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File
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cc Sir P Cradock

10 DOWNING STREET

2 October 1985

From the Private Secretary

ANGLO-IRISH RELATIONS: NORTHERN IRELAND

The Prime Minister held a meeting with the Northern Ireland Secretary and the Foreign Secretary this afternoon to discuss points made in their respective minutes of 27 and 28 September. Sir Robert Armstrong and Sir Percy Cradock were also present..

Balance of advantage in the Agreement

It was suggested that the Agreement as it stood offered the United Kingdom few obvious advantages. That was certainly how it would be perceived by the Unionists. To those who argued that the Agreement held out the prospect of closer co-operation against terrorism, the riposte would be that it should not be necessary for the United Kingdom to pay a price for Irish co-operation in this field. In the Intergovernmental Committee, the Irish side were likely to prove not just a thorn in the flesh but a positive thicket of brambles. Moreover there was no clear commitment by the SDLP to co-operate in devolved government in the North.

Against this it was pointed out that the Irish Government were already taking practical steps to improve security on the border; and that the Unionists had an interest in an agreement which would strengthen the constitutional nationalists against the Sinn Fein. The downside risks of failing to complete the Agreement had also to be weighed in the balance.

The discussion reinforced the view that in order to have some specific and identifiable advantage for the United Kingdom in the Agreement itself, it was essential to secure the Irish Government's agreement to accede to the European Convention on the Suppression of Terrorism. This point would need to be pursued at political level.

/Textual points

TJG

Textual points on the Agreement

It was noted that a number of textual amendments had been agreed ad referendum at the last negotiating session on 29/30 September. These were approved.

It was agreed that at the next session of talks with Irish officials, the United Kingdom side should insist on an amendment to the last sentence of paragraph (b) of Article 2 so that it would read

"....each retains responsibility for the decisions and administration of government within its own jurisdiction."

It was essential to secure this change, to leave no doubt that executive authority rested exclusively with the United Kingdom.

It was also agreed that an alternative word should be found for "constitute" in paragraph 5(c). This might be "act as" or "serve as".

Draft Summary of the Agreement

Concern was expressed about a number of the expressions used in the Summary which did not exactly tally with terms used in the Agreement itself or might, because of their abbreviated form, give rise to misinterpretation of the nature of the Agreement. In particular:

- in paragraph 1 "about the status of Northern Ireland" should read "confirming (or reaffirming) the existing status of Northern Ireland."
- in paragraph 4, first indent, it should be "...views and proposals on certain matters relating to Northern Ireland as covered by this Agreement."
- in paragraph 4, third indent, the words "decision and" should be inserted before "administration."
- in paragraph 7 the words "within the Committee's remit" should be omitted and "for discussion within the Committee" substituted.

Even with these changes it was thought it might be better to rely on the text of the Agreement itself.

Role of the Permanent Secretariat

Concern was expressed that the Agreement did not succeed in defining the role of the Secretariat in appropriately limited terms. This point could be met by changing the last sentence of Article 3 to omit the word "permanent" before "Secretariat", and by adding at the end the words "to service the Committee and enable it to carry out its duties".

/It would

It would also be necessary to explain to the Irish Government at political level that we would not allow the Secretariat to become a standing complaints commission.

Press Line

The Prime Minister stressed that in any public comment after an agreement was reached, we must be able to make crystal clear that the Irish Government would have no executive role in the North. We had agreed only to arrangements to discuss certain matters together. Decisions in Northern Ireland would remain for us (and decisions in the Republic for the Irish Government).

Procedure

It was agreed that the Northern Ireland Secretary and the Foreign Secretary should seek an early meeting with Mr. Barry in the United Kingdom to reach clear understandings about the way in which an agreement would operate in practice. They would also pursue the question of Irish accession to the Convention on the Suppression of Terrorism. A draft message should also be prepared for the Prime Minister to send to the Taoiseach on this latter point.

I am copying this letter to Len Appleyard (Foreign and Commonwealth Office) and to Sir Robert Armstrong.

CHARLES POWELL

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Northern Ireland Office.