SUBJECT

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10 DOWNING STREET

THE PRIME MINISTER

7 March 1986

PRIME MINISTER'S
PERSONAL MESSAGE
SERIAL No. T47/86

Mean Garret,

Thank you for your letter of 24 February following our earlier meeting. Events have moved on since then, and it may help to give you my personal impressions of how matters stand following the talks I have had with the Unionist leaders, with John Hume and with John Cushnahan, and most recently the Unionist "day of action" on 3 March.

When I met the Unionists there was a good deal of plain talking: I refused to countenance any suggestion that the Agreement could be abandoned or suspended. The furthest that I was prepared to go on this central issue was to undertake to operate the Agreement sensitively - and I shall return to that point below. I did, however, take full account of the strength of Unionist feeling against aspects of the Agreement. I laid stress on the fact that, as you yourself have suggested, the Agreement provides that any matters devolved to a Northern Ireland administration would no longer fall for discussion in the Conference - a point which we shall be working hard to get across in Northern Ireland where it seems as yet to be imperfectly understood. I readily agreed, therefore, to consider Mr. Molyneaux's and Dr. Paisley's suggestion of a round table Conference (which Mr. Hume and Mr. Cushnahan were also willing to endorse) at which devolution might be discussed. I remain convinced that sensible arrangements for devolution which command widespread acceptance throughout the community offer the best long term

- 2 hope for peace and stability in the Province. I also, as you will know, made other suggestions which were designed to take account of legitimate Unionist concerns and to counter their feeling that they are excluded from influence on decision making in Northern Ireland. accordingly offered them new arrangements for consultation with the Government about affairs in Northern Ireland including security. I also offered them consultations about the future of the Northern Ireland Assembly and about the way in which Northern Ireland matters are handled at Westminster. At the end of our meeting the Unionist leaders appeared to be willing to talk constructively about the future without pressing their demand that the Agreement be suspended. as we saw, on their return to Belfast, they were unable to carry their supporters with them. In the light both of that turnround and still more of what happened on 3 March, no one can be in any doubt either about the strength of Unionist feelings nor of the formidable difficulties with which we are faced in the Province. As for the events of 3 March themselves, I do not think that I can do better than send you a copy of what Tom King said in the House on Tuesday. I scarcely need to say how much I deplore the disgraceful tactics adopted by opponents of our Agreement. You will also see from that statement just how great were the additional pressures imposed on the RUC by the strikers, and what they nevertheless managed to achieve. I should also tell you, in confidence, that Tom King has asked the Chief Constable for an urgent report on the policing aspects of the "day of action". In addition to providing facts and figures, etc., the Chief Constable has also been asked to deal with the allegations which have been made that the police did not do enough to prevent the intimidation of those who were seeking to get to work. However, as a result of my meeting with Mr. Molyneaux and Dr. Paisley, the Unionists can be in no doubt that the British Government will not be deflected from its

determination to implement the Anglo-Irish Agreement, and that there can be no question of asking Parliament to repudiate a measure to which barely three months ago it gave massive endorsement. The events of last Monday have in no way weakened that determination, nor will recourse to similar action in future.

At the same time, we have to recognise that more than determination on our part will be necessary if we are to get through what will undoubtedly be some very difficult months ahead. I know that you share my view that it is important at the present time to avoid exacerbating Unionists sensitivities, and the events of the "day of action" underline just how essential this continues to be. We also need to find all possible ways of commending the Agreement to moderate and reasonable Unionists who must, I am sure, be dismayed by the recent turn of events. I regard it, therefore, as vital that the SDLP adopts a generous and statesmanlike approach during this critical period. I left Mr. Hume in no doubt that it is not enough now to sit back and leave it to us to deal with Unionist opposition. us will benefit if we simply exchange an estranged minority for a non-cooperative majority. The Unionists cannot make me abandon the Agreement. But their prolonged hostility can prevent it from achieving the reconciliation and stability that we both seek. I welcome what the SDLP have already done by way, for example, of avoiding triumphalism; and Mr. Hume's recent declaration of readiness to talk about devolution without preconditions was also helpful. He told me that I would find the SDLP "constructive". I hope that, with your help, this will indeed prove so, and that they will also show discretion. (Mr. Mallon's widely reported remarks on RUC conduct on Monday were, as so often, the reverse of helpful, and I appreciated the way you took the sting out of what he said). In the coming weeks, the Unionist leaders will be looking for any action or statements from the SDLP or indeed from the Republic - that they can use to confirm their supporters' fears of the agreement. It remains vital to deprive them of such ammunition, and that is another

benefits for all the people of Northern Ireland that the Agreement is capable of bringing. It is essential that we should be seen to be making progress in the Intergovernmental Conference in those areas which, while serving our common interest, will be welcome to Unionists. I have in mind, in particular, the need for visible and substantial progress in enhancing security cooperation at all levels and in all the areas covered in Article 9(a) of the Agreement. It was the pursuit of such objectives, combined with restraint in making claims for the Conference and care in avoiding precipitate action which would offend Unionists' sensitivities that I had in mind when I referred to operating the Agreement "sensitively". I have not given up hope of bringing the Unionists back to the path of constructive dialogue that, for a moment, they seemed ready to follow last week. The offers I then made to them remain on the table. To that end I know I can count on your support and understanding. I hope that the SDLP will play their part.

You raised a number of more detailed matters in your letter. You asked, for instance, about actual statements that we had found unhelpful: I am arranging for these to be followed up by officials, though I enclose three examples of statements which inevitably raise hackles in the North. You also provided information about your Government's commitment to security on the border: I note that the comparisons are generally with 1969 rather than the period immediately before the Agreement. For the present at least, this subject might be pursued by the new quadripartite group of policemen and officials from both sides which held its first meeting in Belfast last week. But I think that we both agree that our first priority now must be to be seen to make progress as rapidly as possible in a way that will help the majority in

the North, however reluctantly in many cases, to accept that the Agreement is not only here to stay, but can further, rather than damage, their own interests.

> Louis sinerely Margaret

Dr. Garret FitzGerald, T.D.

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PRIME MINISTER'S LETTER TO MR FITZGERALD

1. FOLLOWING IS TEXT OF MRS THATCHER'S LETTER OF 7 MARCH TO THE TAOISEACH. GRATEFUL YOU ARRANGE TO DELIVER IT AS SOON AS POSSIBLE.

DEAR GARRET,

THANK YOU FOR YOUR LETTER OF 24 FEBRUARY FOLLOWING OUR EARLIER MEETING. EVENTS HAVE MOVED ON SINCE THEN, AND IT MAY HELP TO GIVE YOU MY PERSONAL IMPRESSIONS OF HOW MATTERS STAND FOLLOWING THE TALKS I HAVE HAD WITH THE UNIONIST LEADERS, WITH JOHN HUME AND WITH JOHN CUSHNAHAN, AND MOST RECENTLY THE UNIONIST 'DAY OF ACTION' ON 3 MARCH.

WHEN I MET THE UNIONISTS THERE WAS A GOOD DEAL OF PLAIN TALKING:
I REFUSED TO COUNTENANCE ANY SUGGESTION THAT THE AGREEMENT COULD
BE ABANDONED OR SUSPENDED. THE FURTHEREST THAT I WAS PREPARED
TO GO ON THIS CENTRAL ISSUE WAS TO UNDERTAKE TO OPERATE THE
AGREEMENT SENSITIVELY - AND I SHALL RETURN TO THAT POINT BELOW.
I DID, HOWEVER, TAKE FULL ACCOUNT OF THE STRENGTH OF UNIONIST
FEELING AGAINST ASPECTS OF THE AGREEMENT. I LAID STRESS ON THE
FACT THAT, AS YOU YOURSELF HAVE SUGGESTED, THE AGREEMENT PROVIDES

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OF AVOIDING: TRIUMPHALISM: AND MR HUME'S RECENT DECLARATION OF READINESS TO TALK ABOUT DEVOLUTION WITHOUT PRECONDITIONS WAS ALSO HELPFUL. HE TOLD ME THAT I WOULD FIND THE SDLP 'CONSTRUC-TIVE'. I HOPE THAT, WITH YOUR HELP, THIS WILL INDEED PROVE TO BE SO, AND THAT THEY WILL ALSO SHOW DISCRETION. (MR MALLON'S WIDELY REPORTED REMARKS ON RUC CONDUCT ON MONDAY WERE, AS SO OFTEN, THE REVERSE OF HELPFUL, AND I APPRECIATED THE WAY YOU TOOK THE STING OUT OF WHAT HE SAID). IN THE COMING WEEKS, THE UNIONIST LEADERS WILL BE LOOKING FOR ANY ACTION OR STATEMENTS FROM THE SDLP - OR INDEED FROM THE REPUBLIC - THAT THEY CAN USE TO CONFIRM THEIR SUPPORTERS' FEARS OF THE AGREEMENT. IT REMAINS VITAL TO DEPRIVE THEM OF SUCH AMMUNITION, AND THAT IS ANOTHER REASON WHY I SO MUCH WELCOMED YOUR SIGNATURE, WITHOUT RESERVA-TION, OF THE EUROPEAN CONVENTION ON THE SUPPRESSION OF TERROR-

IT IS NO LESS IMPERATIVE THAT WE CAN DEMONSTRATE THE BENEFITS FOR (NEXT WORD UNDERLINED) ALL THE PEOPLE OF NORTHERN IRELAND THAT THE AGREEMENT IS CAPABLE OF BRINGING. IT IS ESSENTIAL THAT WE SHOULD BE SEEN TO BE MAKING PROGRESS IN THE INTERGOVERNMENTAL CONFERENCE IN THOSE AREAS WHICH, WHILE SERVING OUR COMMON INTEREST, WILL BE WELCOME TO UNIONISTS. I HAVE IN MIND, IN PARTICULAR, THE NEED FOR VISIBLE AND SUBSTANTIAL PROGRESS IN ENHANCING SECURITY COOPERATION AT ALL LEVELS AND IN ALL THE AREAS COVERED IN ARTICLE 9(A) OF THE AGREEMENT. IT WAS THE PURSUIT OF SUCH OBJECTIVES, COMBINED WITH RESTRAINT IN MAKING CLAIMS FOR THE CONFERENCE AND CARE IN AVOIDING PRECIPITATE ACTION WHICH WOULD OFFEND UNIONISTS' SENSITIVITIES THAT I HAD IN MIND WHEN I REFERRED TO OPERATING THE AGREEMENT 'SENSITIVELY'. I HAVE NOT GIVEN UP HOPE OF BRINGING THE UNIONISTS BACK TO THE PATH OF CONSTRUCTIVE DIALOGUE THAT, FOR A MOMENT, THEY SEEMED READY TO FOLLOW LAST WEEK. THE OFFERS I MADE TO THEM REMAIN ON THE TABLE. TO THAT END I KNOW I CAN COUNT ON YOUR SUPPORT AND UNDERSTANDING. I HOPE THAT THE SDLP WILL PLAY THEIR PART. WHAT THEY NEVERTHELESS MANAGED TO ACHIEVE. I SHOULD ALSO TELL 'YOU, IN CONFIDENCE, THAT TOM KING HAS ASKED THE CHIEF CONSTABLE FOR AN URGENT REPORT ON THE POLICING ASPECTS OF THE 'DAY OF

ACTION'. IN ADDITION TO PROVIDING FACTS AND FIGURES, ETC., THE CHIEF CONSTABLE HAS ALSO BEEN ASKED TO DEAL WITH THE ALLEGATIONS WHICH HAVE BEEN MADE THAT THE POLICE DID NOT DO ENOUGH TO PREVENT THE INTIMIDATION OF THOSE WHO WERE SEEKING TO GET TO WORK.

HOWEVER, AS A RESULT OF MY MEETING WITH MR MOLYNEAUX AND DR PAISLEY, THE UNIONISTS CAN BE IN NO DOUBT THAT THE BRITISH GOVERNMENT WILL NOT BE DEFLECTED FROM ITS DETERMINATION TO IMPLEMENT THE ANGLO-IRISH AGREEMENT, AND THAT THERE CAN BE NO QUESTION OF ASKING PARLIAMENT TO REPUDIATE A MEASURE TO WHICH BARELY THREE MONTHS AGO IT GAVE MASSIVE ENDORSEMENT. THE EVENTS OF LAST MONDAY HAVE IN NO WAY WEAKENED THAT DETERMINATION, NOR WILL RECOURSE TO SIMILAR ACTION IN FUTURE.

AT THE SAME TIME, WE HAVE TO RECOGNISE THAT MORE THAN DETERMIN-. ATION ON OUR PART WILL BE NECESSARY IF WE ARE TO GET THROUGH WHAT WILL UNDOUBTEDLY BE SOME VERY DIFFICULT MONTHS AHEAD. I KNOW THAT YOU SHARE MY VIEW THAT IT IS IMPORTANT AT THE PRESENT TIME TO AVOID EXACERBATING UNIONISTS SENSITIVITIES, AND THE EVENTS OF THE 'DAY OF ACTION' UNDERLINE JUST HOW ESSENTIAL THIS CONTINUES TO BE. WE ALSO NEED TO FIND ALL POSSIBLE WAYS OF COMMENDING THE AGREEMENT TO MODERATE AND REASONABLE UNIONISTS WHO MUST, I AM SURE, BE DISMAYED BY THE RECENT TURN OF EVENTS. I REGARD IT, THEREFORE, AS VITAL THAT THE SDLP ADOPTS A GENEROUS AND STATESMANLIKE APPROACH DURING THIS CRITICAL PERIOD. I LEFT MR HUME IN NO DOUBT THAT IT IS NOT ENOUGH NOW TO SIT BACK AND LEAVE IT TO US TO DEAL WITH UNIONIST OPPOSITION. NONE OF US WILL BENEFIT IF WE SIMPLY EXCHANGE AN ESTRANGED MINORITY FOR A NON-COOPERATIVE MAJORITY. THE UNIONISTS CANNOT MAKE ME ABANDON THE AGREEMENT. BUT THEIR PROLONGED HOSTILITY CAN PREVENT IT FROM ACHIEVING THE RECONCILIATION AND STABILITY THAT WE BOTH SEEK. I WELCOME WHAT THE SDLP JAVE ALREADY DONE BY WAY, FOR EXAMPLE, THAT ANY MATTERS DEVOLVED TO A NORTHERN IRELAND ADMINISTRATION WOULD NO LONGER FALL FOR DISCUSSION IN THE CONFERENCE - A POINT WHICH WE SHALL BE WORKING HARD TO GET ACROSS IN NORTHERN IRELAND WHERE IT SEEMS AS YET TO BE IMPERFECTLY UNDERSTOOD. I READILY AGREED, THEREFORE, TO CONSIDER MR MOLYNEAUX'S AND DR PAISLEY'S

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/SUGERESTION.

SUGGESTION OF A ROUND TABLE CONFERENCE (WHICH MR HUME AND MR CUSHNAHAN WERE ALSO WILLING TO ENDORSE) AT WHICH DEVOLUTION MIGHT BE DISCUSSED. I REMAIN CONVINCED THAT SENSIBLE ARRANGE-MENTS FOR DEVOLUTION WHICH COMMAND WIDESPREAD ACCEPTANCE THROUGHOUT THE COMMUNITY OFFER THE BEST LONG TERM HOPE FOR PEACE AND STABILITY IN THE PROVINCE.

I ALSO, AS YOU WILL KNOW, MADE OTHER SUGGESTIONS WHICH WERE DESIGNED TO TAKE ACCOUNT OF LEGITIMATE UNIONIST CONCERNS AND TO COUNTER THEIR FEELING THAT THEY ARE EXCLUDED FROM INFLUENCE ON DECISION MAKING IN NORTHERN IRELAND. I ACCORDINGLY OFFERED THEM NEW ARRANGEMENTS FOR CONSULTATION WITH THE GOVERNMENT ABOUT AFFAIRS IN NORTHERN IRELAND INCLUDING SECURITY. I ALSO OFFERED THEM CONSULTATIONS ABOUT THE FUTURE OF THE NORTHERN IRELAND ASSEMBLY AND ABOUT THE WAY IN WHICH NORTHERN IRELAND MATTERS ARE HANDLED AT WESTMINSTER.

AT THE END OF OUR MEETING THE UNIONIST LEADERS APPEARED TO BE WILLING TO TALK CONSTRUCTIVELY ABOUT THE FUTURE WITHOUT PRESSING THEIR DEMAND THAT THE AGREEMENT BE SUSPENDED. BUT AS WE SAW, ON THEIR RETURN TO BELFAST, THEY WERE UNABLE TO CARRY THEIR SUPPORTERS WITH THEM. IN THE LIGHT BOTH OF THAT TURNAROUND AND STILL MORE OF WHAT HAPPENED ON 3 MARCH, NO ONE CAN BE IN ANY DOUBT EITHER ABOUT THE STRENGTH OF UNIONIST FEELINGS NOR OF THE FRMIDABLE DIFFICULTIES WITH WHICH WE ARE FACED IN THE PROVINCE. AS FOR THE EVENTS OF 3 MARCH THEMSELVES, I DO NOT THINK I CAN DO BETTER THAN SEND YOU A COPY OF WHAT TOM KING SAID IN THE HOUSE ON TUESDAY. I SCARCELY NEED TO SAY HOW MUCH I DEPLORE THE DISGRACEFUL TACTICS ADOPTED BY OPPONENTS OF OUR AGREEMENT. YOU WILL ALSO SEE FROM THAT STATEMENT JUST HOW GREAT WERE THE ADDITIONAL PRESSURES IMPOSED ON THE RUC BY THE STRIKERS, AND YOU RAISED A NUMBER OF MORE DETAILED MATTERS IN YOUR LETTER. YOU ASKED, FOR INSTANCE, ABOUT ACTUAL STATEMENTS THAT WE HAD FOUND UNHELPFUL: I AM ARRANGING FOR THESE TO BE FOLLOWED UP BY OFFICIALS, THOUGH I ENCLOSE THREE EXAMPLES OF STATEMENTS WHICH INEVITABLY RAISE HACKLES IN THE NORTH. YOU ALSO PROVIDED INFORMATION ABOUT YOUR GOVERNMENT'S COMMITMENT TO SECURITY ON THE BORDER: I NOTE THAT THE COMPARISONS ARE GENERALLY WITH

1969 RATHER THAN THE PERIOD IMMEDIATELY BEFORE THE AGREEMENT.
FOR THE PRESENT AT LEAST, THIS SUBJECT MIGHT BE PURSUED BY THE
NEW QUADRIPARTITE GROUP OF POLICEMEN AND OFFICIALS FROM BOTH
SIDES WHICH HELD ITS FIRST MEETING IN BELFAST LAST WEEK. BUT I
THINK WE BOTH AGREE THAT OUR FIRST PRIORITY NOW MUST BE TO BE
SEEN TO MAKE PROGRESS AS RAPIDLY AS POSSIBLE IN A WAY THAT WILL
HELP THE MAJORITY IN THE NORTH, HOWEVER RELUCTANTLY IN MANY
CASES, TO ACCEPT THAT THE AGREEMENT IS NOT ONLY HERE TO STAY,
BUT CAN FURTHER, RATHER THAN DAMAGE, THEIR OWN INTERESTS.
YOURS SINCERELY,

MARGARET.

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PRIME MINISTER'S LETTER TO MR FITZGERALD

1. FOLLOWING ARE ATTACHMENTS TO MRS THATCHER'S LETTER:

MR SPRING QUOTED IN THE IRISH ADVOCATE ON 7.12.85

'WE HAVE REACHED A POINT WHERE THE CONFERENCE IS GOING TO BECOME
AN INTEGRAL PART OF THE MACHINERY OF ADMINISTRATION IN NORTHERN

IRELANDWHO COULD HAVE ENVISAGED A DECADE OR MORE AGO THAT WE'D

NOW HAVE PEOPLE FROM THE REPUBLIC LIVING AND WORKING IN BELFAST

WITH A SAY IN HOW THE NORTH IS RUN.'

MR BARRY AT FINE-GAEL DUBLIN-LEINSTER CONFERENCE ON 8.12.85
'IT IS THIS CONFERENCE WHICH GIVES TO THE IRISH GOVERNMENT ITS
DIRECT, INSTITUTUIONAL, AUTHORITATIVE ROLE IN NORTHERN IRELAND.'

FINE-GAEL BRIEFING DOCUMENT ON THE ANGLO-IRISH AGREEMENT
' THE EXTENSIVE INVOLVEMENT OF THE IRISH GOVERNMENT IN
THE PROCESSES OF GOVERNMENT IN NORTHERN IRELAND'

(NEW PAGE) STATEMENT 4 MARCH 1986
WITH PERMISSION MR SPEAKER, I WOULD LIKE TO MAKE A STATEMENT

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/ABOUT

ABOUT THE EVENTS IN NORTHERN IRELAND YESTERDAY.

- 2. AS THE HOUSE WILL BE AWARE, THE LEADERS OF THE TWO MAIN UNIONIST PARTIES HAD CALLED FOR A DAY OF ACTION AND PROTEST. THEY INVITED EVERYBODY TO STAY AWAY FROM WORK AND STATED THAT IT SHOULD BE A PASSIVE AND VOLUNTARY DEMONSTRATION AND THAT THERE SHOULD BE NO ROADBLOCKS OR INTIMIDATION OF THOSE GOING TO WORK.
- 3. IN THE EVENT, THERE WAS WIDESPREAD OBSTRUCTION, INTIMIDAT-ION, AND SOME VIOLENCE DURING THE DAY CULMINATING IN SERIOUS DISORDER IN EAST AND NORTH BELFAST LAST NIGHT. THE FIRST INCIDENTS OCCURRED BEFORE MIDNIGHT ON SUNDAY AND DISTURBANCES CONTINUED UNTIL THE EARLY HOURS OF THIS MORNING.
- 4. IN SPITE OF THESE DIFFICULTIES A VERY CONSIDERABLE NUMBER OF PEOPLE SUCCEEDED IN GETTING TO WORK: PARTICULARLY IN THE COMMERCIAL OFFICES AND PUBLIC SERVICES, BUT MANY FACTORIES WERE SERIOUSLY AFFECTED.
- 5. I PAY TRIBUTE TO THE DETERMINATION OF ALL THOSE WHO REFUSED TO BE INTIMIDATED AND EXERCISED THEIR RIGHT TO GO TO WORK. I ALSO PAY TRIBUTE TO THE MEN OF THE SECURITY FORCES AND PARTIC-ULARLY THE RUC FOR ALL THE WORK THAT THEY DID TO SEEK TO KEEP ROADS OPEN FOR PEOPLE TO BE ABLE TO GET TO WORK. HOWEVER THERE HAVE ALSO BEEN A NUMBER OF COMPLAINTS WHEN IT IS ALLEGED THAT THE POLICE DID NOT TAKE ACTION WHEN IT WAS REQUIRED. THE CHIEF CONSTABLE IS PREPARING A FULL REPORT ON ALL POLICING ASPECTS OF THE PAST 24 HOURS. TO GIVE THE HOUSE SOME INDICATION OF THE SCALE OF THE WORKLOAD THAT THE RUC FACED, ON THE LATEST INFORM-ATION AVAILABLE THERE WERE SOME 655 ROADBLOCKS IN THE PROVINCE OVER THE PERIOD OF WHICH 441 WERE CLEARED. THERE WERE IN ADDITION SOME 80 CAVALCADES AND DEMONSTRATIONS, WHICH CAUSED CONSIDERABLE DISTUPTION IN A NUMBER OF TOWNS MAINLY AROUND MIDDAY. THERE WERE 57 ARRESTS AND THE NAMES OF 184 PEOPLE NOTED TO PROCEED BY WAY OF SUMMONS. 65 PLASTIC BATON ROUNDS WERE FIRED, 47 POLICEMEN WERE INJURED. LAST NIGHT THERE WERE A NUMBER OF PETROL BOMBS THROWN, AND THERE WERE OVER 20 SHOTS FIRED IN 3 FIREARMS ATTACKS ON THE POLICE DURING THE DISTURB-ANCES IN THE LOYALIST AREAS.

- 6. THE FIGURES LISTED ABOVE GIVE THE DETAILS OF A TRAGIC DAY FOR NORTHERN IRELAND. MANY MEMBERS WILL HAVE SEEN SOME OF THE DISGRACEFUL INCIDENTS ON TELEVISION LAST NIGHT. THESE PICTURES HAVE BEEN SHOWN ALL OVER THE WORLD AND WILL DO GREAT DAMAGE TO THE REPUTATION OF THE PROVINCE. THE HOUSE WILL ALSO HAVE SEEN ELECTED MEMBERS OF THIS HOUSE MAKING COMMON CAUSE WITH PEOPLE IN PARAMILITARY DRESS.
- 7. THE GOVERNMENT IS WELL AWARE OF THE STRENGTH OF FEELING AMONG MANY UNIONISTS ABOUT ASPECTS OF THE ANGLO-IRISH AGREEMENT. THE HOUSE WILL BE AWARE THAT MY RIGHT HONOURABLE FRIEND THE PRIME MINISTER AND I MET THE RIGHT HONOURABLE MEMBER FOR LAGAN VALLEY AND THE MEMBER FOR NORTH ANTRIM LAST TUESDAY. DURING A LONG MEETING MY RIGHT HONOURABLE FRIEND PUT FORWARD A NUMBER OF PROPOSALS TO HELP MEET THEIR MAIN CONCERNS AND AGREED TO CON-SIDER POSITIVELY THEIR SUGGESTIONS THAT THE GOVERNMENT SHOULD CALL ROUND TABLE CONFERENCE TO DISCUSS DEVOLUTION IN NORTHERN IRELAND: IT WAS AGREED THAT WE WOULD ALL REFLECT ON THE VARIOUS SUGGESTIONS THAT HAD BEEN MADE AND WOULD MEET AGAIN SHORTLY. THE PROSPECTS OF CONSTRUCTIVE DISCUSSIONS INSTEAD OF CONFRONT-ATION WERE GREETED WITH WIDESPREAD RELIEF IN THE PROVINCE, ONLY FOR THAT TO BE DESTROYED BY THEIR ABRUPT REPUDIATION OF THIS COURSE FOLLOWING A MEETING IN BELFAST LATE THAT NIGHT. THEY THEN DECIDED TO PROCEED WITH THE DAY OF PROTEST.
- 8. THE WHOLE COUNTRY CAN NOW SEE HOW TRAGIC AND TOTALLY COUNTERPRODUCTIVE YESTERDAY'S ACTION HAS BEEN. IT IS NOW URGENT THAT THE UNIONIST LEADERS RECOGNISE AGAIN THAT THE ONLY WAY IN WHICH THE CONCERNS OF THOSE THEY SEEK TO REPRESENT CAN BE ADDRESSED IS BY CONSTRUCTIVE DISCUSSION AND NOT BY THREATS AND VIOLENCE. THE DEGREE OF INTIMIDATION EVIDENT YESTERDAY SHOWED HOW LITTLE CONFIDENCE MANY OF THE ORGANISERS HAD IN BEING ABLE PEACEFULLY TO PERSUADE THEIR FELLOW CITIZENS TO JOIN THEIR DAY OF PROTEST. I MAKE IT QUITE CLEAR THAT THIS GOVERNMENT, THIS PARLIAMENT WILL NOT BE INTIMIDATED EITHER BY THE SORT OF VIOLENT ACTIONS THAT TOOK PLACE YESTERDAY. I BELIEVE THAT AN INCREASING NUMBER OF UNIONISTS WHILE DISLIKING MANY ASPECTS OF THE ANGLO-IRISH AGREEMENT WISH TO LOOK FOR A CONSTRUCTIVE WAY

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FORWARD.

FORWARD. THE GOVERNMENT HAS MADE QUITE CLEAR OUR WILLINGNESS TO SIT DOWN AND DISCUSS SERIOUSLY THE UNIONISTS' CONCERNS. IN OUR PARLIAMENTARY DEMOCRACY, IN THIS UNITED KINGDOM, THAT CAN BE THE ONLY WAY.
ENDS

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Mr. Spring quoted in the Irish Advocate on 7.12.85

"We have reached a point where the Conference is going to become an integral part of the machinery of administration in Northern Ireland Who could have envisaged a decade or more ago that we'd now have people from the Republic living and working in Belfast with a say in how the North is run".

Mr. Barry at Fine-Gael Dublin-Leinster Conference on 8.12.85

"It is this Conference which gives to the Irish Government its direct, institutional, authoritative role in Northern Ireland."

Fine-Gael Briefing Document on the Anglo-Irish Agreement

"..... the extensive involvement of the Irish Government in the processes of Government in Northern Ireland"



STATEMENT 4 MARCH 1986

With permission Mr Speaker, I would like to make a statement about the events in Northern Ireland yesterday.

- 2. As the House will be aware, the leaders of the two main Unionists parties had called for a day of action and protest. They invited everybody to stay away from work and stated that it was to be a passive and voluntary demonstration and that there should be no roadblocks or intimidation of those going to work.
- 3. In the event, there was widespread obstruction, intimidation and some violence during the day culminating in serious disorder in East and North Belfast last night. The first incidents occurred before midnight on Sunday and disturbances continued until the early hours of this morning.
- 4. In spite of these difficulties a very considerable number of people succeeded in getting to work; particularly in the commercial offices and public services, but many factories were seriously affected.
- 5. I pay tribute to the determination of all those who refused to be intimidated and exercised their right to go to work. I also pay tribute to the men of the security forces and particularly the RUC for all the work that they did to seek to keep roads open for people to be able to get to work. However there have also been a number of complaints when it is alleged that the police did not take action when it was required. The Chief Constable is preparing



a full report on all the policing aspects of the past 24 hours. To give the House some indication of the scale of the workload that the RUC faced, on the latest information available there were some 655 roadblocks in the Province over the period of which 441 were cleared. There were in addition some 80 cavalcades and demonstrations, which caused considerable disruption in a number of towns mainly around midday. There were 57 arrests and the names of 184 people noted to proceed by way of summons. 65 Plastic Baton Rounds were fired, 47 policemen were injured. Last night there were a number of petrol bombs thrown, and there were over 20 shots fired in 3 firearms attacks on the police during the disturbances in the Loyalist areas.

- 6. The figures listed above give the details of a tragic day for Northern Ireland. Many Members will have seen some of the disgraceful incidents on television last night. These pictures have been shown all over the world and will do great damage to the reputation of the Province. The House will also have seen elected members of this House making common cause with people in paramilitary dress.
- 7. The Government is well aware of the strength of feeling among many Unionists about aspects of the Anglo-Irish Agreement. The House will be aware that My Right Honourable Friend the Prime Minister and I met the Right Honourable Member for Lagan Valley and the Member for North Antrim last Tuesday. During a long meeting My Right Honourable Friend put forward a number of proposals to help meet their main concerns and agreed to consider positively their suggestions that the Government should call Round Table Conference to discuss devolution in Northern Ireland; it was

G.R.

agreed that we would all reflect on the various suggestions that had been made and would meet again shortly. The prospects of constructive discussions instead of confrontation were greeted with widespread relief in the Province, only for that to be destroyed by their abrupt repudiation of this course following a meeting in Belfast late that night. They then decided to proceed with the day of protest.

8. The whole country can now see how tragic and totally counterproductive yesterday's action has been. It is now urgent that the Unionists leaders recognise again that the only way in which the concerns of those they seek to represent can be addressed is by constructive discussion and not by threats and violence. degree of intimidation evident yesterday showed how little confidence many of the organisers had in being able peacefully to persuade their fellow citizens to join their day of protest. I make it quite clear that this Government, this Parliament will not be intimidated either by the sort of violent actions that took place yesterday. I believe that an increasing number of Unionists while disliking many aspects of the Anglo-Irish Agreement wish to look for a constructive way forward. The Government has made quite clear our willingness to sit down and discuss seriously the Unionists concerns. In our Parliamentary democracy, in this United Kingdom, that can be the only way.





10 DOWNING STREET

From the Private Secretary

7 March 1986

PRIME MINISTER'S MEETING WITH THE TAOISEACH

Neil Ward's letter of 6 March to me enclosed a draft message from the Prme Minister to the Taoiseach.

The Prime Minister has now signed this with some amendments which you and the North Ireland Office will wish to check carefully. She has decided that she <u>does</u> wish to make some reference herself to unhelpful statements by the Irish side and enclose some examples. I have therefore amended the last paragraph of page 4 to reflect this and enclose what seem to me the three most telling examples. She also wished to point out the comparisons given in the Taoiseach's own message about the numbers of police and army on the border appear to relate to 1969 rather than the more recent past. I have similarly taken this into account in the last paragraph of page 4.

Provided you and the Northern Ireland Office are satisfied the letter stands on the facts, I should be grateful if it could be sent to HM Ambassador in Dublin for delivery.

Charles Powell

Colin Budd Esq Foreign and Commonwealth Office.

sen by PM e appoint PRIME MINISTER MESSAGE TO THE TAOISEACH I attach a reply to the Taoiseach's message, following up your talk with him in February. It is basically a Northern Ireland Office product with help from the Cabinet Office, though I have made some changes. Tom King's advice is that you should not in the letter deal directly with either the allegedly unhelpful statements of Irish Ministers or the precise details of security forces along the border. The reason in the first case is that they haven't actually been able to come up with very convincing examples (the best they can do is at Flag A). He therefore recommends these two points be dealt with at official level. This is really a point for you to decide. If you want to quote examples of objectionable statements, I attach three which seem to me the most telling. I have therefore provided two alternative versions of pages 4 and 5 of the letter to leave you the option of a reference. C 20 CDP 7 March, 1986. BM2AFJ

unionists want talks about talks we are agreeable.

he claimed.

Special Message from Ulster's Elected Leaders to all Members of the R.U.C.

These are trying times for us all. None of us can run away from making a choice. We realise the pressures on you but we cannot sit back and allow you to be misled by false assurances that the Anglo-Irish Agreement does not interfere with the integrity of the R.U.C. or involve a foreign power in directing your affairs. Article 9 of the Agreement says of the Intergovernmental Council, jointly chaired by Mr. Barry and Mr. King, that it shall 'set in hand a programme of work to be undertaken by the Chief Constable of the R.U.C.'. Nothing could be clearer. Patently the Chief Constable, and thus every serving officer, is no longer subject solely to internal U.K. direction. The Dublin Government now have an equal say in 'setting in hand' the work of the Chief Constable. This radically alters the role of R.U.C. officers, who were employed and who took an oath to 'truly serve' our Sovereign. Now you are being asked to serve a second master - the Government of an Irish Republic which spawned the Provisional IRA and which still harbours the murderers of so many of your gallant colleagues - and all this within the framework of a code of conduct to be dictated by Dublin.



"Our thoughts and prayers are with you as you face up to the challenge posed by the deal. We Anglo-Irish confident that you will make it plain through your professional organisation that you will not yield to pressure to do other than that which you have pledged to do."

Signed: DR. IAN R. K. PAISLEY, MEP, MP RT. HON. JAMES H. MOLYNEAUX. JP. MP



CONFIDENTIAL

colo



NORTHERN IRELAND OFFICE WHITEHALL LONDON SWIA 2AZ

C007/3

6 March 1986

C D Powell Esq 10 Downing Street LONDON SW1

Dear Charles,

PRIME MINISTER'S MEETING WITH THE TAOISEACH

In your letter of 19 February you asked us to let you have as soon as possible examples of statements by Irish Ministers which we regarded as making unjustified claims about the Agreement and the role which it gives the Republic in the affairs of the North. Since then the Taoiseach has sent his letter of 24 February, the Prime Minister has met the Unionist leaders including James Kilfedder and John Hume, and the Unionist "day of action" has taken place.

My Secretary of State now believes that we should take the opportunity of a reply to the Taoiseach's letter to give him an assessment of the new situation and to follow up what the Prime Minister said at her meeting with him by reinforcing the message especially in the light of last Monday's events, that restraint, patience and understanding continue to be required from the Irish - and from the SDLP - if we are to succeed either in bringing the Unionists back to constructive discussion or weaning them from further strikes, of which there are now some encouraging signs so far as Mr Molyneaux at least is concerned. Mr King believes that the best way of getting Irish co-operation would be to reassure the Taoiseach of our determination to stand firm on the Agreement, to acknowledge the assistance already given, and to reiterate the need for the Irish to play their part by scrupulously avoiding giving offence to Unionists' sensibilities and by collaborating in operating the Agreement sensitively. He believes that it would detract from that message if the letter dwelt on unhelpful speeches the Irish have made or entered detailed argument about the level of Irish security effort along the border.

... The attached draft reply therefore suggests that these particular points might be dealt with through other channels - ie the Secretariat and the new bilateral police/official group considering a programme of security co-operation - rather than through the medium of this letter, especially since there are some signs that the Irish are now taking more care over what they say: for example,

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the Taoiseach deflected Seamus Mallon's criticism of RUC handling of the strike into a less potentially damaging course; the statement issued by the Irish Government after the strike was ... also supportive. However for your information, I attach some examples of the kind of unhelpful statements the Irish have made in the past. This approach is endorsed by the Cabinet Office ... and the FCO. I attach also the Fine Gael paper issued shortly after the signing of the Agreement and which in its whole form has offended unionists although we perhaps might not take such offence at it; its language, for example closely parallels the Agreement, although some subtle inferences occur which give an impression towards joint authority. Perhaps the passage which might most offend Unionists is the last paragraph on page 2. This selects the provisions of the Agreement to give the impression that the Conference gives the Irish "real power" and by inference approaches joint authority. (We should bear in mind however that we had agreed with the Irish the line that the arrangements could be described as "more consultative").

I am sending copies of this letter to Michael Stark and Len Appleyard.

yours Sweerely Neithand. AMPLES OF UNHELPFUL IRISH REMARKS

7.12.85 Mr Spring quoted in the 'Irish Advocate':

"If they try to frustrate on a consistent basis our efforts on behalf of the nationalist community, the impact on Mrs Thatcher and British politicians will be devastating. We would have no choice but to pull out. And Britain would have to stand in the dock of world opinion to answer for its failure to honour the solemn commitment that it has now made...We have reached a point where the Conference is going to become an integral part of the machinery of administration in NI. That is an enormous step in any man's language. Who could have envisaged a decade or more ago that we'd now have people from the Republic living and working in Belfast with a say in how the North is to be run?"

21.12.85 Mr Barry in the Irish Independent

"Mr Barry took obvious pride in saying that he was the first Irish Nationalist in 200 years to have an input in Northern Ireland on behalf of the Nationalists."

8.12.85 Mr Barry at Fine Gael Dublin-Leinster Conference

"It is this Conference which gives to the Irish Government its direct, institutional, authoritative role in Northern Ireland... the new institutional arrangements (which) provide the Irish Government with a direct role in the North"

Dr FitzGerald, Channel 4 News (date not yet established)

"The consequences of failure to reach agreement on major issues or even on small issues would obviously be very serious, something that no British or Irish Government would lightly contemplate."

Dr FitzGerald - reported in Irish Independent of 17 November 1985

"Dublin's new role is 'as near to joint authority as you can get'."

NB: This appears to have been given in private briefing and was not expected to be reported.

/....

E. This gives the impression that the Agreement

This gives the impression that the Agreement will be more executive in character than is warranted by the Agreement eg, it implies that the Conference will have "real power", and uses language which indicates that the Conference will have a more executive role than is the case.

Mr Barry's Speech of 24 February

Although this contains some helpful features, its tone - on the eve of the meeting with Mr Molyneaux and Dr Paisley - was overly aggressive towards Unionists in the circumstances:

"What we have seen in the North over the past two months ... is a tissue of deliberate falsehoods and it is deliberately geared to whip up hysteria among/confused and frightened people".

M.

GRS160

UNCLASSIFIED

FM DUBLIN

TO DESKBY *050900Z FCOLN

TELNO 141

OF 041815Z MARCH 86

INFO IMMEDIATE NIO (B)



MY TEL NO 138, PARA 6: UNIONIST DAY OF ACTION: IRISH GOVERNMENT STATEMENT

1. FOLLOWING THIS MORNING'S CABINET MEETING TO REVIEW THE EVENTS OF YESTERDAY THE GOVERNMENT ISSUED THE FOLLOWING STATEMENT AT 041700Z

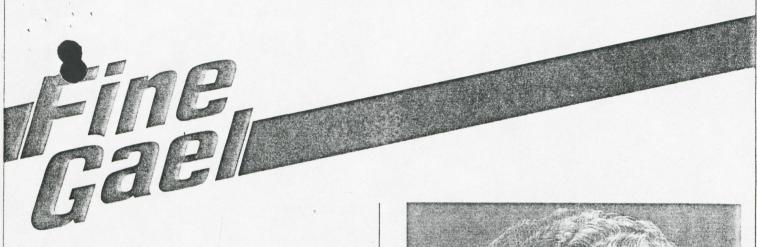
AHEAD WITH THE IMPLEMENTATION OF THE ANGLO-IRISH AGREEMENT.
IN THIS WAY PRACTICAL ACTION WILL RESULT WHICH WILL BENEFIT
BOTH COMMUNITIES IN NORTHERN IRELAND AND IRELAND AS A WHOLE.
STRIKES AND DEMONSTRATIONS LEAD ONLY TO VIOLENCE AS YESTERDAY
DEMONSTRATED. THE GOVERNMENT ARE OF THE VIEW THAT ONLY THE PATH
OF CONSTITUTIONAL POLITICS CAN BRING RECONCILIATION, PEACE AND
STABILITY TO NORTHERN IRELAND. THEY APPEAL TO UNIONISTS TO ENTER
INTO TALKS WITH THE NATIONALISTS WITH A VIEW TO WORKING OUT
TOGETHER A SYSTEM OF DEVOLVED GOVERNMENT FOR NORTHERN IRELAND.
THE GOVERNMENT AGAIN STRESS THAT THEY ARE OPEN TO ANY CONSTRUCTIVE
VIEWS THAT THE UNIONISTS WISH TO PUT FORWARD.''

- 2. THIS TEXT IS SIMILAR TO THE ADVANCE VERSION GIVEN TO BRENNAN NIO(L) FOR SOFS (NI)'S USE EARLIER THIS AFTERNOON.
- 3. FCO PLEASE PASS BELL, NIO(L).

GOODISON

NORTHERN IRELAND
LIMITED
RID
NAD
INFO DEPT.
NEWS DEPT.
PUSD
RESEARCH DEPT.
PLANNING STAFF
PS
PS/LADY YOUNG
PS/MR EGGAR
PS/PUS
MR GOODALL
MR HOUSTON

ADDITIONAL DISTRIBUTION: NORTHERN IRELAND.



ANGLO-IRISH AGREEMENT

HOW DOES THIS AGREEMENT IMPROVE THE POSITION OF NATIONALISTS?

First of all in the preamble to the Agreement the British Government, amongst other things, recognises the need to acknowledge the rights of the two major traditions that exist in Ireland, both the Unionist tradition and the tradition of "those who aspire to a sovereign united Ireland achieved by peaceful means and through agreement". These words closely reflect the views of the Forum.

The British Government also accepts the need to "recognise and respect the identities of the two communities in Northern Ireland, and the right of each to pursue its aspirations by peaceful constitutional means". They also commit themselves to a "society in Northern Ireland free from discrimination and intolerance, with the opportunity for both communities to participate fully in the structures and processes of government". Moreover if a majority of the people of Northern Ireland give their consent to Irish unity the British Government commit themselves to "introduce and support" in the Westminster parliament, legislation to give effect to this. Secondly, the British Government agrees to the establishment of an Intergovernmental Conference concerned with Northern Ireland and with relations between the two parts of the island, in order to deal on a regular basis with — to quote from the Communique's passage on the agenda for the first meeting: "all fields political, security, legal, economic, social and cultural — which come within its competence." Within the Conference the Irish Government will put forward views and proposals on matters relating to Northern Ireland under these headings and the two governments commit themselves, in the interests of promoting peace and stability, to making determined efforts through the Conference to resolve any differences. These two principles, based in a binding international

These two principles, based in a binding international agreement, govern the entire range of Northern Ireland issues within the Conference. The role of the Irish Government and indeed of the Conference although not executive, is thus obviously more than consultative. The Agreement describes the Conference as being "a framework within which the two Governments work together for the accommodation of the rights and identities of the two traditions which exist in Northern Ireland". The Conference is required to concern itself with measures to recognise and accommodate the rights and identities of the two traditions in Northern Ireland, to protect human rights and to prevent discrimination. Its



An Taoiseach, and Fine Gael Leader, Dr. Garret FitzGerald, T.D.

functions will include measures to foster the cultural heritage of both traditions, changes in electoral arrangements, the use of flags and emblems, the avoidance of economic and social discrimination, as well as the consideration of a possible Bill of Rights in Northern Ireland.

Through the Conference also the Irish Government will have a function in relation to the role and composition of a number of important Bodies in Northern Ireland including the Police Authority, the Police Complaints Board, the Fair Employment Agency, the Equal Opportunities Commission and the Standing Advisory Commission on Human Rights

Commission on Human Rights.

The Conference will consider relations between the security forces and the community, including implementing what is seen by both Governments as a need for a programme of special measures to improve relations between the security forces and the community, with the object in particular of making these forces more readily accepted by the nationalist community. It will consider policy issues relating to prisons as well as dealing with individual cases of prisoners.

Moreover, in the security area also, it will be addressing at its regular meetings not only policy issues but also serious incidents and forthcoming events, such as parades and processions.

It will have the function of helping to harmonise the criminal law North and South, and will have the job of

seeking measures that will give substantial expression to the aim of ensuring public confidence in the administration of justice. In doing this, it will consider among other things the possibility of mixed Courts in both jurisdictions for the trial of certain offences. (That would mean Courts with Judges from one jurisdiction sitting in the Special Courts of the other).

Finally, so long as there is not devolution to a Government in Northern Ireland in which both sections of the community participate, the role of the Conference will extend to all major legislative and major policy issues under the responsibility of the Northern Ireland Departments, where the interests of the minority community are significantly or especially affected. The range of issues dealt with by the Conference is therefore comprehensive.

WHAT ABOUT THE RUC?

At its first meeting the conference will consider ways of underlining the policy that the RUC and the armed forces in Northern Ireland discharge their duties even-handedly and with equal respect for the Unionists' and the Nationalists' identities and traditions.

WHAT ABOUT THE UDR?

At its first meeting the Conference will consider the application of the principle that the armed forces, (i.e. the British Army and the Ulster Defence Regiment of that Army), operate only in support of the civil power. The objective of the Conference will be to ensure as rapidly as possible that, save in the most exceptional circumstances, there is a police presence in all operations that involve direct contact with the community. This will mean that the role of the UDR will be to accompany the RUC on patrol and at check-points but that the direct contact with the public will, as soon as administratively possible, in all cases be by the members of the RUC involved. Moreover, whatever emerges in relation to the manner in which the RUC is required to discharge its duties in relation to the two communities will be considered for application to the UDR and the British Army. Finally our Minister in the Conference will put forward Irish views and proposals for the progressive establishment of a new security system which would obviate a need for the UDR to be involved in local security. This will be pursued sensitively, carefully and firmly.

WHAT WOULD HAPPEN IF THERE WERE DEVOLUTION TO SOME KIND OF LOCAL EXECUTIVE IN NORTHERN IRELAND IN WHICH BOTH COMMUNITIES PARTICIPATED? WOULD THE CONFERENCE CEASE TO HAVE A ROLE TO PLAY?

The Conference would, of course, continue to carry out its basic functions in relation to human rights, identity, and justice, which are, of course, the most difficult matters in the North. Only in those areas of policy and legislation that came within the control of such an Executive would it cease to operate.

Moreover on the question of devolution itself the Irish Government will have a role to play in putting forward its views and proposals on the ways of bringing about devolution in Northern Ireland, in so far as these relate to the interests of the minority community.

It should be added that the Government favours, and in this agreement commits itself to supporting devolution involving constitutional representatives of both commmunities in executive capacities, viz. some form of power-sharing.

There is provision in the Agreement for what happens in relation to cross-border co-operation if devolution comes about

DOES THIS AGREEMENT NOT INVOLVE ACCEPTING PARTITION – IN FACT, COPPER-FASTENING IT? DOES IT NOT UNDERMINE THE CONSTITUTIONAL POSITION?

No. It does none of these things. Of course it accepts the inescapable fact that Ireland is not at present united and faces the question of what can be done to help Northern Nationalists in this situation without detriment to the Unionist tradition.

In 1949 Mr. de Valera said "there is no good trying to pretend that the British Government is not responsible for the government of that particular area."

the government of that particular area". In 1965 Mr. Lemass demonstrated his acceptance of the fact of division by going to Stormont to meet the Northern Ireland Prime Minister, Capt. Terence O'Neill, and inviting him subsequently to make a return visit to Dublin. In the Communique of 21st May 1980, following his meeting with the British Prime Minister, Mr. Haughey said "any change in the constitutional status of Northern Ireland would only come about with the consent of a majority of the people of Northern Ireland". The wording of Article 1(a) of this Agreement is identical, apart from the omission of the word "constitutional".

Given that, as Mr. de Valera said, the British Government is responsible for the government of Northern Ireland, the Agreement provides a framework within which the Irish Government can exercise a role in relation to the North with maximum effect.

The Agreement has no effect on the constitutional position - nor could it. The provisions of the Constitution can be changed only by referendum, following enactment of legislation by the Dail and Seanad. No sane person seeks to end the division of our Island against the wishes of a majority in Northern Ireland; we all know that that is simply not possible. But this Agreement for the first time commits the British Government to introducing and supporting legislation for the re-unification of Ireland if and when that consent emerges. This commitment settles once and for all the argument about whether Britain wants to stay in the North regardless of the wishes of the people there. Britain is now legally committed to taking the steps necessary to achieve Irish unity whenever a majority in Northern Ireland support this course of action.

BUT IS THE CONFERENCE NOT TO BE CONSULTATIVE ONLY – WILL IT HAVE ANY REAL POWER?

It is not merely consultative. It involves much more than a mere obligation on the British Government to ask the Irish Government for its views on certain matters. It gives to the Irish Government the right to put forward its views and proposals over the whole range of issues mentioned in the previous pages, and imposes a legal obligation on the two governments to make "determined efforts through

the conference to resolve any differences . . . in the interests of promoting peace and stability".

HOW WILL THE CONFERENCE ACTUALLY OPERATE?

It will involve regular and frequent meetings of Ministers of the Irish Government with British Ministers in Belfast. and special meetings can be called at any time at the request of either side. The meetings of Ministers will be presided over jointly by the permanent Irish Ministerial Representative — Peter Barry, Minister for Foreign Affairs is being designated to this position — and the Secretary of State for Northern Ireland. But other Irish and British Ministers can attend and when legal matters are being considered the Attorney General can attend. Ministers can be accompanied by their officials and professional advisers, or by officials of relevant Government Departments when questions of economic, social or cultural policy or co-operation are being discussed. These regular and frequent meetings of the Inter-Governmental Conference of Ministers will be serviced by a joint secretariat which will be established by the two Governments in Belfast and will operate on a continuing basis between Ministerial meetings.

WHAT WILL HAPPEN WHEN THE CONFERENCE FIRST MEETS?

At its first meeting the Conference will consider its future programme of work in all of the fields that come within its competence — political, security, legal, economic, social and cultural. It will concentrate at its initial meetings on three areas — relations between the security forces and the minority community in Northern Ireland; seeking measures that will give substantial expression to the question of public confidence in the administration of justice; and ways of enhancing security co-operation between the two Governments. The two sides are committed to work for early progress in these matters.

WHAT IMPLICATIONS DOES THE AGREEMENT HAVE FOR EXTRADITION?

The Communique (Par. 7) says that the two Governments are committed to work for early progress on:

relations between the security forces and the minority
 measures to underline the importance of public

confidence in the administration of justice. The Taoiseach has said that *against this background*, it was the intention of the Government to accede as soon as possible to the European Convention on the Suppression of Terrorism.

WHAT WILL ACCESSION TO THIS CONVENTION INVOLVE?

When this Convention was first introduced in 1977 it was believed we could not sign it because of the particular interpretation of our High Court of "political offences" for extradition purposes. But in the light of the fact that our Courts now make a distinction between terrorist offences and truly political offences this obstacle has been removed. The form of any legislation giving effect to our accession to the Convention would be designed to ensure that the final decision as to whether a particular offence is political or terrorist will continue to be determined by the Courts.

WILL THERE BE A CROSS-BORDER DIMENSION TO THIS AGREEMENT?

Yes. The Conference will be responsible among other things for the promotion of cross-Border co-operation — viz. the development of economic, social and cultural co-operation between the two parts of the island. In particular the two Governments are committed to co-operating to promote the economic and social development of those areas of both parts of Ireland which have suffered most severely from the consequences of the instability of recent years, and they are to consider the possibilty of securing international support for this work. There is reason to believe that substantial financial support may be available for this purpose from the United States, and possible also from European countries, and from some other countries overseas.

Of course, if devolved Government is established on a basis that involves both sections of the community in Northern Ireland, many cross-border matters will become the responsibility of that devolved Government. In these circumstances machinery will be established by the responsible authorities in the North and South for practical co-operation in respect of cross-Border matters.

HOW IMPORTANT COULD THIS FINANCIAL SUPPORT FROM ABROAD BE?

It is much too soon to make any forecast about this, but reactions from a number of Governments suggest that it could involve some hundreds of millions of pounds. Cross-Border areas would be particularly likely to benefit, although other areas, both North and South, have of course also been severely affected by the violence of the last sixteen years.

IS THE AGREEMENT PERMANENT AND FIXED? CAN IT BE REVIEWED?

The Agreement makes provision for a review at the end of three years or earlier if requested by either Government. The purpose of such a review of the working of the Conference will be to see whether any changes in the scope and nature of its activities are desirable.

WHAT HAS TO HAPPEN IN ORDER TO MAKE THIS AGREEMENT EFFECTIVE?

For the Agreement to be made effective it needs to be endorsed by the Dail and by the British Parliament. It will be brought before both these bodies within the next week or so. Both Governments expect that the Agreement will be endorsed by these bodies, and immediately afterwards it will be brought into force by an exchange of letters between the two Governments.

THERE HAS BEEN TALK OF REGISTERING THE AGREEMENT AT THE UNITED NATIONS – IS THIS GOING TO HAPPEN?

Yes. This is a requirement of Article 102 of the United Nations Charter.

WILL THIS REGISTRATION AT THE U.N. HAVE ANY EFFECT ON OUR CONSTITUTIONAL POSITION VIS-A-VIS NORTHERN IRELAND?

Our Constitution can be changed only by the people in a Referendum on the basis of a proposal endorsed by the Dail and Seanad. SOME YEARS AGO THERE WAS TALK ABOUT AN ANGLO-IRISH PARLIAMENTARY BODY OR TIER BEING ESTABLISHED. ARE WE ANY FURTHER ON WITH THIS?

Yes. Up to now this matter has been left entirely to the two Parliaments which have not felt it appropriate to move in the matter. There is now considerable support from the British Parliament for such a Body which will also, we believe, have support in the Dail and Seanad. A new development in this Agreement is that the two Governments agree that they would give support as appropriate to such a Body if it were to be established. This offer of support seems likely to encourage an early development in this area.

WHAT EFFECT IS THE AGREEMENT LIKELY TO HAVE IN NORTHERN IRELAND?

Of course it is impossible to predict what will happen in an area where there has been so much violence and where the two communities are so polarised. But is is our hope that the effect on the nationalist minority of the extensive involvement of the Irish Government in the processes of government in Northern Ireland, will have a major impact on their sense of alienation from the structures of government, the security forces and the judicial system in Northern Ireland. And as it is this alienation that has provided the opportunity for the IRA to undertake its campaign of violence, thus provoking the counter-violence of the Protestant paramilitaries, we hope that the operation of the Agreement whatever difficulties there may be in the early stages, will gradually lead to the

phasing out of violence, to peace and stability in all Ireland, and to even better relations between Britain and Ireland.

DOESN'T THE AGREEMENT CARRY RISKS HOWEVER?

Yes — of course it does. Any Agreement to take action in Northern Ireland is bound to stir up hostility at both extremes — amongst the IRA on one side, which owes its existence to the alienation of the minority community, and amongst extremists on the Unionist side also. As both Governments have made it clear on occasions before the signature of this Agreement it cannot exclude the possibility of greater unrest, and even violence, in the immediate aftermath of the signing of the Agreement. But the prospect of giving the minority in Northern Ireland for the first time in sixty-five years a fair deal, of eliminating their legitimate grievances, and of removing the ground from under the IRA, makes it worthwhile to take these risks, and, we believe, requires us to do so. Of course it is always easier to do nothing, in the hope of avoiding blame for anything that may go wrong, but such an attitude would be totally irresponsible in the face of the tragedy of Northern Ireland.

WHY HAS THE NEGOTIATION TAKEN SO LONG?

It has been long and difficult because the two Governments were attempting something for which there is no precedent anywhere else in the world. That is why it has taken so many meetings over a period of eighteen months to reach this Agreement.

SUMMARY

OF THE ANGLO-IRISH AGREEMENT 1985

1. The Agreement begins with a preamble incorporating a joint statement of objectives.

The Status of Northern Ireland

2. The two Governments affirm that any change in the status of Northern Ireland would only come about with the consent of a majority of the people of Northern Ireland; recognise that the present wish of a majority there is for no change in that status; and declare that, if in the future a majority there clearly wish for and formally consent to the establishment of a united Ireland, the two Governments will introduce and support legislation in the respective Parliaments to give effect to this. (Article 1)

Framework and Objectives of the Intergovernmental Conference

- 3. The Agreement establishes, within the framework of the Anglo-Irish Intergovernmental Council, an Intergovernmental Conference concerned with Northern Ireland and with relations between the two parts of the island of Ireland which, subject to the terms of the Agreement, will deal on a regular basis with:
 - political matters;
 - security and related matters;
 - legal matters, including the administration of justice;
 - the promotion of cross-border co-operation. (Article 2(a)).

The Agreement provides for a review of the working of the Conference after three years, or earlier if either side desires. (Article 11).

- 4. The Conference will proceed on the basis that:
 - the United Kingdom Government accept that the Irish Government will put forward within the Conference views and proposals on certain matters relating to Northern Ireland as provided for in the Agreement;
 - in the interest of promoting peace and stability, determined efforts will be made in the Conference to resolve any differences;
 - there will be no derogation from the sovereignty of either Government, and each retains responsibility for the decisions and administration of government within its own jurisdiction. (Article 2(b)).
- 5. The Conference will be a framework within which the two Governments work together for the accommodation of the rights and identities of the two traditions in Northern Ireland and for peace, stability and prosperity throughout Ireland by promoting reconciliation, respect for human rights, cooperation against terrorism and the development of economic, social and cultural cooperation. (Article 4(a)).

Procedures and Membership of the Intergovernmental Conference

- 6. There will be regular and frequent meetings of the Conference at Ministerial level as well as meetings at official level, and special meetings may be convened at the request of either side. The joint Chairmen at Ministerial level will be on the Irish side a Minister designated as the Permanent Irish Ministerial Representative and on the United Kingdom side the Secretary of State for Northern Ireland. Other Ministers and advisers will participate as appropriate. There will be a Secretariat to service the Conference on a continuing basis. (Article 3).
- 7. The Irish Government declare their support for the United Kingdom Government's policy of seeking devolution in Northern Ireland on a basis which would secure widespread acceptance throughout the community. (Article 4(b)). The Conference will be a framework in which the Irish Government can put forward views and proposals on the modalities of devolution, in so far as

they relate to the the interests of the minority community. (Article 4(c)). Should a devolved administration be established, the devolved matters would not be for consideration by the Conference. (Article 2).

Political Matters

- 8. The Conference will concern itself with measures to recognise and accommodate the rights and identities of both traditons in Northern Ireland in such areas as cultural heritage, electoral arrangements, use of flags and emblems, the avoidance of economic and social discrimination and the advantages and disadvantages of a Bill of Rights for Northern Ireland. (Article 5(a)).
- 9. Should it prove impossible to achieve and sustain devolution, proposals for major legislation and major policy issues where the interests of the minority community are significantly or especially affected and which come within the administrative responsibility of the Northern Ireland Departments will be for consideration by the Conference. (Article 5(c)).
- 10. The Conference will be a framework within which the Irish Government may put forward views on the role and composition of bodies appointed by the Secretary of State for Northern Ireland or his Departments. (Article 6).

Security and Related Matters within Northern Ireland

11. The Conference will consider security policy issues as well as serious incidents and forthcoming events. A programme of action will be developed with the particular object of improving the relations between the security forces and the nationalist community. Elements of the programme may be considered by the Irish Government for application in the South. The Conference may also consider policy issues relating to prisons, and individual cases may be raised. (Article 7).

Legal Matters including the Administration of Justice

12. Both Governments recognise the importance of public confidence in the administration of justice. The Conference will seek measures that would give substantial expression to this aim, considering among other things the possibility of mixed courts in both jurisdictions for the trial of certain offences. The Conference will also consider whether there are areas of the criminal law in both jurisdictions which might with benefit be harmonised and will be concerned with policy aspects of extradition and extraterritorial jurisdiction as between North and South. (Article 8).

Cross-border Co-operation on Security, Economic, Social and Cultural matters

- 13. The Conference will set in hand a programme of work to be undertaken by the Chief Constable of the Royal Ulster Constabulary and the Commissioner of the Garda Siochana with a view to enhancing co-operation between the security forces of the two Governments in such areas as threat assessments, exchange of information, liaison structures, technical co-operation, training of personnel and operational resources. The Conference will have no operational responsibilities. (Article 9).
- 14. The two Governments undertake to co-operate to promote the economic and social development of those areas in both parts of Ireland which have suffered most severely as a result of the instability of recent years. The two Governments will consider the possibility of securing international support for this work. (Article 10(a)).
- 15. The Conference will, in the absence of devolution, be the framework for the promotion of cross-border economic, social and cultural co-operation. In the event of devolution, machinery would be needed to deal with co-operation in respect of cross-border aspects of devolved matters. (Article 10 (b) and (c)).

Interparliamentary Body

16. The two Governments agree that they would give appropriate support to any Anglo-Irish Interparliamentary body established by the two Parliaments. (Article 12).

Anglo-Irish Summit Meeting

15 November 1985

Joint Communique

- 1. The Taoiseach, Dr. Garret FitzGerald TD and the Prime Minister, the Rt Hon Mrs. Margaret Thatcher FRS MP, met at Hillsborough on 15th November 1985. It was the third meeting of the Anglo-Irish Intergovernmental Council to be held at the level of Heads of Government.
- 2. The Taoiseach was accompained by the Tanaiste, Mr. Dick Spring TD, the Minister for Foreign Affairs, Mr Peter Barry TD. The Prime Minister was accompained by the Secretary of State for Foreign and Commonwealth Affairs, the Rt Hon Sir Geoffrey Howe QC MP, and the Secretary of State for Northern Ireland, the Rt Hon Tom King MP.
- 3. The Taoiseach and the Prime Minister signed a formal and binding Agreement between their two Governments, which will enter into force as soon as each Government has notified the other of acceptance. The Agreement has 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 combatting terrorism.
- 4. The Agreement deals in particular with the status of Northern Ireland and 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 Taoiseach and the Prime Minister committed themselves to implementing and sustaining the measures set out in the Agreement with determination and imagination and undertook to encourage people of both 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 exchange of notifications of acceptance will not be completed until the Agreement has been approved by Dail Eireann and by the British Parliament. 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 Irish side will be led by the Minister designated as the Permanent Irish Ministerial Representative and the British side by the Secretary of State for Northern Ireland.
- 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 assigned to it

under the Agreement. 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 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 of 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 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 Taoiseach and the Prime Minister 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 cooperation. The Taoiseach and the Prime Minister decided that this work should be actively continued, in the interests of friendship between all the people of both countries.
- 11. The Taoiseach and the Prime Minister agree 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.



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To: The Taoiseach

From: Prime Minister

Thank you for your letter of 24 February following our earlier meeting. Events have moved on since then, and it may help to give you my personal impressions of how matters stand following the talks I had last week with the Unionist leaders, and with John Humel and most recently the Unionist "day of action" on 3 March.

2. When I met the Unionists there was a good deal of plain talking: I refused to countenance any suggestion that the Agreement could be abandoned or suspended. The furthest that I was prepared to go on this central issue was to undertake to operate the Agreement sensitively - and I shall return to that point below. I did, however, take full account of the strength of Unionist feeling against aspects of the Agreement. I emphasised, as you yourself have suggested, that the Agreement provides that any matters devolved to a Northern Ireland administration would no longer fall for discussion in the Conference - a point which we shall be working hard to get across in Northern Ireland where it seems as yet to be perfectly understood. And I readily agreed, therefore, to consider Mr Molyneaux's and Dr Paisley's suggestion of a round table Conference (which

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e Mr. Curhadan were

Mr Hume was also willing to endorse) at which devolution might be discussed. I remain convinced that sensible arrangements for devolution could command widespread acceptance throughout the community offer the best long term hope for peace and stability in the Province.

- 3. I also, as you will know, made other suggestions which were designed to take account of legitimate Unionist concerns and to counter their feeling that they are excluded from influence on decision making in Northern Ireland. I accordingly offered them new arrangements for consultation with the Government about affairs in Northern Ireland including security. I also offered them consultations about the future of the Northern Ireland Assembly and about the way in which Northern Ireland matters are handled at Westminster.
- 4. Briefly, at the end of our meeting, it seemed that the Unionist leaders might be willing to talk constructively about the future without pressing their demand that the Agreement be suspended. But as we saw, on their return to Belfast, they were unable to carry their supporters with them. In the light both of that turnround and still more of what happened on Monday, no one can be in any doubt either about the strength of Unionist feelings nor of the formidable difficulties with which Tom King and I are faced in the Province. As for the



events of 3 March themselves, I do not think that I can do
better than send you a copy of what Tom King said in the
House [yesterday/on Tuesday]. I scarcely need to say how much
I deplore the disgraceful tactics adopted by opponents of our
Agreement. You will also see from that statement just how
great were the additional pressures imposed on the RUC by the
strikers, and what they nevertheless managed to achieve. I
should also tell you, in confidence, that Tom King
for an
personally asked the Chief Constable/urgent report

on the policing aspects of the "day of action". In addition to providing facts and figures, etc, the Chief Constable has also been asked to deal with the allegations which have been made that the police did not do enough to prevent the intimidation of those who were seeking to get to work.

5. However, as a result of my meeting with Mr Molyneaux and Dr Paisley the Unionists can be in no doubt that the British Government will not be deflected from its determination to implement the Anglo-Irish Agreement, and that there can be no question of asking Parliament, which on this issue has undoubtedly expressed the view of the overwhelming majority of the people of the United Kingdom, to repudiate a measure which barely three months ago it gave massive endorsement.

I can give you my unqualified assurance that the events of last Monday have in no way weakened that determinaton, nor will



recourse to similar action in future.

6. At the same time, we have to recognise that more than determination on our part will be necessary/to get through what will undoubtedly will be some very difficult months ahead. I know that you share my miview that it is important at the present time to avoid exacerbating Unionists sensitivities, and the events of the "day of action" underline just how essential this continues to be. We also need to find all possible ways of commending the Agreement to moderate and reasonable Unionists who must, I am sure, be dismayed by the recent turn of events. I regard it, therefore, as vital that the SDLP adopts a generous and statesmanlike approach during this critical period. I therefore left Mr Hume in no doubt that it is not enough now to sit back and leave it to us to deal with Unionist opposition. None of us will benefit if we simply exchange an estranged minority for a non-cooperative majority. The Unionists cannot make me abandon the Agreement. But their prolonged hostility can prevent it from achieving the reconciliation and stability that we both seek. I welcome what the SDLP have already done by way, for example, of avoiding triumphalism; and Mr Hume's recent declaration of readiness to talk about devolution without preconditions was also helpful. He told me that I would find the SDLP "constructive". I hope that, with your help, this will indeed prove so and that they will also show discretion. (Mr Mallon's widely reported remarks



on RUC conduct on Monday were, as so often, the reverse of helpful and I appreciated the way you took the sting out of what he said). In the coming weeks, the Unionist leaders will be looking for any action or statements from the SDLP - or indeed from the Republic - that they can use to confirm their supporters' fears of the Agreement. It remains vital to deprive them of such ammunition and that is another reason why I so much welcomed your signature, without reservation, of the European Convention on the Suppression of Terrorism.

It is no less imperative that we can demonstrate the benefits for all the people of Northern Ireland that the Agreement is capable of bringing. It is essential that we should be seen to be making progress in the Intergovernmental Conference in those areas which, while serving our common interest, will be welcome to Unionists. I have in mind, in particular, the need for visible and substantial progress in enhancing security cooperation; at all levels and in all the areas covered in Article 9(a) of the Agreement. It was the pursuit of such objectives, combined with restraint inmaking claims for the Conference and care in avoiding precipate action which would offend Unionists' sensitivities that I had in mind when I referred to operating the Agreement "sensitively". I have not given up hope of bringing the Unionists back to the path of constructive dialogue that, for a moment, they seemed ready to follow last week. The offers I then made to them remainon the table. To that end I know I can count of your support and understanding. I hope that John Hume, Seamus Mallon and their

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8. You raised a number of more detailed matters in your letter. You asked, for instance, about actual statements that we had found unhelpful: I am arranging for these to be followed up through the Secretariat You also provided information about your Government's commitment to security on the border: I note what you said and, for the present at least, this subject can perhaps be pursued by the new quadripartite group of policemen and officials from both sides which held its first meeting in Belfast last week. But I think that we both agree that our first priority now must be to be seen to make progress as rapidly as possible in a way that will help the majority in the North, however reluctantly in many cases, to accept that the Agreement is not only here to stay, but can further, rather than damage, their own interests.

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