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Ref. A085/1412MR POWELL

Northern Ireland: Anglo-Irish Talks

The Irish Times last week printed two stories, one on Wednesday 15 May and the next on Thursday 16 May, which were uncomfortably close to the truth on some aspects of the Anglo-Irish talks. The second, on Thursday 16 May, was a story about the Irish Government's proposals for a dual court system to combat terrorism on an all-Ireland basis. I attach copies of the articles herewith.

2. You will see that both articles are from the London Editor of the Irish Times.

3. These leaks do not appear to be in the interests of either side, but the Irish are convinced that they come from London. Some suspicion has fallen on the Irish Ambassador in London, but it is clear that the Taoiseach and his colleagues firmly believe that these and other leaks have come from British sources. The Taoiseach is said to have wanted to telephone the Prime Minister to tell her that he was overwhelmingly persuaded that the leaks had come from London and that they were very destructive of Irish interests. The Irish clearly believe that the leaks emanate from the Northern Ireland Office.

4. I do not for a moment believe the Secretary of State for Northern Ireland is briefing the Irish Times. But I do wonder whether one of his junior Ministers may be, and it might be worth while for the Prime Minister to say something at tomorrow's meeting of OD(I). She could perhaps ask whether knowledge of the talks and their contents is being sufficiently closely safeguarded by Departments, and emphasise the need to avoid further damaging leaks.

22 May 1985

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Approved by
ROBERT ARMSTRONG

and signed in his absence

seful, comprehensive, detailed and worthwhile.

Mr Shultz said the discussions ranged over regional problems and that he had brought up the questions of human rights, as he had done in previous such meetings.

Asked about the issue, the Soviet spokesman said: "We do not discuss our internal affairs with anyone."

It was the first meeting between Mr Shultz and Mr Gromyko since they reached agreement in January in resuming the super-Power dialogue on arms control. — (Reuter).

North goes to polls

From Ed Moloney, Northern Editor, and Fionnuala O Connor

NORTHERN IRELAND goes to the polls for the fifth time in four years today, to elect 566 councillors to 26 district councils. The election, by single transferable vote, will be dominated by a contest between the Official Unionists and the DUP on one hand, and the SDLP and Sinn Fein on the other.

Both Unionist parties last night predicted a high degree of transfer voting in order to keep Sinn Fein out of power or influence in local councils. The SDLP, meanwhile, appeared confident that its vote would hold.

It seems unlikely that there will be any significant degree of cross-voting between the SDLP and Sinn Fein.

One million voters are registered and for the first time in Northern Ireland an election is being fought under strict, new anti-personation laws.

See page 6.

Hillery off today on State visit

By Ella Shanahan

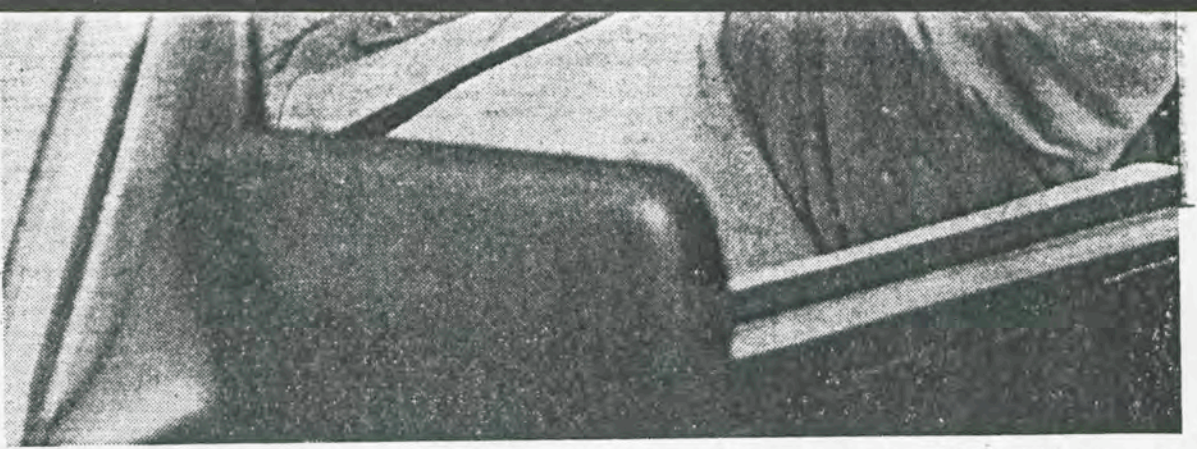
PRESIDENT HILLERY leaves Ireland today for a State visit to New Zealand and Australia that will last nearly a month.

He will be seen off at Dublin Airport at 11.30 a.m. by the Taoiseach, Dr FitzGerald; the Army Chief of Staff, Lieutenant-General Gerald O'Sullivan, and the General Officer Commanding the Eastern Command, Brigadier-General Vincent Savino.

President Hillery will be accompanied by his wife, Dr Maeve Hillery; two of his aides-de-camp, Colonel Tom Ryan and Commandant Joe Campbell, and Mr Micheal O hOrain of his official staff.

The Minister for Fisheries, Mr O'Toole and his wife, Jacqueline, who will represent the Government, will leave on Saturday to join the Presidential party, which starts its official visit in Auckland, New Zealand, on Monday.

Student expulsion inquiry set



The Taoiseach's wife Mrs Joan FitzGerald leaving Dublin Airport yesterday. — (Photograph: ...)

Summit put off as Anglo-Irish talks bog down

Dail to hear details of trip

From Conor O'Clery, London Editor

THE ANGLO-IRISH talks aimed at giving the Republic a role in Northern Ireland affairs have become bogged down in a number of "sticking points," it has been learned.

The next London-Dublin summit will not now take place in June, as tentatively arranged three months ago, and is likely to be put off at least until the autumn.

The secret talks, involving senior civil servants, led by the secretary to the Government, Mr Dermot Nally, and the British Cabinet Secretary, Sir Robert Armstrong, are "getting tougher," according to one highly placed source.

The next round of talks, now taking place at the rate of once every two weeks, will be held today or tomorrow, it is understood. The main "sticking point" is believed to be the Irish argument for involvement in joint security policy with real influence, going beyond an advisory role.

The Irish delegation is said to be fighting for the acceptance by the British negotiators of a number of proposals aimed at giving formal expression to the section of the communique issued after last November's Chequers summit which spoke of the identities of both Northern communities being "recognised and respected, and reflected in the structures and processes of Northern Ireland."

They are having to argue constantly, however, against what they see as a false complacency, especially in the Northern Ireland Office, about a lessening of support for Sinn Fein and a diminution in violence in the North.

Both sides agree on one thing, that there can be no further summit between the British Prime Minister, Mrs Thatcher, and the Taoiseach, Dr FitzGerald, until a package of proposals has been put together for presentation at the conclusion of the negotiations.

Just how far the two sides are from reaching this point can be gauged from the fact that sources close to Mrs Thatcher yesterday would go no further on the question of a date for the next summit

than to concede that it might be discussed when the two Prime Ministers meet at the Milan EEC summit in mid-June.

The Irish delegation has become more pessimistic about the outcome of the talks, following what they see as deliberate leaks from the British side that talks will get nowhere. *The Economist* last Friday said Northern Ireland was settling down and it would be better to have no more summits, and the *Belfast News Letter* yesterday speculated that Mrs Thatcher had decided that nothing was to be gained from another summit. Official sources dismissed the *News Letter* report as "balderdash."

The timing of the appearance of these stories — in the run-up to the local government elections in Northern Ireland — is seen as no accident. Playing down the Dublin-London negotiations would conceivably help the Official Unionists at the expense of the DUP, which attracts more voters at times of increased Unionist fears.

The other assessment is that leaks are designed to strengthen the hands of the British negotiators as the two delegations argue over the "sticking points," as one source close to the talks described the present obstacles.

It is also being put about in London that Mrs Thatcher has moved back from the point where she sees the "Irish problem" as something which she could resolve. The Cabinet committee on Northern Ireland is said to be concerned more with security than the Anglo-Irish talks. The composition of such committees is kept secret, though it is believed Lord Whitelaw is playing an increasing role. Other members include the Northern Ireland Secretary, Mr Hurd, the Home Secretary, Sir Geoffrey Howe, the Defence Secretary, Mr Michael Heseltine, and possibly the Secretary for Trade, Mr Norman Tebbit.

Irish Times Reporter

THE Taoiseach, Dr FitzGerald, arrived back in Dublin yesterday from his 14-day visit to North America, and refused to make any comment on what had happened other than to say: "It was a very successful trip."

He told waiting reporters that he would make a full statement in the Dail today. Asked if reporters might ask him questions about his controversial statements in North America, he replied: "No, not at the moment. Wait for the Dail tomorrow. Any reactions will be given to Dail Eireann first."

Dr FitzGerald, accompanied by his wife Joan, his personal secretary, Mr Declan Kelly and the Government Press Secretary, Mr Peter Prendergast, arrived in Dublin at about four o'clock and was greeted by the Minister for Foreign Affairs, Mr Barry, and the Minister for Labour, Mr Quinn.

In the Dail today, Dr FitzGerald faces a barrage of questions from the Fianna Fail and Workers' Party about his statements on an internal solution to the Northern Ireland situation and on his attendance at the Bilderberg conference in New York. At that conference, one of the items on the agenda was NATO.

Mr Barry, defended the Taoiseach last night against Fianna Fail accusations that his visit to the United States and Canada had been a waste of time. He said that one of Dr FitzGerald's aims had been to encourage investment in Ireland so as to create jobs and that had been very successful.

A member of the Fianna Fail front bench said last night that Mr Haughey would not be "cooling it" in the Dail but would be "going in in quite a tough way" to get clarification for some of the Taoiseach's statements in America.

The Fianna Fail leader, Mr Haughey is expected to repeat the charge that, in seeking to appease Britain and in stating that "the solution has to be found in Northern Ireland" Dr FitzGerald had sold out on the Forum Report.

FitzGerald calls criticism 'warped'

By Denis Coghlan

THE TAOISEACH, Dr FitzGerald, yesterday rejected the criticism of his trip to North America by the Fianna Fail leader, Mr Haughey, as "a mean, narrow and warped attempt to gain short-term political advantage at the expense of the best interests of the people of Ireland."

In the course of detailed statements to the Dail, which were punctuated by ill-tempered interjections from both sides, Dr FitzGerald and Mr Haughey reinforced their positions while ignoring or rejecting the opposing viewpoint.

In his first public statement following the 14-day trip, Dr FitzGerald singled out for particular mention Mr Haughey's assertion that he had abandoned the Forum report and said that this attack on him had been "a measure of his gross irresponsibility so far as our national interest and the Northern Ireland problem are involved."

The attack, he said, had been based on press reports of one sentence in one speech that "was both taken out of its context of the Forum report and which omitted the central part of the sentence" stating that the British and Irish Governments had a

fundamentally important role to play in resolving the Northern Ireland problem.

"No one at that meeting nor at any other meeting or discussion I had during my visit to North America could have been in any doubt about my insistence that the problem cannot be resolved within the narrow context of Northern Ireland but requires . . . radical action by the British Government with the Irish Government to end the alienation of the Northern Ireland nationalist minority from the system of Government, the security system and the legal-judicial system in Northern Ireland," Dr FitzGerald said.

The Taoiseach defended the trip as being "very successful" from an industrial promotions point of view and, through a barrage of Opposition heckling, said that Fianna Fail remarks on the first day of his official visit to Canada about engagements of no conse-

quence "could only be interpreted as a gratuitous insult to the Government and people of Canada."

His attendance at the Bilderberg conference was defended by Dr FitzGerald on the grounds that it was an extremely useful place to meet influential people whose goodwill could be of considerable benefit to the country. He had not attended the session dealing with NATO matters — nor had he intended to — and he would never take part in a forum where Irish interests could be threatened in any way, either in terms of our neutrality or in respect of any other interest.

The Fianna Fail leader ran a similar gauntlet of barracking and jeering when he replied and accused Dr FitzGerald of trying to defend the indefenceable. Any reasonable assessment of Dr FitzGerald's "meanderings around America" must conclude that it had gone on for too long at a period when the economy was falling apart and public morale was at a low ebb.

Specifically, on the Northern Ireland issue, the Fianna Fail

A report of yesterday's exchange in the Dail on the Taoiseach's visit to the United States and his attendance at the Bilderberg meeting will be sent to the State Department in Washington by an official of the United States Embassy.

Mr Alan Roy, the political officer at the Embassy, was present in the Dail as a visitor during the speeches of the Taoiseach and the Fianna Fail leader. Mr Roy told *The Irish Times* afterwards that "since it was a trip to the United States that the Taoiseach was on I was concerned to hear his report of the visit."

leader noted that Dr FitzGerald had not denied that he had said "it's not a problem between Britain and Ireland basically" although he had "glossed over and around" the remarks and had "built in statements around them." The Taoiseach had, he declared, contradicted the entire thrust of the Forum report.

Finally, in relation to the Bilderberg conference, Mr Haughey criticised the Taoiseach on the grounds that he had attempted to hide its connections with NATO and said that our neutrality had been "put under pressure in Europe, not least by the lukewarm, equivocal and ambiguous attitude" of the Taoiseach and his Minister for Defence.

Dail report: page 6.

Republic's judges may get role in NI courts

From Conor O'Clery, London Editor

THE GOVERNMENT has proposed to Britain a dual court system to combat terrorism on an all-Ireland basis, it has been learned in London. This would involve judges from the Republic sitting in at Belfast trials, and judges from Northern Ireland attending Special Criminal Court cases in Dublin.

Under the proposal, put forward in the current Dublin-London talks, an Anglo-Irish Law Commission would be set up to co-ordinate anti-terrorist legislation in both jurisdictions. This would then be operated by panels of three judges. The panel in Belfast would have one Southern and two Northern judges, that in Dublin, one Northern and two Southern judges.

The British negotiators in the Anglo-Irish talks are however resisting the idea, according to highly-placed sources in London, though the possibility of the "outside" judge sitting in as an observer has not been ruled out.

The issue of dual courts has become one of the stumbling blocks in the talks, which involve teams of civil servants under the joint chairmanship of the Secretary to the Government, Mr Dermot Nally, and the British Cabinet Secretary, Sir Robert Armstrong. The most recent of these secret talks, now taking place about once a fortnight, was held in Dublin yesterday.

The Irish Government case is believed to be based on the proposition that terrorism is an all-Ireland problem, and that a Southern judge sitting in a Northern Court, operating legislation agreed between the British and Irish parliaments, would give a nationalist dimension to the Northern Ireland legal system, from which the nationalist minority has traditionally been alienated.

The ending of the controversial informer trials would be part of any agreement, it is believed. The British have conceded that they

cause enormous damage in terms of alienation and to the image of British justice. In any event, the sources say, there are only two cases still outstanding, those involving 'Budgie' Allen of the UVF and Harry Kirkpatrick of the INLA.

Policing in Northern Ireland has become another sticking-point in the talks, which the Taoiseach, Dr FitzGerald, said recently have only a 50-50 chance of success. The British Government will turn down the Irish idea for community police forces separate from the RUC, according to the sources in London, on the grounds that they could be infiltrated and undermined by the Provisional IRA.

The Irish Government proposals are contained in a number of position papers on security, economic and social matters, aimed at suggesting ways that the identities of both communities in the North could be reflected in the structures and processes in Northern Ireland, as agreed at the Chequers summit last November.

One of the key elements in any agreement would be the formation of a standing committee of Ministers from Dublin and London to oversee the arrangements. Membership of the committee would depend on the subjects under discussion, ranging from security to tourism. The Irish would not have a veto on the standing committee on any British action concerning Northern Ireland.

The British Government had also indicated it will end the Flags and Emblems Act, under which the RUC can remove the Tricolour if it might cause a breach of the peace, and that it will allow the use of Irish for street names.

If agreement is reached between the two governments, the package will be finalised at another summit between the Taoiseach and the British Prime Minister, Mrs Thatcher. Because the talks have become bogged down, tentative plans for a June summit have been scrapped. The earliest date is likely to be September, as July is the marching month in the North and August the holiday period.

It is being predicted by those close to the talks in London that if there is no agreement on a summit

in September, then the talks will fail. The "crunch" might come in the next six weeks. There is a recognition in the British Government that Dr FitzGerald must be given time to allow any arrangement to be seen to work before the next Irish general election in two years.

The British side is far from united however with some arguing that the situation in the North is slowly stabilising and that another summit would cause more harm than good. As before, the key element will be Mrs Thatcher. It is predicted that she would be prepared to accept a dual court system but only with outside judges acting as observers, and that she is more sympathetic to getting some form of agreement rather than calling off the talks.

Because of the recent difficul-

ties of the Conservative Party, with increasing disaffection among backbenchers with her leadership, Mrs Thatcher's interest in the Anglo-Irish talks is said to have diminished of late.

The future of the UDR is not an issue in the talks, it is understood, but it is pointed out that the strength of the regiment is being slowly reduced. Irish allegations of a "shoot-to-kill" policy used by special army and police groups in the north have also been raised at the talks.