young persons serving sentences of detention during the pleasure of the Secretary of State (the equivalent in England and Wales is detention during Her Majesty's pleasure). A background note and line to take are provided at Annex D.

8. Further material is annexed as follows:-

Annex A: SDLP: Current Position

Annex B: Northern Ireland Political Parties: Constitutional Proposals

Annex C: Northern Ireland: Economic and Security - Specific Issues

Annex D: Prisons: Secretary of State's Pleasure Cases.

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SDLP: CURRENT POSITION

Prior to the November 1984 summit, there were indications that the SDLP might be prepared to join in with the Unionist parties in the search for an acceptable form of devolved government for Northern Ireland. This would have been conditional upon the Government agreeing to a greater role for a closer involvement by the Dublin Government in the affairs of the North. The Party has drawn comfort from John Hume's success in the European elections and had high expectations that the summit would produce major changes.

2. Major disappointment was felt throughout the minority community at the summit outcome - although the initial reaction to the Communique itself was cautiously welcoming. The effect has been to strengthen the hand of the more outspokenly nationalist wing of the party in calls for a complete boycott of all institutions in Northern Ireland. Publicly, the SDLP is committed to the line that the problems of Northern Ireland cannot be settled internally. This is based upon the belief that the Unionist parties are not prepared to make any concessions to recognise the "Irish identity" and that to settle for anything less than the power sharing arrangements of the 1974 Executive would be a betrayal of all the Party has fought for since its collapse. The effort involved in the New Ireland Forum would have been for nothing.

3. More generally, there is the perception that security, economic and social pressures bear down more heavily on the minority community - particularly on the young. This has provided a fertile breeding ground for the Sinn Fein argument that violence is the only way of destroying Unionist-dominated structures so as to remedy their present "second class citizen" status.

4. The SDLP annual conference will be held on 25-27 January. It is an open question as to whether the Party will stand on its present abstentionist platform or whether political realities will lead to the evolution of a long-term strategy and at persuading the British and Dublin Governments to intensify their dialogue, particularly in areas of concern, North-South interest. Mr Hume has floated this

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latter idea informally, coupling it with suggestions for a Northern Ireland form of direct rule with a strong minority community input/influence. He has also suggested the introduction of PR for Northern Ireland elections to strengthen nationalist representation at Westminster.

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ANNEX B

NORTHERN IRELAND POLITICAL PARTIES: CONSTITUTIONAL PROPOSALS

Summary

During 1984 the Official Unionists, the Democratic Unionists and the Alliance Party published separate proposals for political development in Northern Ireland. In the absence of the SDLP, these three parties are currently considering the options for devolution within the Report Committee of the Assembly. They expect to issue a report in the coming months, but there is no impression of urgency.

2. The two main Unionist parties have set their face against sharing power with nationalists aspiring to a united Ireland, and have failed to persuade the SDLP to take their seats. The Assembly Report Committee is assessing the parties' varied proposals. With Government prompting, attempts are currently being made to establish a series of talks between the parties which would take place outside the Assembly. These have yet to get off the ground.

Current Position

3. The immediate prospects for achieving agreement on a system of devolution which would meet the criterion of widespread acceptability are not good. First, SDLP continue to boycott the Assembly and have refused to contribute to the work of the Report Committee. Second, the participating parties continue to hold conflicting views about the way in which the Assembly should be developed and, third, neither of the two main Unionist parties show any sign of offering the SDLP a significant role in the administration of the Province. The prospect of a further Anglo-Irish summit and the imminence of the May District Council elections are further constraints on movement.

Ulster Unionist Party

4. In their document "The Way Forward", the Ulster Unionist Party rejected power sharing but recognised the need to make some sort of accommodation with the nationalist community. They argued that full-

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scale legislative and administrative devolution should not be attempted now (because it would not be acceptable to Unionists); instead they proposed that the Assembly should be given responsibility for a range of local authority type functions including roads, water, planning etc, administered by a system of Assembly committees on which each party would be represented. These proposals offer little incentive to the SDLP to reconsider their attitude to the Assembly and, since they are perceived as being consistent with Mr Molyneaux' integrationist preference, raise doubts about his party's commitment to the concept of devolution.

Democratic Unionist Party

5. Dr Paisley's Democratic Unionists have proposed a system of devolution based on majority rule with certain safeguards for the minority community. But these safeguards, such as weighted voting on sensitive issues and a right of appeal to the Secretary of State, fall short of giving both identities participation in the final decision making process. They are unlikely to be acceptable to the minority community as a whole.

Alliance Party

6. The formal policy of the Alliance Party is that they will not support any proposals for devolution unless they provide a suitable role for the minority. They have proposed a system of partnership government in which all four main parties would participate. But the Alliance leader, John Cushnahan, is showing signs of frustration at the continued absence of the SDLP from the Assembly and may be prepared to trim his views in order to secure agreement inside the Report Committee.

integrated operation does not mean any additional finance. Officials are discussing with the EC the possibility of funding for a major study of Northern Ireland's economic development. There would be nothing lost, and much gained, by holding back on Mr Hume's (narrower) idea and in subsuming it in the wider study initiative.

3. North/West Study

The cross-border "Foyle, Donegal, Strabane Co-ordinating Group" proposed to Ministers in Northern Ireland and the Republic, and to the EC, an Integrated Operations (IO) feasibility study. Ministers in Belfast and Dublin responded with a proposal for a more conventional study into factors inhibiting employment in the area including the examination of a cross-border industrial zone. Officials from Belfast and Dublin subsequently met the Group to discuss the Ministers' proposal but the Group continues to press for the IO approach.

Line to Take

Both Governments feel that there is greater benefit to be gained from a more concentrated study on immediate issues relating to employment opportunities in the area.

B. Security

4. Anglo-Irish Co-operation

RUC/Border co-operation at working level remains good. Relations at more senior level remain somewhat strained. The Chief Constable has recently written to the Garda Commissioner in an attempt to improve them.

ECONOMIC AND SECURITY: SPECIFIC ISSUES

Mr Hume may choose to raise issues of local concern in these areas. These might include:-

A. Economic1. Unemployment

Londonderry historically has had serious economic problems and high unemployment levels due to its peripheralicity in regional etc terms. The unemployment rate (December 1984) in the Londonderry Travel-to-Work area is about 28% (12,000) which compares with a rate of over 20% (119,000) for Northern Ireland as a whole.

Line to Take

Government policy to give priority to areas of high unemployment is reflected in efforts to encourage industrialists to locate in these areas and in the scaling of financial incentives to give investors significantly greater financial assistance. The development of small businesses and self-help organisations is also being promoted. The location of Northern Ireland's second Enterprise Zone in Londonderry is further evidence of the Government's commitment.

2. Rural Development Programme

Mr Hume has been promoting the idea of an integrated rural development programme for the less favoured areas of Northern Ireland (following the model of the Belfast Integrated Operation).

Line to Take

The Government is willing to consider any proposal arising from the EC but is not convinced that the experience in Belfast can be transferred to a much wider area, particularly when an

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5. "Shoot-to-Kill" and Londonderry Incident, December 1984

During the last three years some 21 suspected terrorists have been shot dead by members of the security forces on duty. All the incidents have given rise to controversy about the rectitude of the security forces' actions. Each incident has been investigated or is being investigated, by the police and once complete the police files are submitted to the DPP. On the DPP's direction a number of policemen and soldiers have been charged with murder. To date all but one - a Private Thain - have been acquitted.

Most recently the security forces in Londonderry had become aware that PIRA terrorists were planning an attack near Gransha Hospital. They could not be sure when or where such an attack would take place. Hence, the security forces kept the whole area under surveillane.

Early on 6 December, a single mobile unit of the Army (one car) identified possible attackers approaching the hospital on a motor-cycle. On the information there seemed good reason to believe that they intended to carry out an attack. If the Army unit had failed to intervene at an early stage they were well aware that the attackers might have killed their target from among workers arriving for duty at the hospital. They decided to halt the motor-cyclists by challenging them. In the ensuing fracas both motor-cyclists were killed. A police investigation is proceeding.

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ANNEX D

Cases of young persons serving sentences of detention during the pleasure of the Secretary of State

Background Note

During recent months there has been mounting interest, on both sides of the sectarian divide, in cases of young persons serving this particular sentence. Detention during the Secretary of State's pleasure is the mandatory sentence (the equivalent in England and Wales is detention during Her Majesty's pleasure) where a person is convicted of murder committed at a time when the accused was under 18.

Mr Hume and certain figures in the Catholic church have taken a close interest in the procedures for the review of these cases, and Mr Hume has pressed the cases of a number of individuals from the Londonderry area who are serving indeterminate sentences. It so happens that NIO Ministers currently have before them two of these individual cases, Miss Lorraine Halpenny and Don Martin Mulholland, and it is likely that both prisoners will be given provisional release dates (ie subject to continued good behaviour and to satisfactory final resettlement arrangements) in course of the next few days.

Speaking Note

As Mr Hume will be aware from his discussions with NIO Ministers, they are very conscious of the cases of young persons in Northern Ireland who became caught up in paramilitary violence when young and impressionable. At the same time Ministers have a responsibility to ensure that the periods served under indeterminate sentences are commensurate with the seriousness of the crimes and that the public is not put at risk. The Prime Minister understands that two prisoners whose cases Mr Hume has raised on a number of occasions, those of Lorraine Halpenny and Don Martin Mulholland, will shortly be given provisional release dates.

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115 JUN 1985



COMMUNIQUE

The Prime Minister, the Right Honourable Margaret Thatcher FRS MP, and the Taoiseach, Dr. Garret FitzGerald TD, met at Chequers on 18 and 19 November 1984 in the second meeting of the Anglo-Irish Intergovernmental Council to be held at the level of Heads of Government.

The Prime Minister was accompanied by the Secretary of State for Foreign and Commonwealth Affairs, the Right Honourable Sir Geoffrey Howe QC MP, and the Secretary of State for Northern Ireland, the Right Honourable Douglas Hurd CBE MP. The Taoiseach was accompanied by Mr. Dick Spring TD, Tanaiste and Minister for Energy, and Mr. Peter Barry TD, Minister for Foreign Affairs.

The Prime Minister and the Taoiseach exchanged views on European Community matters, including enlargement to admit Spain and Portugal, progress in creating the internal market, the economic and social situation, including employment trends, and the future development and financing of the Community.

The Prime Minister and the Taoiseach also reviewed current issues in international affairs, including the efforts to relieve famine in Ethiopia and other countries in Africa.

/ The Prime Minister

The Prime Minister and the Taoiseach reviewed the work done under the auspices of the Anglo-Irish Intergovernmental Council at both ministerial and official levels on political, economic, security and cultural matters. They noted that much detailed work was continuing at official level, and looked forward to further meetings of the Council at all levels.

The Prime Minister and the Taoiseach had an extensive and constructive exchange of views on developments in relation to Northern Ireland since their last major bilateral meeting a year ago. In their discussions they took fully into account the position of the British Government as set out in the debate in the House of Commons on 2 July 1984; the report of the New Ireland Forum; and the proposals of constitutional democratic parties in Northern Ireland as set out in documents published in recent months.

The Prime Minister and the Taoiseach agreed that it was a major interest of both their countries, as well as of both the majority and minority communities in Northern Ireland, that there should be lasting peace and stability in Northern Ireland.

The Prime Minister and the Taoiseach agreed on the need for efforts to diminish the divisions between the two communities in Northern Ireland and to reconcile the two major traditions that exist in the two parts of Ireland.

/ The Taoiseach

The Taoiseach also reaffirmed that it remained the wish of the Irish Government that the two parts of Ireland should come together by freely negotiated agreement and in peace, but recognised that any change in the constitutional status of Northern Ireland as part of the United Kingdom would only come about with the consent of a majority of the people of Northern Ireland.

The Prime Minister reaffirmed that Northern Ireland was part of the United Kingdom and that the majority in Northern Ireland wanted it to remain so. At the same time she confirmed that, if in the future the majority of the people of Northern Ireland clearly wished for and consented to a change in the constitutional status of Northern Ireland, the United Kingdom Government would put forward and support legislation to that end in the British Parliament.

The Prime Minister and the Taoiseach agreed that:

- (i) any attempt to promote political objectives by means of violence or the threat of violence must be rejected, as must those who adopt or support such methods;
- (ii) the identities of both the majority and the minority communities in Northern Ireland should be recognised and respected, and reflected in the structures and processes of Northern Ireland

in ways acceptable to both communities;

- (iii) the process of government in Northern Ireland should be such as to provide the people of both communities with the confidence that their rights will be safeguarded.
- (iv) co-operation between their two Governments in matters of security should be maintained and where possible improved.

The Prime Minister and the Taoiseach agreed that in the light of their discussion there should be close and continuing dialogue on these subjects between the two Governments in the framework of the Anglo-Irish Intergovernmental Council, with a view to a further meeting between them within the coming months.