

Ref. A085/1165

PRIME MINISTER

Anglo-Irish Relations: OD(I)(85) 2

BACKGROUND

Following a Cabinet decision in February 1984 officials entered into a confidential dialogue with Irish officials in search of the basis of an intergovernmental agreement which would contribute to easing the problems in Northern Ireland. The course of the negotiations is spelt out in Annex B to OD(I)(85) 2. At Annex A is the paper which it is proposed should be handed over to the Irish. This is the second formulation of the United Kingdom proposal and takes into account the Irish response to our first proposal, handed over on 21 January. Since the Irish response on 8 February there has been a further round of official talks, and the Foreign Secretary and the Northern Ireland Secretary visited Dublin on 22 March. No formal reply has yet been given.

2. Dr FitzGerald has said that he is anxious to press ahead as quickly as possible and would like to see negotiations completed by mid-June. He has accepted that no agreement will be concluded before the local elections in Northern Ireland in May, and that it would not be right to fix a date for a further Summit meeting without being sure that the outcome would be a successful completion of the negotiations.

3. The paper at Annex A proposes a new formal structure of consultations with the Irish on matters affecting Northern Ireland. While it would not give them executive responsibility in decision-making, it would provide them, for the first time, with a formal means by which they could express their views on certain matters affecting the minority community in Northern Ireland. In return it could offer us improved security co-operation



greater prospects for SDLP participation in devolution and a positive impact on international opinion, particularly in the United States, all of which could contribute to bringing about a reduction in terrorist activity. For an agreement of the kind envisaged the Irish will not be prepared to risk a referendum to amend Articles 2 and 3 of their Constitution - it seems doubtful whether they would be prepared to do so in the context of any agreement we could conceivably offer on joint consultation - but they have offered formally to reiterate the undertaking in the Sunningdale Agreement (to the effect that Northern Ireland would remain part of the United Kingdom for as long as the majority so wished) and to enshrine it in a Treaty lodged with the United Nations.

4. The paper OD(I)(85) 2 outlines:

a. The proposals contained in Annex A; (paragraph 7-9).

b. The "confidence building measures" that might be undertaken by either side (paragraphs 10-11). These include some measures (unacceptable in the form put to us) suggested by the Irish such as the reorganisation of the Royal Ulster Constabulary (RUC), major changes in the Ulster Defence Regiment (UDR) and the early release of some terrorists who have served a substantial portion of their sentences.

c. The likely impact of an agreement, notably on the SDLP, the Unionists and the prospects for security co-operation and our international image.

d. Timing considerations.

It seeks the Sub-Committee's approval to hand the text at Annex A to the Irish and seeks guidance on the next round of negotiations.



HANDLING

5. This is the first meeting of this Sub-Committee. The purpose is to assess the political acceptability of the proposals on offer. You could ask the Foreign and Commonwealth Secretary and the Secretary of State for Northern Ireland to introduce the paper.

CDP?
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6. In discussion the following issues might be addressed:

a. If we do sign an agreement on these lines:

i. Will the inevitable Unionist outcry be manageable?

ii. What is the risk of a short-term escalation in violence starting from the Unionist reaction?

iii. Is such an agreement likely to ease the problems of Northern Ireland in the longer term?

b. The Irish demand for inclusion of economic and social matters as a separate item on the formal agenda for the Standing Committee has been resisted. But they are included under the heading "political matters" linked to discrimination in paragraph 8 of the paper, and again there is also an item "cross-border co-operation in economic, social and cultural matters" (paragraph 18). These provisions recognise that the Irish wish to expand the areas of consultation outside the security area; do they sufficiently safeguard our interests?

c. The paper envisages the conclusion of an agreement being accompanied by action by the SDLP to join in serious discussion of devolved government. Is it reasonable to expect this to happen? What are the indications so far from the Irish contacts and those of Mr Patten with the SDLP?



- d. What effect might the local elections in Northern Ireland in May have on the prospects for this agreement?

CONCLUSIONS

7. Subject to the discussion, you might guide the Sub-Committee to:

- a. endorse the text of the paper to be handed over to the Irish;
- b. resist any significant extension of the scope of the agreement;
- c. encourage the Secretary of State for Northern Ireland to find out all he can about the likely attitude of the SDLP to an agreement on these lines and, in particular, their willingness to discuss seriously the setting up of a devolved Government;
- d. discuss scope for meeting Irish concerns over confidence building measures;
- e. discuss timing on the next steps.

Approved by
ROBERT ARMSTRONG
and signed in his absence.

23 April 1985