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cc PC

10 DOWNING STREET

From the Private Secretary

Subject cc ~~the~~

30 October 1985

Master.

Dear Jim,

NORTHERN IRELAND: CALL ON THE PRIME MINISTER BY
THE RT. HON. JAMES MOLYNEAUX M.P. AND
THE REVEREND IAN PAISLEY M.P.

The Prime Minister saw Mr Molyneaux and Dr Paisley for nearly an hour this morning. The Secretary of State for Northern Ireland was also present. Both visitors seemed to me intent on displaying restraint and moderation in their remarks, in contrast to their subsequent press conference. The enclosed note which they left with the Prime Minister at the end of the meeting - Fair Play for Northern Ireland - purports to set out the points they made. In practice the tone of the meeting was much less sharp.

Mr Molyneaux opened by saying that in his judgment there had been a significant change since their last meeting with the Prime Minister in the background against which the Government's negotiations with the Republic were being conducted. It was now clear that the prospect of improved security cooperation was a chimera. The Irish side, whatever their intentions, would not be able to deliver on any commitments they made. This had been borne out not only by Sir John Hermon's comments but by remarks by the Irish Ambassador in London to the effect that the Garda and Irish Army were unable even to cooperate among themselves. Dr Paisley added that if the Republic were a civilised government, it would offer such improved cooperation without seeking any quid pro quo. They should not ask a price for doing the decent thing. The Northern Ireland Secretary said that violence in the North was on a plateau, indeed rising slightly. The only way to make a dent in it was through improved cooperation across the border. Such cooperation existed at present but could be improved.

Mr Molyneaux continued that neither his party nor Dr Paisley's wanted to see the United Kingdom and the

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Republic at loggerheads. Indeed they wanted closer and normal relations, so that the Irish Government would not haul the United Kingdom off to the European Court or lead the pack against us as over the Falklands. But they did not see any need to make special arrangements, within this broader move towards better relations, for six counties of the United Kingdom. Dr Paisley elaborated on this. The idea of a role for the Republic in the affairs of Northern Ireland was totally repugnant to the majority in the North. If there was to be an agreement with the Republic, people in the North should at least be consulted about it, whether by election or referendum. Northern Ireland had a special form of government and wished to preserve it. The Prime Minister said that she did not yet know whether an agreement would be reached with the Republic. If it was, it would not alter the fact that decisions about Northern Ireland would continue to be made by the United Kingdom alone (and decisions in the South by the Republic). The Assembly would of course remain, and could become the focus for devolved local government if arrangements which commanded widespread acceptance could be devised. Dr Paisley said that there was no reason to introduce the Republic into Northern Ireland's government, particularly when it had designs on the territory of Northern Ireland. So far as the Assembly was concerned, proposals would shortly be reaching the Government. The Prime Minister said that she did not see progress towards devolved local government as an alternative to agreement with the Republic but as complementary to it.

Mr Molyneux said that people in the North were particularly worried about reports of a consultative role for the Republic. This would not be consistent with the guarantees given in the Northern Ireland Constitution Act 1973. Moreover, if whatever arrangement might be reached with the Republic had the status of an international agreement, there was always the risk that the Republic would claim that it had not been fully consulted about a particular decision of the Northern Ireland Secretary, or that its views had not been adequately taken into account. He recalled Appendix 6 to the Joint Declaration of 1969 (copy enclosed) under which the United Kingdom Government affirmed that responsibility for affairs in Northern Ireland was entirely a matter of domestic jurisdiction. He thought this might strengthen the Government's hand in negotiations with the Republic. The Prime Minister repeated that no agreement would affect HMG's responsibility for decisions in the North. But she would look closely again at the draft texts being discussed with the Republic to make sure that nothing would be conceded which conflicted with the Government's statutory obligations.

Dr Paisley said that people in the North were being unsettled by statements about the negotiations being made by

politicians in the South. He and Mr Molyneaux did not want a confrontation with the Government. There were signs at long last of an economic dawn in the North and they wanted to build upon it. But the secrecy of the current negotiations inevitably aroused fears. It also reduced his credibility and that of Mr Molyneaux when John Hume was kept fully briefed by the Republic while they were told nothing. The Prime Minister said that she had hoped her remarks at her press conference following the Chequers Summit had provided all the reassurance which people in the North required. She stood by everything she had said then, and it was on this basis that discussions with the Republic were proceeding. The Northern Ireland Secretary acknowledged the difficulty for the Unionist leaders: but there had to be strict confidentiality about negotiations between sovereign governments. All the Government could do was repeat the pledges and the assurances which they had given. An agreement with the Republic would not be a slippery slope. Dr Paisley said that the Prime Minister's statements gave hope and comfort to people in the North. But if something were to happen which looked like a sell-out, the Government would find itself dealing not any longer with him and with Mr Molyneaux but with men of violence. The Prime Minister recalled that she had pledged a full debate in Parliament. Dr Paisley said that he was not aiming for anarchy or stirring people up, provided that Unionists were satisfied with the outcome.

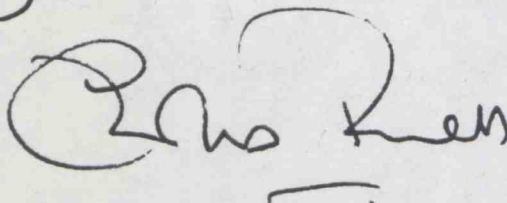
Mr Molyneaux said that both he and Dr Paisley accepted the assurances given by the Prime Minister. The problem hinged on the legal consequences of giving the Republic a consultative role. He was glad that the Prime Minister had given an undertaking to look closely at this. A consultative mechanism affecting the North alone would set Northern Ireland apart from the normal processes of consultation between sovereign governments. The Prime Minister repeated that she would look at the wording of the draft agreement closely. The Northern Ireland Secretary added that regular consultation with the Republic might help clear up the misunderstandings, often based on misinformation, which bedevilled relations with the Republic. The greater part of the work of any consultative mechanism would be in dealing with this sort of problem. If the Government were able to reach an agreement with the Republic which recognised that the border could not be changed without the consent of the majority, there could be real benefits for the North. One had to ask whether it was better to accept paralysis or seek a way through. Dr Paisley commented that the way through lay in an internal settlement in Northern Ireland. The Northern Ireland Secretary said that the Government hoped that an agreement with the Republic would encourage, not obstruct, progress towards devolution.

The Prime Minister asked why the Sinn Fein vote in the North was increasing. Mr Molyneux said that people had the impression that the SDLP was in a rut and a spent force. The Government should urge them to concentrate on delivering the goods to their electors rather than on a high-wire act with the Dublin Government. Dr Paisley added that the SDLP could not be given a veto over devolution. And in his view the Government should look again at banning Sinn Fein.

Mr Molyneux concluded that he and Dr Paisley and their supporters did not object to the Government discussing matters of common concern with the Republic. But they should try to avoid provision for structured consultations about Northern Ireland. That was where the problem would lie. Dr Paisley handed over a note of what he and Mr Molyneux had been seeking to convey.

I enclose a transcript of the Northern Ireland Secretary's remarks to the press after the meeting.

I am copying this letter and enclosures to Len Appleyard (Foreign and Commonwealth Office) and Michael Stark (Cabinet Office).

Yours sincerely,


CHARLES POWELL

J A Daniell, Esq.,
Northern Ireland Office

*for the attention
of Jim Molyneux.*

Appendix 6 : Joint Declaration of August 1969

(1) The United Kingdom Government re-affirm that nothing which has happened in recent weeks in Northern Ireland derogates from the clear pledges made by successive United Kingdom Governments that Northern Ireland should not cease to be a part of the United Kingdom without the consent of the people of Northern Ireland or from the provision in Section 1 of the Ireland Act 1949 that in no event will Northern Ireland or any part thereof cease to be part of the United Kingdom without the consent of the Parliament of Northern Ireland. The Border is not an issue.

(2) The United Kingdom Government again affirm that responsibility for affairs in Northern Ireland is entirely a matter of domestic jurisdiction. The United Kingdom Government will take full responsibility for asserting this principle in all international relationships.

(3) The United Kingdom Government have ultimate responsibility for the protection of those who live in Northern Ireland when, as in the past week, a breakdown of law and order has occurred. In this spirit, the United Kingdom Government responded to the requests of the Northern Ireland Government for military assistance in Londonderry and Belfast in order to restore law and order. They emphasise again that troops will be withdrawn when law and order has been restored.

(4) The Northern Ireland Government have been informed that troops have been provided on a temporary basis in accordance with the United Kingdom's ultimate responsibility. In the context of the commitment of these troops, the Northern Ireland Government have re-affirmed their

intention to take into the fullest account at all times the views of Her Majesty's Government in the United Kingdom, especially in relation to matters affecting the status of citizens of that part of the United Kingdom and their equal rights and protection under the law.

(5) The United Kingdom Government have welcomed the decisions of the Northern Ireland Government in relation to Local Government franchise, the revision of Local Government areas, the allocation of houses, the creation of a Parliamentary Commissioner for Administration in Northern Ireland and machinery to consider citizens' grievances against other public authorities which the Prime Minister reported to the House of Commons at Westminster following his meeting with Northern Ireland Ministers on May 21 as demonstrating the determination of the Northern Ireland Government that there shall be full equality of treatment for all citizens. Both Governments have agreed that it is vital that the momentum of internal reform should be maintained.

(6) The two Governments at their meeting at 10 Downing Street today have re-affirmed that in all legislation and executive decisions of Government every citizen of Northern Ireland is entitled to the same equality of treatment and freedom from discrimination as obtains in the rest of the United Kingdom irrespective of political views or religion. In their further meetings the two Governments will be guided by these mutually accepted principles.

(7) Finally, both Governments are determined to take all possible steps to restore normality to the Northern Ireland community so that economic development can proceed at the faster rate which is vital for social stability.

Appendix 7 : Joint Communique of 29 August 1969

(1) During his visit to Belfast, the Home Secretary, Mr James Callaghan, was invited to attend two meetings with the Northern Ireland Cabinet, on 27th and 29th August: at the second meeting the Home Secretary was accompanied by the Minister of State, Home Office, Lord Stonham.

(2) Her Majesty's Government in the United Kingdom re-affirmed the pledges previously given that Nor-

thern Ireland citizens' grievances against local authorities or other public authorities. This legislation would embody, as an ultimate sanction, provision for remedies in the courts. They explained that the points scheme for the allocation of local authority houses was now in operation in all local authority areas pending consideration by the Minister of Development of the comments of particular authorities on the application of such schemes in their areas. Thereafter the Minister would approve permanent

The Home Secretary informed that the United Kingdom Government will make a grant of £250,000 to assist the Northern Ireland Government in the following ways: (a) to relieve the immediate distress in Northern Ireland by providing clothing, food, medicine, furniture (eg beds, bedding and furniture) and (b) to spread the money among the most urgent needs; and (c) to provide a small cash grant where this is not appropriate.

The grant will take the form of a grant to the Ulster Innocent Victims Association.

(7) In their discussions Ministers have reaffirmed the affirmation in paragraph 6 of the communique made at Downing Street of the principle of equality of every citizen of Northern Ireland in the equality of treatment and freedom of expression and obtains in the rest of the United Kingdom irrespective of political views or religion.

(8) It has been agreed that the following principles of equality in all fields is fundamental:

- (i) Equality of opportunity without regard to religion or political views
- (ii) Protection against discrimination against any citizen on the grounds of religion or political views
- (iii) Guaranteed fairness in housing, with no special preference, as the only relief for housing needs
- (iv) Effective means for the redress of grievances against public authorities and the State, and adequate redress if conciliation is ineffective.
- (v) Proper representation of the elected levels of government and the electoral laws, practices and procedures, and that minorities have a right to be represented.

(9) The Government of the United Kingdom has sought the co-operation of the Northern Ireland Government in the Joint Working Parties to examine the extent to which the Government of Northern Ireland's policies and arrangements adequately ensure

INTERVIEW GIVEN BY SECRETARY OF STATE FOR NORTHERN IRELAND
ON DOORSTEP OF NO 10, WEDNESDAY, OCTOBER 30, 1985

TK: We had a very full and frank discussion. Mr Molyneaux and Dr Paisley made very clear their concerns about the discussions taking place between the Government of the United Kingdom and the Government of the Republic and we discussed the issues and they discussed the importance that they attach to seeing more development internally and possibly more devolution. And the Prime Minister and I confirmed that any discussions that are taking place aren't an alternative to devolution, I certainly hope that we can develop that as well.

Q: They have said that Mrs Thatcher has undertaken to consider the points which they have made to her. Do you think that in consideration of those points that anything will change in the way the negotiations are coming out?

TK: Well we don't know at the moment whether they will come out. I don't yet know whether we will have an agreement, but what was clear at the meeting and both the Prime Minister and I were able to confirm again that if we do get an agreement it will in no way affect the sovereignty state of Northern Ireland as part of the United Kingdom. We confirmed that again and I hope that was a clear reassurance to both the party leaders.

Q: Do you think they will eventually accept some role for the Irish Government?

Well obviously at the moment we have a difficult situation in which it is not possible to give the full details of the agreement. I hope that when they see the agreement, if we do reach it, it will be clear that the pledges we have given have been fully honoured and as I have frequently stated to the people of Northern Ireland, I have made absolutely clear

my own personal position that we stand absolutely by the position of Northern Ireland as part of the United Kingdom, no change whatsoever in that situation or the responsibility of Ministers and that I hope is quite clear and quite well understood by everybody in the Province.

Q: And the negotiations are continuing?

TK: They are indeed.

Q: Why are you so pessimistic about whether or not they might materialise?

TK: Until you have an agreement you can't be certain that you will actually get an agreement, and obviously in the final stages there can be detailed points which can present real difficulties. There are difficult issues involved but I hope because of the benefits that could flow and one of the interesting things that Mr Molyneux and Dr Paisley said is that they recognise as everybody does in the North of Ireland the advantages of a better relationship and the advantages of talking to the Republic about a whole range of different issues, not least the issue of security.

Q: So today's meeting does not in any way obstruct the prospect of an agreement?

TK: No. We've taken note of the points that they made. I've made it my business to try and understand the issues in the Province and I think that the points that they put were very fairly the views held by many Unionists at the present time, the concerns that they have, and I hope that the meeting with the Prime Minister, as I said more than an hour of discussion, may have been helpful to them in making absolutely clear that there is no question of the Prime Minister or I changing the position on the pledges that we have given to the people of Northern Ireland.

Q: But that's not going to affect the course of the Anglo/Irish talks?

TK: Well we have made quite clear that these are continuing at the present time and that we hope that the agreement, if it is reached, will fully meet the concerns that have been expressed by Mr Molyneaux and Dr Paisley.

Q: If the talks don't in fact reach an agreement what are the consequences? What are your major concerns?

TK: I think it would be very unfortunate if we were not able to reach agreement on what are steps to try and improve and deepen the relationship with the Republic of Ireland. We both share a common interest, for example most obviously in defeating terrorism. We know that the particular problem that terrorism poses, not just north of the border but south of the border as well, and that would be one obvious loss if we weren't able to achieve that as well. Of course we want good cooperation anyway, but a closer relationship could improve that still further.

Q: Has this changed anything this morning?

TK: Its confirmed the concerns, and I hope that it has reassured the Unionist leaders of both the Prime Minister and my position and the position of the Government in the assurances that we've given about the pledges about the position of Northern Ireland.

Q: Your predecessor, Douglas Hurd, said several months ago on several occasions that the chances at that stage of an agreement with the Republic of Ireland and the UK were fifty-fifty. Would you care to put a figure on that?

TK: I've never entered into the betting stakes on that.

You can't tell until you actually know whether or not there will be an agreement just what the chances now are. There are still some difficulties to be resolved and obviously reaching agreement of this kind between two sovereign governments has to go before Parliaments in both countries. I can't at this stage tell whether we will get agreement, but I am hopeful that we may be able to do that.

Q: Are we fairly close to the point where decisions will be taken on whether or not there will be an agreement?

TK: That depends whether we do well over the final stages of discussions which we are in now; whether they come to a successful conclusion.

Q: Are troop levels being increased in Northern Ireland to deal with a possible Loyalist backlash to an Anglo/Irish deal? Would you care to comment on that?

TK: That's not true.

Q: Nevertheless are you concerned there might be a violent Protestant backlash were your proposals to go ahead?

TK: It would only happen if there was very wide misunderstanding what the proposals actually are. That's why I am most anxious, and why I welcomed the opportunity today to make clear again to leaders of two of the main parties in the Province just what is involved in the agreement, because there is nothing in that agreement that would justify the sort of backlash or concerns that some have expressed. A lot of misleading stories have been put about, some of those have caused concern and I have been anxious to put those straight.

Q: Nevertheless Dr Paisley has actually warned publicly that were there to be no political solution here, it could

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be left to the men of violence, obviously on both sides, was the Prime Minister able to say anything directly to Dr Paisley on the dangers of violence?

TK: Well I think the Prime Minister reassured Dr Paisley, but they must obviously speak for themselves, but I got the impression that they may have thought the discussions with the Republic of Ireland were some alternative to trying to encourage more devolution within the Province and we were able to assure them that far from being an alternative, we regard them as two desirable ends in themselves, and I certainly hope that the agreement may actually help to encourage the parties in Northern Ireland, the parties that have no part in violence, the constitutional parties, to be able to come together and see they can together work out a solution in which more of the responsibility for the administration of the Province is in the Province and not a direct rule situation that we have to have at the moment.

Q: What is your reaction to the devolution document that was presented to the Assembly yesterday?

TK: I haven't seen it yet, I'm waiting for further details and understand they are sending it to me.

Q: Secretary of State will one of the elements in the agreement be some form of devolution in Northern Ireland

TK: That's quite a separate matter because we are talking about relations with another sovereign government and ways in which we might improve that relationship. The quite separate matter, but very important matter is whether we can get some way in which we can get agreement on administration of the Province on the basis of widespread acceptability of the people of the Province. I am very keen to see progress in that, I very much hope the people of goodwill and as I

say the parties who foreswear violence can come together and achieve that sort of working together. It would be very much for the benefit of the Province if we could achieve that.

Q: And notwithstanding an Anglo/Irish agreement you would be looking for some form of devolution?

TK: I very much hope we can achieve that because the question of decisions, at the moment they are entirely in the hands of Ministers of the United Kingdom government and they will remain like that unless we get some agreement on devolution in which more decisions can be taken by the people elected within the Province in that way.