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SECRET AND PERSONAL

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MR POWELL

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Anglo-Irish Negotiations: Prime Minister's Meeting on Saturday, 9 November

The Irish Government will meet on Tuesday 12 November to take a definite decision on whether to conclude the Agreement. An Armstrong/Nally meeting will take place in Dublin in the second half of the same day. Cabinet on 14 November will provide the opportunity for the Ministers directly concerned with the negotiations to fulfil the mandate to report back to colleagues before signature.

The Taoiseach's message of 8 November

2. The location of the meetings of the Intergovernmental Conference and the site of the Secretariat, which were much discussed between British and Irish ^{Ministers and} officials this week and are the subject of the Taoiseach's message, will be the main item for the Prime Minister's meeting. The Secretary of State for Northern Ireland had a telephone conversation with Mr Barry on the subject today; his office are sending you a report.

3. We have agreed with the Irish that their element in the Secretariat will not be a public complaints bureau; that it will be small; and that the members will not be accompanied by their families. Irish officials have on occasion been willing to agree, in addition, that Mr Lillis, as Irish Secretary, might be present for a number of days at a time, so that other members of the Irish element would provide the continuing presence.



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4. There will be quite a long gap between signature of the Agreement and the first meeting of the Intergovernmental Conference. If the debate in the House on the Agreement takes place 10 to 11 days after signature and the first meeting of the Conference takes place 2 to 4 weeks after that, the gap between signature and the first meeting of the Conference is likely to be 4 weeks at least. It is impossible to predict what the security situation will be at that time. One way of proceeding, if the forceful Irish case for starting as you mean to go on is accepted, might be for us to tell the Irish -

a. we agree that the Intergovernmental Conference should normally meet in Belfast and in principle that its first meeting should take place there;

b. we agree that the Secretariat should be located in Belfast and ^{in principle that it} should be established there shortly before the first meeting of the Conference;

c. security must however be over-riding and we reserve the right to make alternative suggestions if the situation in Belfast following the Agreement makes this essential.

5. I suggest that we could only go further to meet the Irish on this if we could find premises for their element of the Secretariat which were completely secure - for instance within our own office complex at Stormont. NIO officials have been considering this question further and the Secretary of State for Northern Ireland may have something to report on premises at the Prime Minister's meeting. The Secretary of State for Northern Ireland will also be able to report on his plans for filling the slot of British Secretary, also raised in the Taoiseach's message.



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Texts

6. There are no outstanding points on the draft Agreement. I attach the draft Communique, incorporating the revised paragraph 9, agreed when the Foreign and Commonwealth Secretary and the Secretary of State for Northern Ireland met Mr Spring and Mr Barry on 6 November.

The Status of Northern Ireland

7. When British and Irish Ministers met on 6 November, they agreed to abandon the idea of a paragraph in the Communique on the status of Northern Ireland. We shall of course say that Northern Ireland is part of the United Kingdom. The Irish will say that Articles 2 and 3 of their Constitution still stand. I think they will agree to say also that they accept as matters of fact that Ireland is not politically united and that HMG are responsible for the government of Northern Ireland; and that in accordance with Article 1 of the Agreement, the aspiration to Irish unity must be pursued peacefully and through consent. Both sides would stress that Article 1 reflected common ground on the important issue, namely that there would be no change in the status of Northern Ireland without consent and that this consent did not at present exist. We could add, if necessary, that in Article 1 the Irish Government goes further than ever before, in that it recognises not only that the status of Northern Ireland would only change if a majority there so wished but also that the present wish of a majority is for no change; and that these points are embodied for the first time in a binding international Agreement. We could further add, if appropriate, that the whole Agreement recognises repeatedly that the United Kingdom Government is responsible for Northern Ireland.

Border Security

8. In his message the Taoiseach claims that "all misunderstandings have now been eliminated" on security co-operation.



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This was broadly the conclusion of the British and Irish Ministers on 6 November. We shall continue to press in the Intergovernmental Conference for enhanced efforts.

Summit Arrangements

9. The Prime Minister may wish to discuss some of the points in Mr Appleyard's letter of 8 November.

United States views

10. The Prime Minister may wish to ask Sir Robert Armstrong to report to her meeting about his visit to Washington.

11. I am sending copies of this minute to the Private Secretaries to the Foreign and Commonwealth Secretary, and the Secretary of State for Northern Ireland, and to Michael Stark.

C L G Mallaby

8 November 1985

As amended on 8 November 1985
(changes from last draft underlined)

Anglo-Irish Summit Meeting

Joint Communiqué (Draft)

1. The Prime Minister, the Rt Hon Margaret Thatcher FRS MP and the Taoiseach, Dr Garret FitzGerald TD, met at on
It was the third meeting of the Anglo-Irish Intergovernmental Council to be held at the level of Heads of Government.

2. The Prime Minister was accompanied by and the Taoiseach was accompanied by

3. The Prime Minister and the Taoiseach signed a formal and binding Agreement between their two Governments, with the aims of promoting peace and stability in Northern Ireland; helping to reconcile the two major traditions in Ireland; creating a new climate of friendship and co-operation between the people of the two countries; and improving co-operation in combating terrorism.

4. The establishment of an Intergovernmental Conference in which the Irish Government will put forward views and proposals concerning stated aspects of Northern Ireland affairs; in which the promotion of cross-border co-operation will be discussed; and in which determined efforts will be made to resolve any differences between the two Governments.

5. The Prime Minister and the Taoiseach committed themselves to implementing and sustaining the measures set out in the Agreement with determination and imagination and undertook to encourage people of both the unionist and nationalist traditions in Ireland to make new efforts to understand and respect each other's concerns with a view to promoting reconciliation.

6. The Agreement provides for entry into force as soon as each Government has formally notified the other of acceptance. This exchange of notifications will not be completed until the Agreement has been approved by the British Parliament and by Dail Eireann. The two Governments intend that action to implement the provisions of the Agreement should begin once the

exchange of notifications has been completed. The first meeting of the Intergovernmental Conference will take place as soon as possible thereafter. The British side will be led by the Secretary of State for Northern Ireland and the Irish side by the Minister designated as the Permanent Irish Ministerial Representative

7. The two Governments envisage that the meetings and agenda of the Conference will not normally be announced. But they wish it to be known that, at its first meeting, the Conference will consider its future programme of work in all the fields - political, security, legal, economic, social and cultural - which come within its competence. It will concentrate at its initial meetings on:

- relations between the security forces and the minority community in Northern Ireland;
- ways of enhancing security co-operation between the two Governments; and

- seeking measures which would give substantial expression to the aim of underlining the importance of public confidence in the administration of justice.

In the interests of all the people of Northern Ireland the two sides are committed to work for early progress in these matters. Against this background, the Taoiseach said that it was the intention of his Government to accede as soon as possible to the European Convention on the Suppression of Terrorism.

8. In addressing the improvement of relations between the security forces and the minority community, the Conference at its first meeting will consider:

- a. the application of the principle that the Armed Forces (which include the Ulster Defence Regiment) operate only in support of the civil power, with the particular objective of ensuring as rapidly as possible that, save in the most exceptional circumstances, there is a police presence in all operations which involve direct contact with the community;

b. ways of underlining the policy of the Royal Ulster Constabulary and of the Armed Forces in Northern Ireland that they discharge their duties even-handedly and with equal respect for the unionist and nationalist identities and traditions.

9. In its discussion of the enhancement of cross-border co-operation on security, the first meeting of the Intergovernmental Conference will give particular attention to the importance of continuing and enhanced co-operation, as envisaged in Article 9(a) of the Agreement, in the policing of border areas.

10. In addition to concluding the new Agreement, the Prime Minister and the Taoiseach reviewed the wide range of work being done under the auspices of the Anglo-Irish Intergovernmental Council to develop further the unique relationship between the two countries. The fact that in the past year there have been more than twenty meetings between Ministers of the two Governments demonstrates the closeness of co-operation. Among the areas where progress has been made in the past year is the planning of new areas of co-operation in education,

notably in curriculum development between schools. The Prime Minister and the Taoiseach decided that the work under the Council's auspices in these various fields should be actively continued, in the interests of friendship between all the people of both countries.

11. The Prime Minister and the Taoiseach held a full and friendly discussion of current international issues, including matters concerning the European Community. They paid particular attention to

12. The Prime Minister and the Taoiseach agreed to meet again at an appropriate time to take stock of the development of relations between the two countries and of the implementation of the Agreement which they have signed.