

Ref. A085/2475

MR POWELL

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Anglo-Irish Relations: Northern Ireland

— Thank you for your minute of 27 September, which gives me useful guidance for my next meeting with Mr Nally.

2. As to Irish accession to the European Convention on the Suppression of Terrorism, I shall make clear the Prime Minister's view that the latest decision is a serious retrograde step. I shall make the most of the point that the Irish have withdrawn a position which they had clearly stated over many weeks, whereas we had declined repeatedly to agree to mixed courts within a stated period. I think, however, that I should be a little careful about suggesting that it calls in question their good faith: that could provoke the riposte that what the Secretary of State for Northern Ireland said about mixed courts in Dublin on 17 September (paragraph 2 of my minute of 25 September) called in question British good faith in undertaking to consider the possibility of mixed courts, when we had no real expectation or intention of agreeing to them.

3. I understand that the Secretary of State for Northern Ireland is sending the Prime Minister a minute making a number of points on the text of the agreement (which we will pursue with the Irish), but also saying that:

a. he would like to be clearer about how the new Committee and its secretariat would work, before going to the Cabinet for approval, and would propose to discuss this further with the Irish Foreign Minister;

b. he does not feel ready to go to Cabinet on 3 October;





c. he suggests that the process should be slowed down again, and the date of signature further postponed.

4. No doubt the Prime Minister will want to discuss these questions further with the Foreign and Commonwealth Secretary and the Secretary of State for Northern Ireland. At this stage I would make only two points:

(1) It is apparent that, when the Permanent Under Secretary of State, Northern Ireland Office, was in Dublin with his Secretary of State on 17 September, he "played down" the role of the proposed secretariat to such a degree as to raise doubts in the minds of the Irish as to whether the Northern Ireland Office really wanted or meant to make it work. My judgment would be that Mr Andrew on 17 September and I on 23 September have between us administered enough cold water to douse any unrealistic hopes and expectations the Irish may have had, and that a further douche from the Secretary of State to Mr Barry is not necessary and could be in danger of discouraging the Irish too far.

(2) The date of signature has already been put off a good deal longer than the Irish had hoped or wished. If we proposed a further extended delay, there would probably be public speculation about new difficulties in the negotiations. Though both we and the Irish have been studiously vague in public about possible dates for an agreement, using such phrases as "before the end of the year", some of the expectations have concentrated on a date about the end of October. Within the negotiations, I think that we should be in danger of generating serious loss of confidence in our intentions. There could even be some risk of the Taoiseach breaking off the discussions and seeking to blame us.



5. It is evident that there are considerable practical problems about any date in the last ten days of October. I should see no great problem in suggesting to the Irish a limited delay, arguing that, in view of the pressures on the Prime Minister at that time and the complications of the Parliamentary timetables in both countries, we should postpone the Summit and the signature until after Parliament had returned for the new Session - say, 11 or 13 November. But I am sure that the Irish would be intensely suspicious if we proposed much longer delay than that or, still worse, a postponement without any fixed date.

6. A postponement to, say, 11 or 13 November would enable us to postpone discussion in Cabinet until 24 or (I think better) 31 October.

7. This note is personal for the Prime Minister and you; I have not sent copies to the Private Secretaries to the two Secretaries of State.

REA

ROBERT ARMSTRONG

27 September 1985