



Foreign and Commonwealth Office

London SW1A 2AH

18 February 1986

Dear Charles

Prime Minister's Meeting with the Taoiseach:
19 February 1986

The Prime Minister will be meeting Dr FitzGerald at 17.15 on Wednesday, 19 February. I enclose briefing which has been prepared in consultation with the NIO, the Cabinet Office and the Lord Privy Seal's Office in accordance with the instructions in your letter of 12 February.

From Dr FitzGerald's point of view the purpose of the meeting will be to review the workings of the Intergovernmental Conference so far, and to press points relating especially to legal and policing matters on which the Irish had hoped for more rapid progress. For us it is an opportunity to ensure the Taoiseach that we shall not be deflected from implementing the Agreement; but to convince him that greater efforts are needed from the Irish side (a) to get the SDLP to adopt more constructive positions on devolution and support for the security forces and (b) to improve the Irish contribution to cross-border security by allocating more resources to it.

The briefing is self-explanatory. The Prime Minister may however also wish to read the JIC Assessment circulated on 13 February on the prospects for Dr FitzGerald's Government, a copy of which will be available to you already. Since this paper was produced there has been a major Government reshuffle, details of which are in the enclosed telegram. Although it seems that this unexpected move was prompted by Fine Gael's declining fortunes in the opinion polls, but it looks doubtful whether it will do much to improve the Government's public standing or its image in the eyes of disgruntled backbenchers. I attach a telegram of comment just received from HM Ambassador at Dublin.

I am copying this letter to Jim Daniell (Northern Ireland Office) David Morris (Lord Privy Seal's Office) and Michael Stark (Cabinet Office).

Yours ever

R N Culshaw

(R N Culshaw)
Private Secretary

C D Powell Esq
 PS/10 Downing Street



PRIME MINISTER'S MEETING WITH THE TAOISEACH: 19 FEBRUARY

Our Objectives

(a) to confirm we stand by the Agreement but to persuade him that in our common interest our priority is now to reassure moderate unionists and detach them from extremist leaders;

(b) to impress on him the seriousness of the current situation in Northern Ireland, in terms of both terrorist attacks and unionist reaction to the Anglo-Irish Agreement;

(c) to convince Dr FitzGerald that the present SDLP attitude to devolution is intrinsically unreasonable and is compounding unionist suspicions that the SDLP no longer has any interest in achieving a devolved government in Northern Ireland; and to encourage him to press the SDLP for less equivocation in their support for the security forces;

(d) to emphasize importance we attach to achieving rapid improvements in cross-border security co-ordination and co-operation and to press on Dr FitzGerald the need for a political commitment to ensuring that the Garda have the resources to tackle Republican terrorists on the border area in conjunction with the RUC;

(e) to establish whether Irish Government are now willing to sign European Convention on Supression of Terrorism immediately without prior legislation;

(f) to persuade Dr FitzGerald that it is now impracticable to have a full meeting of the IGC before the end of February;

(g) to encourage Irish Government representatives to frame their statements about the Agreement in terms which will not unnecessarily antagonise unionist opinion.

(h) to mention that possibilities for improved consultation with the unionists might be floated to them on 25 February.

Arguments

(a) according to a recent Irish Times poll 81% of unionists oppose the Agreement, 8% approve, 11% "Don't know". So far their opposition has been largely political, but with serious long-term consequences for confidence in administration of Government. There is a serious risk of civil disobedience, public disorder, industrial turmoil and more widespread loyalist terrorism, including attacks in the Republic. Without greater unionist acquiescence, the full implementation of the Agreement, and benefits for nationalists, will be much more difficult;

(b) level of terrorist activity is high (since 1 November 16 attacks on police stations) and of increasing sophistication. Had to send in extra infantry battalion to support RUC in January and expect to send in a second shortly;

(c) the unionists believe that the SDLP prefers the Intergovernmental Conference to any arrangement for devolved government in which nationalists would have to share responsibility. Mr Hume's reluctance to commit the SDLP earlier to participate in inter-party talks about devolution without preconditions or to enter the Assembly unless prior agreement has been reached on power sharing, is completely unconstructive as well as being less than we were led to expect. If the SDLP will not show flexibility when things are going their way, how can we expect the unionists to do so in adversity? SDLP support for the security forces also remains disappointingly equivocal. The RUC are under great pressure. Mr Mallon's continued denunciations are particularly unhelpful.

(d) best way of persuading unionists that Agreement is of some value is by showing them that it can produce real improvement in the security situation; this may be achieved in part by greater Garda resources in border areas, working on the basis of a common perception of the threat in co-operation with the RUC, and intensified efforts by dedicated units on surveillance and intelligence collection. More successes like Sligo and Roscommon would be bound to be noticed by unionist opinion.



(e) Mr Nally told Sir Robert Armstrong informally on 7 February that Dr FitzGerald hoped to be able to give this good news to the Prime Minister at their meeting; the Prime Minister might nevertheless ask for a precise timetable (eg one month);

(f) It would be a mistake to fix the next meeting of the IGC too close to 25 February when the Prime Minister meets unionist leaders. This will mean slippage into March. There are advantages in this as it gives time for better preparation by both sides on subjects dear to the other (eg security cooperation, measures to improve relations between the nationalist community and the security forces). There have been plenty of Anglo-Irish Ministerial meetings in February.

(g) before the elections on 23 January, public statements by Mr Barry and Mr Spring (amongst others) tended to present rôle of Irish Government in terms likely to antagonise unionists (eg Mr Barry was quoted in December as saying that he was first nationalist in 200 years to have say in affairs of Northern Ireland);

(h) the Secretary of State for Northern Ireland is considering what arrangements might be made to meet unionist claims that they are excluded from the work of the Intergovernmental Conference. Meetings with (unionist) party leaders to take their views on bulk of the matters being discussed in the Intergovernmental Conference are one possibility.

Tactical Arguments

(a) Welcome improved atmosphere in cross-border contacts which has resulted from Agreement. {If the Taoiseach claims that the Irish Government already devotes sufficient resources to cross-border security}. We do not question their commitment, but do not consider that their present efforts are sufficient. Make the point that if situation were satisfactory, attacks would not be at present high level;



(b) stress that Irish security forces should have clear understanding of nature of problem facing security forces in Northern Ireland, especially of the value to terrorists of the border, and should reach a common view of problems. Impossible to deny that much terrorist activity in Northern Ireland has cross-border component. Most of recent incidents (including attacks on police stations) have been in border areas;

(c) stress that closer Garda/RUC co-operation even without an increase in resources would improve co-ordination of tactics against terrorists operating in the border areas. But action by uniformed units of police forces needs to be backed by good surveillance and intelligence; dedicated units are needed to undertake this. Ready to help (eg on training courses);

(d) although the operational details of cross-border security co-operation must be largely for the police, it is for Government to give a political lead and to set the resource framework and the objectives.

Dr FitzGerald's Objectives (a) to press for early changes in relation to legal matters in Northern Ireland (eg appointment of more Roman Catholic judges, mixed courts, phasing out of "supergrass" trials, ending delays);

(b) to press for early action on special measures to improve relations between the security forces and the minority, and in particular the introduction of the RUC Code of Conduct and greater police presence with army (particularly UDR) patrols;

(c) to seek our support for a démarche to European Commission seeking contribution to International Fund;

(d) to press for our agreement to early establishment of AIPB (Article 12 of Agreement);

(e) (possibly) to express concern about recent incidents at Sellafeld and to press for better liaison.



(f) to find out HMG's current views on Irish studies in British universities.

Your Response

(a) we are looking at these complex issues in the Legal Affairs Working Group of the Inter-Governmental Conference. We are giving priority to its work. But no promises in advance about changes, and you know our difficulties over mixed courts;

(b) we accept that special measures are important; the first draft of the Code of Conduct is almost complete and a final draft will be put to Chief Constable soon; progress has been made on RUC accompaniment of army patrols coming into contact with public - but it cannot be as rapid as we would like (and had hoped) because of increased commitment caused by recent events;

(c) very happy to join in a joint ministerial approach to the Commission at an early date: our judgement is that the Commission would not favour a direct contribution to the International Fund as such; UK and Irish officials are already in close touch on alternative ways to secure EC aid compatible with Community philosophy;

(d) we stand by our commitment in the Agreement on an AIPB. But no prospect at present of unionist leaders adopting a positive attitude to it. Its value would be reduced if they did not take part. We should wait until the chances of their participation are greater; hope therefore that the Taoiseach can agree not to press the idea for the time being;

(e) we are aware of your concern. Arrangements agreed between UK and Irish officials on Friday, 14 February, together with proposed Nuclear Emergencies Agreement, will improve liaison of such incidents. We attach importance to concluding this Agreement and look forward to receiving Irish comments.

(f) we wish to encourage such studies. The University Grants Committee (UGC) is currently considering an application for

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assistance from the University of Keele.

Press Line

Officials suggest the following lines:

The Prime Minister met Dr FitzGerald, the Irish Taoiseach, while he was in London to fulfil various engagements. They reviewed the progress in implementing the Anglo-Irish Agreement since its signature last November. Both the Prime Minister and the Taoiseach were satisfied with progress so far but recognised the continuing need to show the people of Northern Ireland the benefits the Agreement offers and to correct misunderstandings.

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PRIME MINISTER'S MEETING WITH THE TAOISEACH: 19 FEBRUARY

Background

1. The Prime Minister last met Dr FitzGerald on 3 December 1985 at the EC Heads of Government meeting in Luxembourg.
2. The next meeting of the Intergovernmental Conference is not yet fixed - it may well be in early March.

Cross-border Security Co-operation

3. Cross-border security co-operation is not yet satisfactory. Improvements would depend on Irish recognition of the extent of the problem, and an increase in Garda resources, particularly in intelligence in border areas. Any improvements would not however pay instant dividends. We are seeking a joint programme of action that would cover:

- (a) intelligence co-operation
- (b) joint incident rooms for cross-border crime
- (c) establishment of close CID links for all serious crime
- (d) operational planning in border areas
- (e) specialist resources, technical equipment, and communication.

European Convention on the Suppression of Terrorism

4. The Taoiseach may tell the Prime Minister that the Irish Government has decided to sign the European Convention on the Suppression of Terrorism forthwith, and legislate after signature. It seems that the Irish Government have satisfied themselves that they can proceed in this way (rather than by legislating first and then signing) without being in breach of their constitution. The Taoiseach has encountered some objections from some of his political colleagues, but expects to have overcome that difficulty by the time he sees the Prime Minister.

International Fund

5. We await a detailed American response. We believe that the Administration are thinking in terms of 45 to 50 million dollars a year over five years. The Administration have indicated that



if the Fund were to be wholly (or almost wholly) provided by the US it would be subject to irksome US auditing procedures and controls. The Canadians and the Australians have been approached. Initial responses have been very cautious and not particularly encouraging. But the Irish are more optimistic.

6. The EC appear to be willing to consider offering financial support on a Community basis. The Irish would like it to be channelled through the International Fund, which would augment the non-US contribution to the Fund sufficiently (probably) to enable us to avoid close American supervision of the Fund. The European Commission have however pointed out that there is no juridical basis in EC law for EC funds to be directed through an outside body. But the Irish remain keen to press the point.

7. HM Ambassador in Dublin has advised that the Taoiseach will press for joint approaches to EC member Governments for contributions to the Fund on a bilateral basis.

Sellafield Emissions

8. There have been two recent incidents at Sellafield both of which were given extensive coverage by the Irish media. The Irish Government has previously said it wants discharges discontinued as soon as technologically possible. Minister of State for Energy, Eddie Collins, was quoted in the Irish media on 17 January as saying there should be a "total end to discharges from Sellafield".

9. On 23 January there was an unplanned discharge of 440 kilos of uranium waste into the Irish Sea. The report from BNFL is being assessed by DoE officials who will decide what action to take, if any.

10. On 5 February there was an accidental release of plutonium radioactivity within the main reprocessing building. Irish Nuclear Energy Board and DoE officials were in touch the same day. The Nuclear Installations Inspectorate (NII) have kept the Irish Nuclear Energy Board informed. The report of the NII and DoE investigation will be published soon. BNFL are also



conducting their own enquiries into the incident.

11. Both incidents were discussed at technical fact-finding meetings on 14 February, between officials from the DoE, NII and the Irish Department of Energy and Irish Nuclear Energy Board. An improved notification procedure was agreed which, together with proposed Nuclear Emergencies Agreement, will lead to better liaison on such incidents. Co-incidentally a copy of the revised draft Agreement was given to the Irish on 7 February.

Anglo-Irish Nuclear Emergencies Agreement

12. In response to a démarche from the Irish Government, we produced, in December 1982, a first draft for an agreement for "the exchange of information and assistance on nuclear matters". We received the Irish response in April 1985. A revised draft agreement taking into account Irish comments was circulated to interested Government departments in Whitehall. The new draft agreement was given to the Irish on 7 February 1986; we now await their formal comments.

Irish Studies in British Universities

13. The Taoiseach's daughter is closely involved with the University of Keele. In a discussion with Mr Scott, the NIO Minister, on 15 February, Dr FitzGerald was under the impression that the University Grants Committee (UGC) had ruled out the provision of funds for the new Irish studies course at university level. The UGC's decision will only be made known in May.