

PRIME MINISTER

ANGLO-IRISH RELATIONS: NORTHERN IRELAND

You are to meet on Tuesday with the Northern Ireland Secretary and the Foreign Secretary to review the Anglo-Irish discussions: and to decide in what terms to present the resulting package to Cabinet, probably on 31 October.

Sir Robert Armstrong's minute attached sets out the issues. I have reduced them to a check-list (attached) for the meeting.

His minute does not deal with how you should present the issue to Cabinet. In the last Cabinet discussion in July (minutes in folder) the only serious doubts were voiced by the Lord Privy Seal. His views now seem to be a matter of public knowledge. At the same time, the Law Officers were unhappy with the reference (Article 8) to considering the possibility of mixed courts, though accepted that the prize of Irish accession to the European Convention on the Suppression of Terrorism justified a conditional and non-committal reference to mixed courts.

The following are some of the differences between the situation in July and the background against which Cabinet now has to decide:

(i) in July, Cabinet considered only an interim report. Now there is actually a decision to be made. Those with lingering doubts may be expected to voice them more strongly;

(ii) in July the then Northern Ireland Secretary was intellectually convinced by the case for an agreement. My impression is that Mr. King's views are less stable;

(iii) Unionist opposition is more vocal than in July (but see below);

(iv) in two important aspects the package being offered to Cabinet has deteriorated. The Irish Government's commitment to accede to the Convention on the Suppression of Terrorism has been pushed into the future and become conditional; and the value of improved security cooperation looks less clear-cut;

(v) we still have no commitment from the SDLP on participation in moves towards devolved local government;

(vi) there is the risk of misunderstanding between us and the Irish Government. We regard the agreement as consultative only, but are not allowed to say so. They will present it as something more than it is. There are dangers - to quote your UN speech - in saying one thing and meaning another;

(vii) finally, and for the sake of completeness, there may be political factors to be taken into account concerning the need for Unionist support at some future date.

On the other hand:

(i) the agreement is a defensible one. It concedes nothing significant, though we shall be honour bound not to make this too obvious;

(ii) it is an honest attempt to improve the present situation. It may be better to try and to fail rather than not to try at all;

(iii) if it succeeds, real benefits for Northern Ireland will be felt in the long term;

(iv) Unionist opposition although vocal has so far been less than expected, and the intelligence assessment is that

they will have greater difficulty than in the past in getting their supporters out on the streets or out on strike.

(v) failure to go ahead with an agreement will be a great disappointment to the Americans in particular. You told President Reagan last week that an agreement was likely.

It seems to me that Cabinet should be told the pros and cons very clearly, either in the paper or in an oral introduction (perhaps by you). You may also think it worth while giving them a week to think it over, although this increases the risk of a leak.

A final thought: if Cabinet decides not to go ahead with the agreement, we must leave ourselves with a good reason for terminating the negotiations (I don't think the option of spinning them out is feasible). In that case the Irish Government's attitude to acceding to the European Convention on the Suppression of Terrorism offers the best break-point.

C.D.P.

CDP

27 October, 1985.

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CANGLO-IRISH RELATIONS: NORTHERN IRELAND
CHECK-LIST FOR MEETING1. Date and Location of Summit

The proposal is 15 November at Hillsbrough.

2. Date of Cabinet discussion

The choices are 31 October or 7 November (or both). 31 October means more risk of a leak. But 7 November will be preoccupied with public expenditure. A first discussion on 31 October with a chance for a second round if necessary on 7 November may be best. It's a very important decision.

3. Paper for Cabinet

It is proposed that the Northern Ireland Secretary and the Foreign Secretary should circulate a joint memorandum, together with the text of the agreement.

4. European Convention on the Suppression of Terrorism

The Irish Government want to say only that it is their "intention" to accede; that to do so would take at least eighteen months; and that their decision would be conditional upon progress meanwhile in improving security cooperation and in strengthening nationalist confidence in the administration of justice. Is this enough?

5. Title of the New Body

You have been doggedly sticking out for "Intergovernmental Committee". Others are ready to accept "Intergovernmental Conference" (I am sure this is wrong.) Sir Robert Armstrong now suggests "Intergovernmental Panel".

6. Presentation of the agreement

- (i) Should we have an agreed summary? *joint* ✓
- (ii) Should you give a joint press conference with the Taoiseach? *Essential*
- (iii) Will you make the initial statement in Parliament? *Yes*
- (vi) Should a White Paper be laid before Parliament with the text of the agreement immediately?
- (v) Will you open the debate? *Yes*
- (vi) Should you offer to brief Northern Ireland party leaders immediately after signature? *If necessary - but if I make the statement I wonder if I need to open the debate? But the Unionists will expect me to, not*
- (vii) Should you brief Mr. Utley of the Daily Telegraph? *Don't see how I can. Someone else will have to do it. not*

18th Nov

CDP

27 October, 1985.