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10 DOWNING STREET

From the Private Secretary

SIR ROBERT ARMSTRONG

ANGLO-IRISH RELATIONS: NORTHERN IRELAND

The Prime Minister has considered your minute of 26 July about your next round of discussions with Mr Nally on 30/31 July, together with the revised draft passage for a Summit communique on rapid implementation of an agreement.

The Prime Minister sees the principal purpose of your meeting with Mr Nally as being to convey the main points of the Cabinet's discussion, notably strong doubts on the subject of Joint Courts which will need further examination, postponement of the target date for reaching an agreement until the end of October, and the need for parliamentary debate to take place before any action is taken under the agreement. The Prime Minister would also, on reflection, wish you to say that we much prefer to abide by the original intention to call the proposed joint body a Committee rather than a Commission. We could only agree to Commission if it were preceded by a qualifying word such as 'advisory' or 'consultative'.

The draft passage for the communique enclosed with your minute was no doubt drafted before last week's discussion in Cabinet. The Prime Minister feels that in the light of that discussion the tone of the draft is wrong. In revising it, you will want to take account in particular of the following points:-

- i) the need to make clear in the opening paragraph that any action to implement the agreement is dependent upon prior approval of the agreement itself by the House of Commons and the Dail.
- ii) the importance of avoiding any implication that we subscribe to doubts which may be held by the minority about the fairness of the institutions of law and order in Northern Ireland. This means dropping or substantially amending the final phrase of paragraph 2 ("with a view operational effectiveness") and paragraph 3(b). If you opt for amendment you may wish to submit revised passages for the Prime Minister's approval before your meeting with Mr Nally.

CST

The Prime Minister is in no doubt that a reference to changes in the UDR - even if desirable in themselves - in the communique of the Summit would be badly received by the Unionists and make implementation of the Agreement even more difficult. She takes the view that this is something which should be kept quite distinct from the Agreement. You should not therefore give Mr Nally any ground to think that we could accept a reference to it in the communique.

The Prime Minister is also firmly opposed to any reference to release of prisoners in connection with the Agreement. While she recognises that there may be good grounds to review release of those connected with terrorist crimes, it would be counter-productive to connect this publicly with the Agreement. I interpret this to mean that she would not exclude some private assurance to the Irish Government at a later stage.

In the light of these comments, you may well conclude that it would be better not to give Mr Nally any redraft of the passage for the communique at this stage, but simply convey to him orally the various points of difficulty.

I am copying this minute to the Private Secretaries to the Foreign and Commonwealth Secretary and the Northern Ireland Secretary.

Charles Powell

29 July 1985

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Ref. A085/1993

PRIME MINISTER

I am utterly astounded by this number. I am not prepared to go ahead with either of these things. No

Prime Minister Subject to views of Northern Ireland Security, context with: (a) proposed redraft of communiqué;

Anglo-Irish Relations: Northern Ireland

No or (b) proposed statement on release of prisoners? CDP

Following the discussion in Cabinet on 25 July of a possible agreement with the Irish Republic concerning Northern Ireland, our preferred timetable seems likely to be an Anglo-Irish Summit in late October followed quickly by debates in the House of Commons and the Dail and then by the first meeting of the Intergovernmental Commission. I shall argue for this in my next round of talks with Mr Nally on 30-31 July, when I shall also reflect other points made in Cabinet. I should also give Mr Nally a revised draft of the passage relating to rapid implementation of the agreement which would appear in the communiqué issued by an Anglo-Irish Summit.

We have to decide what has happened & they are commiserated

This cannot be so. A debate must come first

2. As foreseen in my minute of 24 July, I now submit the passage which I would propose to give to Mr Nally. The language takes account of what passed in my last session of talks with him. The draft has been agreed with the Foreign and Commonwealth Office and the Northern Ireland Office. We believe that it fairly reflects British interests. We shall have to see whether it is broadly acceptable to the Irish; I think that it may be possible to persuade them to accept this or something very like it.

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3. One point requires explanation. The Irish have pressed us to indicate in the communiqué that we would be making changes concerning the Ulster Defence Regiment. As recorded in my minute of 24 July, the Ministry of Defence are willing that the training undergone on recruitment by part-timers in the Ulster Defence Regiment should be increased and more non-commissioned officers from the regular army should be seconded to the UDR. We have

No

considered alluding obliquely in the communiqué to "certain steps concerning the UDR" which would be discussed at the first meeting of the Intergovernmental Commission. But an unspecific phrase of this kind would invite speculation that the steps we had in mind were much greater than they are. We have concluded that it would be better to be specific on this point in the communiqué, and to present this as something we have decided to do, not as something we propose to discuss with the Irish in the Intergovernmental Commission, as in paragraph 6 of the attached text.

4. As you will remember, the Taoiseach has more than once raised the possibility of some kind of release for prisoners in the context of an Anglo-Irish agreement. We think that nothing should be said about this in the agreement or in the Summit communiqué. But I seek authority to tell the Irish side that, in the event of an agreement being signed, you or the Secretary of State for Northern Ireland, in the debate in the House of Commons, would be prepared to say something on the following lines:

"It is the profound hope of the two Governments that the agreement, and the closer co-operation between them which will result from it, will help to foster reconciliation between the communities in Northern Ireland with full respect for their identities and traditions. If this leads, as both Governments hope, to a real and sustained reduction in the level of violence, that will be among the factors to be taken into account by the Secretary of State for Northern Ireland in reviewing the release of prisoners in Northern Ireland who have been convicted of terrorist crimes."

This proposal has been agreed with the Northern Ireland Office.

no

with me



5. I am sending copies of this minute to the Foreign and Commonwealth Secretary and the Secretary of State for Northern Ireland.

RA

ROBERT ARMSTRONG

26 July 1985

*The Love
to wrong
not*

ANGLO-IRISH AGREEMENT: Draft Passage for a Communiqué

1. The two Governments intend that action to implement the provisions of the agreement should begin as soon as possible. The first meeting of the Intergovernmental Commission will take place [in the near future]. The British side will be led by the Secretary of State for Northern Ireland and the Irish side by [the Minister for Foreign Affairs].

The whole thing has to be deleted for the

2. The two Governments envisage that the meetings and agenda of the Commission will not normally be announced. But they wish it to be known that at its first meeting the Commission will consider its future programme of work in all the fields - political, security, legal, economic, social and cultural - which come within its remit, and will concentrate in the first instance on:

relations between the security forces and the minority community in Northern Ireland; and

ways of improving security co-operation between the two Governments.

The two sides are determined that progress should be made quickly in these fields, with a view to enhancing the confidence of all of the people of Northern Ireland in the institutions of law and order and their operational effectiveness.

This is limited work!

3. In considering the improvement of relations between the security forces and the minority community, the meeting will address:

a. how the application of the general principle in the conduct of public order in the United Kingdom, that the military operate only in support of the civil power, can be

progressively developed as circumstances permit in the operations and deployment of the security forces in Northern Ireland, having regard to considerations of community relations as well as to the need for operational effectiveness;

b. possible ways of reinforcing the established principle that members of the Royal Ulster Constabulary discharge their duties even-handedly and with equal respect for the unionist and nationalist identities and traditions;

4. The meeting will also discuss how best to pursue matters of common interest in the administration of justice as outlined in Article 8 of the agreement.

5. In considering the improvement of security co-operation between the two Governments, the meeting of the Intergovernmental Commission will also give particular attention to the policing of border areas and consider the implications of the Irish decision, of which the Taoiseach has informed the Prime Minister at the present meeting, to ratify the European Convention on the Suppression of Terrorism.

Possible Additional Paragraph

The Prime Minister has informed the Taoiseach that the British Government have decided that the initial training undergone by recruits to the part-time cadre of the Ulster Defence Regiment should be increased from 8 to 14 days and that the number of non-commissioned officers from the British regular army who are seconded to the Ulster Defence Regiment should be increased.

[This might be interpreted as "quotas" for Catholics]

Deliberate