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CABINET

DEFENCE AND OVERSEA POLICY COMMITTEE

SUB-COMMITTEE ON UNITED KINGDOM RELATIONS WITH
THE REPUBLIC OF IRELAND

MINUTES of a Meeting held at
10 Downing Street on
MONDAY 15 JULY 1985 at 4.45 pm

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Sir Geoffrey Howe QC MP
Secretary of State for Foreign and
Commonwealth Affairs

The Rt Hon Michael Heseltine MP
Secretary of State for Defence

The Rt Hon Norman Tebbit MP
Secretary of State for Trade
and Industry

The Rt Hon Peter Rees QC MP
Chief Secretary
Treasury

The Rt Hon Douglas Hurd MP
Secretary of State for Northern Ireland

The Rt Hon Earl of Gowrie
Chancellor of the Duchy of Lancaster

The Rt Hon Sir Michael Havers QC MP
Attorney General

The Rt Hon John Wakeham MP
Parliamentary Secretary
Treasury

SECRETARIAT

Sir Robert Armstrong
Mr C L G Mallaby
Mr D R C Christopher

Subject

ANGLO-IRISH RELATIONS : NORTHERN IRELAND

ANGLO-IRISH RELATIONS: NORTHERN IRELAND

The Sub-Committee considered a Note by the Secretary of the Cabinet CD(1) (85) 4) on the stage reached in the talks with the Irish Government concerning aspects of Northern Ireland affairs.

THE SECRETARY OF STATE FOR NORTHERN IRELAND said that tension was currently high in Northern Ireland for three reasons: it was the marching season, the unionists were angered by the emergence of Sinn Fein Councillors, and there was uncertainty surrounding the Anglo-Irish talks on a possible agreement affecting Northern Ireland. These factors did not alter his view that an agreement of the kind now under negotiation should be manageable in the North; to go further in the negotiations could, however, risk an unmanageable reaction.

In discussion, the following points were made -

- a. Irish Government were pressing for a commitment in principle to the establishment of a system of mixed courts. Such a commitment could not be given. There would be serious difficulties in setting up and operating such courts. The United Kingdom could agree only to give the question serious consideration in the new Standing Intergovernmental Committee (SIC), without any commitment as to the outcome.
- b. Lesser measures in the judicial field should be put to the Irish, notably conferences of judges from North and South to consider alignment of law and legal practice, for instance in the field of sentencing.
- c. The proposal of a Code of Conduct for the Royal Ulster Constabulary as part of their terms of service should be made at the first meeting of the SIC; something similar might later be applied to the Ulster Defence Regiment.
- d. Irish accession to the European Convention on the Suppression of Terrorism, which the Irish had now said was their intention in the context of an Anglo-Irish agreement, would be a valuable gain because it should make it easier to secure extradition from the Republic of persons suspected of terrorist crimes.

e. The concept of rapid implementation of the Anglo-Irish agreement, by means of an early meeting of the SIC followed by announcements concerning some steps on both sides, was acceptable as a way of persuading the Irish to drop their insistence on "associated measures" to take effect on signature of an agreement. The agreement need not provide for ratification.

f. The passage of a communique from an Anglo-Irish Summit, attached to the Note by the Secretary of the Cabinet, was generally acceptable but could be embellished by the addition of further material from paragraph 15 of the text for an agreement.

g. The establishment of a fund for expenditure in Ireland, to which the United States government would make the major contribution, would be acceptable as an American gesture of approval in reaction to an agreement. Such a fund should not be part of the agreement, since that could lead to criticism that the British Government had made concessions to the Irish Government for the sake of American money. The money should be additional to existing expenditure. Private and official contributions should be channelled separately; private donations in the United States should attract some of the money hitherto contributed to the Irish Northern Aid Committee (NORAIID). It might be preferable not to seek funds from the European Community itself, partly because of the problems of additionality. While the United Kingdom should not go out of its way to solicit funds from the governments of member countries of the Community, some might be glad to contribute. Further consideration should be given to the management and purposes of the fund. Its expenditure would require very careful planning. Major United States orders from firms in Northern Ireland would be of great value, if they could be secured.

h. With the marching season in Northern Ireland approaching its end, there was no advantage in delaying signature of the agreement.

Various dates in September might be considered. The second half of the month seemed preferable. The Government could announce on signature that the agreement would be debated in Parliament immediately after it resumed. It would be preferable not to have to recall Parliament prematurely to debate the agreement; but if the Ulster Unionists called for an earlier debate, it might be advisable to concede it, if that would help to focus Unionist reactions in parliamentary channels. The first meeting of the SIC could, if necessary, precede the debate in Parliament.

j. There was no ideal location for an Anglo-Irish Summit to sign the agreement. A Summit in Northern Ireland could pose formidable problems of security. Signature in a third country would look artificial. A two-part Summit, with signature of one original text of the agreement somewhere in the Irish Republic and one in London or elsewhere in the United Kingdom had attractions. This could be achieved within a day. It would be essential for the communique on the Summit to be issued only from the second location. Press arrangements would be difficult and would require careful consideration. Another variant would be for the Prime Minister and the Irish Foreign Minister to sign the agreement in London, while the Secretary of State for Foreign and Commonwealth Affairs signed with the Taoiseach in Dublin. A two-part Summit in London - at the Irish Embassy and Lancaster House or the Banqueting Hall or 10 Downing Street was another possibility.

THE PRIME MINISTER, summing up the discussion, said that the Government should aim to sign an agreement, on the lines foreseen in the Note by the Secretary of the Cabinet, during the second half of September. We should discuss with the Irish the means of implementing it rapidly, including an early meeting of the SIC. The arrangements for signature should be decided nearer the time, but a two-part Summit was worth serious consideration. The agreement should be debated in Parliament early after it resumed; or, if the Unionists made a strong case, Parliament might be recalled for the purpose.

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The Sub-Committee -

1. Took note, with approval, of the Prime Minister's summing up.
2. Invited the Foreign and Commonwealth Secretary, the Secretary of State for Northern Ireland and the Secretary of the Cabinet to be guided accordingly.

Cabinet Office

16 July 1985

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