



File No
Z03ANH

10 DOWNING STREET

From the Private Secretary

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SIR ROBERT ARMSTRONG

ANGLO/IRISH RELATIONS: NORTHERN IRELAND

The Prime Minister has looked at your minute of 25 October ahead of tomorrow's meeting with the Northern Ireland Secretary and Foreign and Commonwealth Secretary. You may find it useful to know that she has already expressed a view on some of the detailed points. These are:

- Cabinet discussion should be on 31 October;
- that she should make the initial statement to the House;
- that a White Paper should be laid before Parliament with the text of the agreement immediately after the meeting with the Taoiseach;
- that she should herself offer to brief Northern Ireland Party leaders immediately after signature;
- and that she will probably have to open the Debate, though she is not completely convinced on this point.

The Prime Minister does not see, however, how she will be able to brief Mr. Utley.

I am copying this minute to Mr. Appleyard (Foreign and Commonwealth Office) and Mr. Daniell (Northern Ireland Office).

CHARLES POWELL

28 October 1985

AC

C/P
25A

Ref. A085/2721

PRIME MINISTER

Anglo-Irish Relations: Northern Ireland

This minute deals with certain matters for discussion and decision at your meeting with the Foreign and Commonwealth Secretary and the Secretary of State for Northern Ireland at 10.00 am on 29 October. Our next session with Mr Nally begins that evening.

Draft texts

2. There may be a number of further points to be discussed on the draft texts. I will submit a further note after the weekend on these.

Date and Location of a Summit

3. You will wish to discuss what I should say on these points, and on the need for secrecy, to Mr Nally.

Discussion in Cabinet

4. The further discussion, which you have promised the Cabinet, is at present pencilled in for the meeting on 31 October. You may wish to consider, given the likely date of the Summit, whether it would be better delayed until 7 November. There are two reasons for preferring to avoid delay:

- i. there will be quite a lot to do by way of last-minute preparations for a Summit, on which it would be better not to embark until we have a Cabinet decision to proceed;

ii. Cabinet on 7 November is likely to be preoccupied with the outstanding problems of the public expenditure round.

5. Whether the Cabinet meeting were on 31 October or 7 November, the Foreign and Commonwealth Secretary and the Secretary of State for Northern Ireland would put round after your meeting on 29 October a joint memorandum on the package that has emerged in the negotiations, with the draft Agreement, and perhaps the draft communiqué, appended. The memorandum would not cover the specific date or place of a Summit. Copies would be collected after the Cabinet meeting.

European Convention on the Suppression of Terrorism

6. You will wish to discuss with the Secretaries of State the position which the Irish have adopted on accession to the European Convention on the Suppression of Terrorism. For the "commitment" to accede to the Convention they have now, in response to pressure from the British side, substituted an "intention" to accede. They have told us that preparing and getting through the necessary legislation would take 12 to 18 months; and the implication of their position, reflected in paragraph 7 of the draft communiqué, is that their final decision would take account of progress meanwhile regarding the improvement of relations between the security forces and the nationalist community, and the confidence of the nationalist community in the administration of justice. As I reported after the last round of Armstrong/Nally talks, they have also intimated that, were they to legislate on the Convention, they might come under irresistible pressure, in the wake of the McGlinchey case and others, to require a prima facie case before they extradite offenders to the United Kingdom: so, in effect, ending the "backing of warrants" procedure which has existed for many years and bringing extradition arrangements between the United Kingdom and the Republic into line with normal United Kingdom practice in other extradition agreements. We shall need

to probe the Irish further to establish whether this is in fact the considered position of the Irish Government. I suspect that it was an immediate and partly tactical reaction to the McGlinchey decision, and I think that we shall be able to indicate to the Irish that, if the agreement were to go ahead, it would hardly be consistent with the general policy of improving co-operation and harmonising the systems of criminal justice to make the process of extradition between Northern Ireland and the Republic more difficult. For the rest, we have given the Irish no reason to suppose that we could agree within 12 to 18 months to radical changes in the administration of justice or the security forces; in particular, our position on mixed courts should now be very clear to them. But it may be possible to make progress within 18 months on other legal matters, for instance towards harmonisation of some aspects of the criminal law in Northern Ireland and the Republic.

The Title of the New Body

7. The position remains deadlocked as reported in paragraph 5 of my minute of 14 October. We could no doubt settle with the Irish upon "Intergovernmental Conference". The only other possibility we have been able to think of is "Intergovernmental Panel". The word "Panel" is dull and bland but these are not necessarily disadvantages; and the word is free of executive overtones.

Presentation of an Agreement

8. Officials continue to believe that the draft Joint Press Release summarising the Agreement would be a useful tool. It would reduce the risk that the two Governments, in presenting the Agreement, would diverge seriously. By providing the media with a ready-made and accurate summary, we should also reduce the extent to which they produce their own inaccurate summaries.

You may wish now to discuss with the Secretaries of State whether the Joint Press Release should be issued at the end of a Summit.

9. Officials have been giving further thought to presentation of the Agreement. It will be essential for your personal authority to be invested in the Agreement from the start. This can be achieved through your joint press conference with the Taoiseach, which Mr Ingham believes should last about 30 minutes including initial statements by Dr FitzGerald and yourself. Mr Ingham believes that, if the press conference were televised, you and the Taoiseach could justifiably decline to undertake individual radio or television interviews about the Agreement on the same day. Your personal authority could be further stressed by your making the initial statement in Parliament about the Agreement and by your opening the debate a few days later. A further suggestion by officials is that the Agreement and the communiqué should appear as a Command Paper laid before Parliament within hours of the Summit. This is a usual procedure, but on this occasion officials believe that the paper should be presented by you and the two Secretaries of State together, not just by the Foreign and Commonwealth Secretary. You will want to consider whether the leaders of the Labour Party, the Liberal Party and the Social Democratic Party should be briefed about the Agreement in confidence under Privy Council rules on the day before the Summit; and if so by whom. You may also wish to consider whether any former Prime Ministers should be briefed. You may wish to consider whether, as soon as practicable after the Summit - perhaps even on the same day - you should offer the four Northern Ireland party leaders (Messrs Molyneaux, Paisley, Hume and Cushnahan) briefings on the Agreement, although we have to reckon with the possibility that Molyneaux and Paisley would refuse to come or insist on being briefed together.



10. As regards public presentation, the main role in Northern Ireland will fall to the Secretary of State for Northern Ireland. Both he and the Foreign and Commonwealth Secretary will have a role to play regarding the overseas media. You might, however, wish to consider seeing Mr Utley of the Daily Telegraph yourself. What he writes about the Agreement will be influential, especially in Parliament. Although he cannot be expected to welcome an Agreement, a briefing personally from you would be likely to moderate his views.

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

MS

for ROBERT ARMSTRONG

*(Approved by Sir Robert
and signed in his absence)*

25 October 1985