4

SECRET AND PERSONAL

PRIME MINISTER

**NORTHERN IRELAND**

The situation has moved on a bit in that the Northern Ireland Secretary and the Foreign Secretary are to meet Mr. Barry on Wednesday; and Sir Robert Armstrong will meet Mr. Nally on Tuesday. The time for a further Ministerial meeting is after these contacts. I have therefore presumed to cancel the proposed meeting on Sunday evening, but can easily reinstate it if you wish.

You may however wish to go through RTA's two minutes attached.

(CHARLES POWELL)

1 November 1985

SECRET AND PERSONAL

SECRET AND PERSONAL

Pte

7 HK

CC PC

10 DOWNING STREET

*From the Private Secretary*

SIR ROBERT ARMSTRONG

ANGLO-IRISH RELATIONS: NORTHERN IRELAND

The Prime Minister has considered your minute of 1 November dealing with outstanding points on the draft Anglo-Irish Agreement.

The Prime Minister is content with the proposed amendment to Article 2(a) described in paragraph 3 of your minute. She is also ready to accept the proposed amendment to the last sentence of paragraph 9 of the communique, described in paragraph 4 of your minute. In both cases this is on the assumption that the Northern Ireland Secretary believes them to be defensible.

The Prime Minister remains adamantly opposed to putting any gloss or explanation upon Article 1 of the Agreement.

The Prime Minister notes that the Northern Ireland Secretary and Foreign Secretary will raise with Mr. Barry on 6 November the need for sustained efforts to improve policy on the border. I understand the Northern Ireland Secretary will be minuting on further points he proposes to raise with Mr Barry.

The Prime Minister thinks it may well be necessary for more than the first meeting of the Intergovernmental Conference to be held elsewhere than Belfast. The same security reasons could well apply to the second and third meetings at least. She would want you to warn the Irish side of this. She does not understand why we need produce reasons other than security. Surely security considerations must be paramount.

The Prime Minister has not commented on the possible appointment by the Irish Government of Mr. Lillis as the Irish Secretary.

I shall be in touch separately about a further Ministerial meeting. It is unlikely that 11 November will be possible.

SECRET AND PERSONAL

I am copying this minute to the Private Secretaries to the Northern Ireland Secretary and the Foreign and Commonwealth Secretary.

C D P.

C D POWELL

4 November 1985

Ref. A085/2781

MR POWELL

Anglo-Irish Relations: Northern Ireland

I attach an "annotated agenda" for the Prime Minister's meeting with the Foreign and Commonwealth Secretary and the Secretary of State for Northern Ireland.

2. It may be that you will conclude that a meeting of Ministers is not necessary at this stage.

3. There are two outstanding amendments to the draft texts. I have agreed the amendments with the Secretary of State for Northern Ireland; if the Prime Minister and the Foreign and Commonwealth Secretary agree, there is nothing to discuss on that score.

4. The most difficult question is the problem of "status", and the form of words for the joint communiqué set out in paragraph 5 of my minute of 31 October. The Secretary of State for Northern Ireland would in fact be content with that draft, subject to substituting "a political entity" for "united" in the second line. The Prime Minister made it clear yesterday that she wanted the last four lines deleted. But we now know that the Irish Government also have some comments on the draft. I do not expect to know what those are until Tuesday 5 November. I doubt therefore whether there is any need for a meeting of Ministers on this subject before then, on the clear understanding that I have no authority to agree a text which includes the last four lines. For the present it is sufficient to await the Irish comments, and to report further next week in the light of them.



NOIAAO

5. On the question of border security and Irish co-operation, I do not think that there is any difference on the policy issue among British Ministers. It is a question of keeping up the pressure on the Irish Government. [Northern Ireland Sec. to meet Mr Barry]

6. On the questions relating to the location of the Intergovernmental Conference and the Secretariat, there is again no difference of policy that needs to be sorted out by British Ministers. It is more a question of bringing the Irish Government to accept the implications of the reality of the security situation. [Attorney | Nally]

7. I understand that it has now been arranged for the Foreign and Commonwealth Secretary and the Secretary of State for Northern Ireland to meet Mr Barry on Wednesday 6 November. This will provide an occasion at which to apply pressure on the Irish at Ministerial level on the questions of security co-operation and location, and perhaps also to pursue further the question of "status". That meeting is bound to become public knowledge, but I do not think that that is a conclusive argument against another meeting at Ministerial level ahead of the Summit meeting: if anything, it serves to reinforce the impression that there are still matters to be resolved before a final decision is taken. In any case, I do not think that we need a furtheer meeting with the Prime Minister ahead of that meeting.

8. All things considered, therefore, I would not wish to press you to arrange a meeting between the Prime Minister and the two Secretaries of State before I meet Mr Nally on 5 November and the Secretaries of State meet Mr Barry on 6 November.



NOIAAO

9. I think, however, that we shall need a meeting before the final official meeting due to be held on 12 November. I suggest that you might keep a provisional slot in the Prime Minister's diary for 11 November.

No.

RA

ROBERT ARMSTRONG

1 November 1985



NOIAAO

cc PO 5

Ref. A085/2780

PRIME MINISTER

Anglo-Irish Relations: Northern Ireland

This minute deals with the agenda for your forthcoming meeting with the Foreign and Commonwealth Secretary and the Secretary of State for Northern Ireland.

2. We have two outstanding drafting points; one on the text of the agreement and one on the text of the communiqué.

3. The outstanding point on the text of the agreement is the proposed amendment to Article 2(a). You will remember that the Secretary of State for Northern Ireland proposed to delete the words "and in relation to Northern Ireland" from this paragraph. I understand that he would be content with the first of the two alternative amendments suggested in paragraph 3 of my minute of 31 October, so that the relevant text would read:

> "the Intergovernmental Conference (hereafter referred to as 'the Conference') concerned with Northern Ireland and with the relations between the two parts of Ireland, to deal, as set out in this agreement, on a regular basis with:"

Agree?

Yes

This keeps the reference to Northern Ireland but gives it parity with the reference to relations between the two parts of Ireland.

4. The outstanding point on the text of the communiqué relates to the last sentence of paragraph 9. I understand that the Secretary of State for Northern Ireland would accept an amendment in which the last part of the paragraph read

"... consider how the two Governments can most effectively and durably develop and enhance their joint commitment to combat terrorism, giving particular attention to the policing of border areas."

Agree?

Yes ms

5. The meeting ought to consider three questions of substance:

i. How to deal with questions about the status of Northern Ireland.

ii. What further steps we should take to persuade the Irish to improve policing on their side of the border on a lasting basis.

iii. Questions on the location of the Intergovernmental Conference and its Secretariat.

Questions on Status

6. The problem is that, when you and the Taoiseach are questioned about the agreement, by the press and in your respective Parliaments, questioners can be expected to try to probe for differences between you on the matter of status. We are apprehensive lest the Taoiseach might say something which appeared to go back on his clear statement in the Chequers comuniqué that Northern Ireland is part of the United Kingdom; and the Irish Government are apprehensive that at the press conference after the signature of an agreement you might say something which the Taoiseach might feel obliged to qualify or even disagree with because of the need to protect himself from challenge in relation to Articles 2 and 3 of the Irish Constitution. We have discussed with the Irish drafts of questions and answers for you and the Taoiseach on these matters; but the questions which you would actually receive would not necessarily be those to which we have drafted answers, and the answers are long and carefully drafted but not

[Suggested]

necessarily readily useable in the heat of a press conference or a Parliamentary Debate. It therefore seemed to us that it might be useful to include in the communiqué a paragraph which would set out the position in terms which both you and the Taoiseach could accept, so that both of you could then refer questioners back to Article 1 of the agreement and that part of the communiqué as being the definitive position on these matters. The draft wording included in paragraph 5 of my minute of 31 October represented our attempt to draft such a form of words. You took strong exception to the last four lines of the draft when we were discussing it yesterday. I entirely understand that you would prefer not to appear to qualify the previous sentence in any way. But the reference to the Irish Constitution was intended to help the Taoiseach; and it seems to me that the sentence could provide additional reassurance to the unionists, the extra sentence would if anything reinforce the sentence that precedes it, in that it would make it clear beyond a doubt that the Irish Government were putting an aspiration to unification into the deep-freeze for the foreseeable future.

7. I had an opportunity of discussing this wording with the Secretary of State for Northern Ireland yesterday. He was content with it (including the last four lines). He would, however, like to take out the word "united" in line 2 and substitute "a political entity" - a periphrasis which might be less provocative to unionist opinion. I do not see any great problem in that.

8. I should say that Mr Nally gave me notice on the telephone yesterday that, following a discussion in the Irish Government yesterday, they would be proposing some changes in this form of wording. There will in any case have to be further negotiations on this whole subject.

Security on the Border

9. The revised wording which I have already suggested for paragraph 9 of the communiqué gives us (to the satisfaction of the Secretary of State for Northern Ireland) what we need for that purpose. But it will be necessary to keep up the pressure on the Irish Government to make sure that they do not see the need for improvement in the policing south of the border as a merely temporary requirement; and we should also make it clear that, in the Intergovernmental Conference, we shall be keeping up the pressure upon them to improve both co-operation and their policing arrangements along the border. The Foreign and Commonwealth Secretary and the Secretary of State for Northern Ireland will be able to use their meeting with Mr Barry on Wednesday 6 November to make these and other points.

Location of the Intergovernmental Conference and Secretariat

10. There is no major issue of policy to discuss under this heading. It is agreed between the two Governments that the Intergovernmental Conference will as a general rule meet in Belfast, and that its Secretariat will be located in Belfast. If, however, the first meeting of the Conference were to be held in Belfast it could become the focus for unionist paramilitary attention; and so could the personnel of an Irish Secretariat located in Belfast. There are security reasons for holding the first meeting of the Intergovernmental Conference somewhere other than Belfast; and for limiting both the size and the length of time spent in Belfast by the Secretariat at the outset. There is another reason for holding the first meeting of the conference somewhere else: it could be convenient to establish from the outset that the Conference could meet somewhere other than Belfast, so that the decision to hold some later meeting somewhere other than Belfast would not be regarded as creating a precedent.

11. The Irish Government will be suspicious of our wishes in this respect; but they are evidently and increasingly aware of the security risks. My own judgment is that it will not be difficult to persuade them that the first meeting should be held in London (or at any rate somewhere else than Belfast). It would obviously help if we could devise some practical reason (other than security) why the meeting should be held somewhere else. By the same token I believe that we shall be able to persuade them to keep the size of the Irish Secretariat down to a very small number at the outset and that the Irish Secretary should not come to Belfast (other than ad hoc for particular meetings) until the first meeting of the Conference in Belfast. They will be anxious that, when the first meeting of the Conference in Belfast takes place, the Irish Secretary should be able to stay in Belfast after the meeting in order to write and agree the minutes of the meeting; and they will want to establish a permanent presence in Belfast as soon as is reasonably possible. They will press us to make that sooner rather than later. When the Secretaries of State meet Mr Barry next week this is one of the subjects they will wish to discuss with Mr Barry.

12. There is also the question of the grading and status of the Irish Secretary. We know that the Irish Government are thinking in terms of Mr Michael Lillis, who is a senior official in the Department of Foreign Affairs and has been part of the Irish team throughout the Armstrong-Nally talks. He is known to enjoy Dr FitzGerald's confidence. The Northern Ireland Office are inclined to think that he is too "high profile" both in security and in administrative terms, and are minded to press the Irish Government to send somebody more junior.

13. I am not sure that we should spend too much powder and shot on this. There can be no guarantee that any alternative to Mr Lillis would be better from our point of view. Mr Lillis has the advantage of having been involved in the Armstrong-Nally

talks: he will thus know at first hand the restrictions which we intend to impose upon the operations of the Secretariat and the reasons for them: he will also have a considerable stake in making the arrangements work. Finally, it is ultimately for the Irish Government to decide whom they appoint. If we make a very determined effort to get rid of Mr Lillis and the Irish Government insist upon him, we cannot make it a breaking point; we shall simply make it more difficult to deal with Mr Lillis and the Irish Government if and when he comes because of the suspicion and resentment that will have been created.

14. Again this does not seem to me to be a major policy issue.

Place for Summit Meeting

15. When I suggested Aldergrove Mr Nally did not by any means exclude it. He was going to consult the Taoiseach and I am waiting to hear the outcome. Meanwhile the Irish Government are, as a cover operation, making preparations for a meeting at the Royal Hospital, Kilmainham, near Shannon. I thought he agreed that there should be no cover operation.

Timetable

16. I discussed this with the Secretary of State for Northern Ireland yesterday. What is proposed is that I should have a further meeting with Mr Nally on Tuesday 5 November. I envisage that this will be a restricted meeting; only two or three a side.

17. The Secretaries of State will meet Mr Barry on Wednesday 6 November.

18. As I told both you and the Secretary of State for Northern Ireland yesterday, it is proposed that emissaries should go from London and Dublin to Washington towards the end of next week to put the United States Government in the picture in greater

detail. It has been made clear that it would assist the United States Government and improve the prospects of a satisfactory outcome (in terms of money as well as of approbation) if the briefing at this stage could be undertaken by emissaries from capitals rather than by Ambassadors in Washington. It is proposed that Mr Donlon, the Permanent Secretary in the Irish Foreign Ministry, and I should visit Washington for this purpose on Thursday 7 November and Friday 8 November, if you will excuse me from attendance at Cabinet on Thursday 7 November.

19. You could then have a further meeting with the two Secretaries of State on Monday 11 November to give officials instructions for a final meeting of the Armstrong-Nally talks to clear up remaining loose ends on Tuesday 12 November.

20. I am sending copies of this minute to the Secretaries of State for Foreign and Commonwealth Affairs and for Northern Ireland.

RA

ROBERT ARMSTRONG

1 November 1985