



10 DOWNING STREET

From the Private Secretary

SIR ROBERT ARMSTRONG

ANGLO/IRISH RELATIONS

As you know, following your minute of 8 August to Tim Flesher, a meeting has been arranged for 30 August to clear your instructions for the next round of talks.

The Prime Minister remains unhappy about paragraph 3b of the draft Communique attached to your minute of 2 August, and the alternative set out in para 4 of your minute of 8 August. Her concern is that the paragraph is not clear: is it trying to say that we shall discuss how to return to a situation of normal policing, or that the army acts now other than in support of the civil power? She believes that once the meaning has been clarified, it should not be difficult to find the right words to express it.

(MARK ADDISON)

13 August 1985

JB

13/8

SECRET

PRIME MINISTER

ANGLO/IRISH RELATIONS

You saw this minute from Robert Armstrong yesterday. I have now arranged for a meeting to take place on Friday, 30 August to give Sir Robert his instructions for the next round of talks.

You commented on his suggestion for a paragraph on military operations for the draft Communique that you did not like the English. Does your comment extend to disliking the principles?

Sir Robert also referred (and you questioned) to a formula on the same subject in an earlier submission. I attach at Flag A a copy of that formula.

Would you prefer to stick to this?

What is the para fresh us up to say? That we shall discuss how to return to a situation of normal politics?

TIMOTHY FLESHER

9 August 1985

Or that, the Army can't see other in support of the civil power? If we work out the meaning we can find the words.

Prime Minister:

Ref. A085/2119

MR FLESHER

i) Sir Robert proposes a meeting with the Foreign Secretary + the NI Secretary on Monday 2 September. Are you prepared to hold such a meeting in view of other things which are happening then?

NO

ii) Is the formula set out in para 4 more acceptable than the Anglo-Irish Relations: Northern Ireland are you rejected over the weekend?

Thank you for your minute of 5 August 1985.

2. There is due to be a further meeting with Mr Nally on Tuesday 3 September, and we shall be seeking fresh instructions from Ministers for that meeting nearer the time. I think that it would be useful if time could be found for the Prime Minister to have a short meeting with the Secretaries of State for Foreign and Commonwealth Affairs and Northern Ireland on Monday 2 September, to clear those instructions, a submission on which will, I hope, be coming up to you in the last week of August. That submission will take account of the Prime Minister's views, as conveyed in your minute.

TF 8/8

No non-possible

3. On the point in the third paragraph of your minute, we could perfectly well revert to the formulation in paragraph 3a of the draft communiqué attached to my minute of 30 July, with which the Prime Minister was content (Mr Powell's minute of that date). But paragraph 3b in the draft attached to my minute of 2 August represents no more than our existing policy: taking that element out of the old paragraph 3a into a new sub-paragraph would therefore be a cosmetic rather than a real change and thus provides an opportunity of being able to respond positively to an Irish suggestion relatively painlessly to ourselves.

4. The formulation in the draft attached to my minute of 2 August would not be the only way of responding to the Irish suggestion. For instance, we could suggest something like:

"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; including the scope for progressive implementation of the policy that the operations and deployment of the British army (including the Ulster Defence Regiment) in Northern Ireland should be conducted not only at the request but whenever possible in the presence of the Royal Ulster Constabulary."

*Shouldn't
dream of
pulling my
name to such
length English
mb*

5. We will report further on this and other matters in the submission that will be put forward towards the end of the month.

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

RA

ROBERT ARMSTRONG

8 August 1985

DRAFT SPEAKING NOTE

Having studied the communication made on instructions by Mr Lillis to Mr Goodall on 12 November, the British side judges it necessary to clarify its understanding of the position reached between the two sides in Dublin on 3-4 November 1984.

2. The British side remains of the view, which it understands to be the view of the Irish side also, that the objective of the current talks which have been undertaken by officials on an exploratory and non-committal basis, is to identify for submission to Ministers a set of proposals on which both sides might agree as a means of promoting peace and stability in Northern Ireland and, as a necessary element in that process, helping to strengthen the confidence of the minority community in the forces of law and order and in the political institutions of Northern Ireland.

3. The position of the British side throughout the talks has been and remains that joint authority, or arrangements tantamount to or apparently suggestive of joint authority, are unacceptable to the United Kingdom Government. At no time has the British side accepted the contention that "it was essential that the Irish nationalist role be that of an equal participant in decision-making either at the Ministerial Commission level or at the level of devolved government". Nor has it ever entertained the suggestion that the Irish Government might be a participant in decision-making as part of an interim executive chaired by the Secretary of State for Northern Ireland.

4. It remains the position of the British side that in return for action by the Irish Government to waive its territorial claim and formally to acknowledge this by the amendment of Articles 2 and 3 of the Irish Constitution, and to acknowledge that Northern Ireland remains part of the

United Kingdom unless and until the majority of its inhabitants might wish otherwise, the United Kingdom Government could accord the Irish Government a right to contribute, on a systematic and institutionalised basis, to the consideration by the United Kingdom Government of a range of policy matters, including security, as a means of strengthening the confidence of the minority community in Northern Ireland in the institutions of government there. The British side emphasises that to accord the Irish Government an institutionalised role in relation to the affairs of Northern Ireland would be a very large step for a United Kingdom Government to take and could only be contemplated in return for the formal acknowledgement by the Irish Government that Northern Ireland is and will remain part of the United Kingdom for the foreseeable future.

5. As regards the conditions on which the proposals under discussion might be implemented, it was agreed between the two sides in Dublin on 3-4 November that a system of devolved government in Northern Ireland would be integral to any new arrangements; that it was part of the central concept under discussion that such a system would need to command the acceptance of both the majority and the minority communities in Northern Ireland; and that the support and encouragement of the Irish Government would be needed in order to bring about the participation of the minority community in such arrangements. It is not the British position that the establishment of devolved government in Northern Ireland on a basis acceptable to both communities would be a necessary condition for the implementation of any of the other proposals under discussion. But the British side believes that if it proved impossible to establish a system of devolved government in Northern Ireland, then the range of matters which could be the subject of institutionalised consultation between the Irish and British Governments would need careful definition in order to ensure that the extent of

Will that
ever happen?

change
whenever

such consultation was consistent with the continued good government of Northern Ireland and with securing the acquiescence of the majority in that arrangement. Such acquiescence would be more difficult to obtain in the absence of clear progress towards devolved government.

6. The British side continues to believe that any system of devolved government for Northern Ireland would have to command widespread acceptance throughout the community. But it wishes the Irish side to understand that, if the Irish Government were to be permitted to establish a resident official representative in Northern Ireland with a formal right to be consulted by the United Kingdom Government on matters affecting the lives and well-being of the minority, the Northern majority's refusal to participate in devolved government based on power sharing would be likely to be further entrenched. It is in that context that the United Kingdom Government would wish to examine alternative bases for devolution which, by providing effective safeguards for the minority, might be acceptable to them.

7. The British side places on record that, while the support and encouragement of the Irish Government would be valuable in persuading the minority community in the North to participate in devolved government, at no point has the British side accepted that the Irish Government has a formal locus standi to agree to or dissent from whatever arrangements for the government of Northern Ireland may be decided upon by the Government of the United Kingdom of which Northern Ireland is a part.

8. As regards security arrangements, and a possible Joint Security Commission, the British side wishes to record that it has serious reservations about a dual structure, one part of which would be concerned only with Northern Ireland. In

the British view reciprocity should form an essential feature of the security arrangements. While noting the views on the security forces put forward by the Irish side, the British side emphasises that any changes in the structure of either the RUC or the UDR would be strongly opposed by the majority community. It has hitherto been the position of both sides, and it remains the position of the British side, that any action taken to strengthen the confidence of the minority community in the forces of law and order in Northern Ireland should not diminish the effectiveness of the fight against terrorism.

9. On the basis of the position described in this speaking note, the British side wishes to leave no doubt about its desire to continue the process of seeking jointly to identify a set of measures which would be adequate, durable and transparent in the sense of those words which were agreed between the two sides in Dublin on 3-4 November; and hopes that the Irish side is ready to continue to proceed in the same spirit.