

ice. Mr Bloomfield
21.9.86

790/6

(See) Mr Barry to
Mr Spence
Mr Small

HEAD OF THE
13 JUN
CIVIL SERVICE

PERSONAL
for Mr Brennan
Mr Elliott (rec'd)
Mr S Howard
~~Mr Cowling~~
Mr [unclear]

11 JUN 1986

Mr O'Hara (R).

2. return

Mr Clark, RID

BSS 95/6

Working Breakfast with Barry on 8 June

=SurGH-

During the informal EC Foreign Ministers meeting at Heemskerk, the Secretary of State had a bilateral with Barry for about one hour over breakfast on 8 June. Following are the main points discussed.

The Fund

Barry said that having seen the Secretary of State's letter the Irish had made further soundings in Brussels. They still believe that if faced with a joint approach from the British and Irish Governments the Commission would be willing to make a contribution to the International Fund, in such a way that no additionality problem would arise. The Secretary of State said our analysis continued to show that it was impossible to escape that problem. Moreover, there was in any case no room in the budget. What we might be prepared to look at further was the alternative idea of approaching the individual Member States (and possibly also such countries as Switzerland) direct.

3. Barry noted that there now seemed to be some evolution in the Canadian position. The Secretary of State agreed; he had raised it with the Canadian Prime Minister for the second time in Halifax and secured a positive response. Barry said he would continue the dialogue when Joe Clark came to Dublin later this month. He wondered if it might not be useful if he and the Secretary of State were to make a joint approach to Delors before the end of the informal weekend. The Secretary of State said he was hesitant about that - not least because, as he had said, we had not yet been able to find a way through the additionality problem. Barry said that the Irish Government were being told by Sutherland from Brussels that the Commission were willing to help, as were the Member States. The Secretary of State repeated our reservations and doubts on that account.

4. Barry said he hoped the experts could once again have a clinical look at the additionality problem, to see whether or not it really existed, and to try to dispose of it once and for all. It was agreed that Messrs Renwick and Fogarty should get in touch, with a view to having a further meeting on that topic and to considering the scope for joint approaches to member states and other countries.

/Anglo-Irish

CONFIDENTIAL

Anglo/Irish Agreement

Barry said that seven months had now passed since the Agreement had been signed. Those who had always been opposed to it were now beginning to argue that it was entirely worthless, since it had produced no results. The Irish Government had signed in February the Convention on the Suppression of Terrorism but that had then been followed by the Glenholmes fiasco. They would now find it difficult to bring in the relevant legislation unless they could point to real improvements in the situation in Northern Ireland. The latest figures on strip-searching in Armagh were appalling - though luckily he had not been asked about that during PQs in the Dail last Wednesday. These were the sort of areas where real improvement was necessary.

Another continuing concern was the delay in bringing in the Code of Conduct. Presumably Sir J Hermon did not want to be seen to be introducing it under pressure from Dublin, but the tactical pressures upon him would not become any easier with the passage of time.

The Secretary of State stressed that the process of implementing the Agreement was bound to require a great deal of patience. He had been struck by Barry's reply to a question in the Dail a few days before, noting the combination it reflected of patience plus a latent impatience. Barry smiled and said that was a trick one could use for a little while, but at the end of the day solid progress would be necessary. The Secretary of State undertook to mention Barry's concerns to Mr King who was, of course, familiar with them. The fact was that the very existence of the Conference, beavering away on points of detail, was helping to produce better relationships and having consequences that would in the long run be helpful. Joint patrols, though as yet on a small scale, were one example of progress in the right direction; there would be more along these lines, so far as manpower made that possible. Barry commented that they were a small step, and not something that he could by itself defend in the Dail as being of real significance.

Barry then raised the Whoriskey case, commenting that the trial was still unresolved. It would be extremely difficult, if not impossible, for the Irish Government to bring in legislation on extradition later in the year unless there were first progress in a number of areas in Northern Ireland. The introduction of three man courts (with more Catholics on the bench) would be the minimum they could settle for. The Secretary of State said that proposal was seen as novel and difficult for a whole range of reasons, with which Barry was familiar.

The Secretary of State said the Irish Government should go on making all the points they wanted to. But they should realise also that the process would require much sustained patience on their part. HMG would have a very difficult row to hoe for a long time

yet in dealing with the Unionists' reaction to the Agreement. Barry said it remained highly ironical that the status quo suited very well both the extreme Loyalists and the extreme Nationalists. The Secretary of State said there were now some signs that the extreme Unionists were much less confident than they had been of being able to get the Agreement set aside. They were beginning to learn to live with it, and to acknowledge its legitimacy. Barry said wryly that they saw no need to set it aside, since they thought it could not be made to work. The Secretary of State repeated that there was now some evidence that the Agreement was dislodging previously immovable prejudices.

Future of Northern Ireland Assembly

The Secretary of State said that no decision had yet been taken. Cabinet might be looking at the matter this week. The outcome would probably be dissolution, but that did not mean abolition. Barry said he understood our position clearly; Mr Scott had explained it to him over lunch some three weeks ago. HMG had an historic opportunity of achieving a working assembly and devolved government if they could but get the SDLP to accept that outcome. The Secretary of State said that it was important for the SDLP to commit itself much more clearly than it had done so far to playing a full part in devolved government and in a future assembly. Barry replied that there was a powerful minority in the SDLP that was capable of splitting the party if reforms were not implemented quickly enough. He had however had reports that both Mr King and the SDLP had found valuable the meeting between them the previous week; even Seamus Mallon had been pleased. (The Secretary of State took advantage of an informal opportunity later in the morning to emphasise to Barry the importance of persuading the SDLP to commit themselves fully to take part in devolution arrangements, including a public assembly. Barry acknowledged the point.)

Extradition Treaty

Barry stressed that the Irish Government were still much in favour of getting terrorists tried and convicted. The problem they had faced with regard to the Treaty had been two-fold: partly that they had had no say in its drafting, and partly its impact on the Irish lobby in the US; people like Biaggi, Kennedy and Moynihan all had very big Irish lobbies in their constituencies, which were for the most part stuck with a 1920s mentality. The Irish Government had been seeking to educate those people for the last 15 years, but it was still an uphill struggle and they had to be handled very carefully.

/'I' Voters

'I' Voters

Barry raised the subject of the 8-10,000 voters in this category who had been born in the Republic but were now living in Northern Ireland. They were entitled to vote in UK elections but not in all elections in Northern Ireland and therefore had an understandable sense of grievance. Some circles in the North thought it important to do something about this. The Secretary of State undertook to mention the matter to Mr King, who was familiar with the point.

Stalker Enquiry

Barry asked for a progress report. The Secretary of State said that Sir J Hermon had now appointed the Chief Constable of West Yorkshire (Sampson) to oversee the work of the Stalker Enquiry team. Barry asked if this meant that the report was now under investigation as well as Stalker himself. The Secretary of State said not. The report itself had finished some time ago; all that was now happening was that some additional enquiries were being pursued. Barry recalled that the enquiry had in the first place been about the shoot-to-kill policy. There was considerable suspicion/rumour to the effect that certain senior members of the RUC had come out of the investigation badly, and that what was now going on was a delaying tactic designed to protect the RUC. There was something of a stink about the whole affair. The Secretary of State said that the allegations against Stalker were nothing to do with Northern Ireland. They related to Stalker's conduct and association with the criminal fraternity in Manchester (the Secretary of State undertook to ask HM Ambassador to follow-up in Dublin if there was anything more we could usefully tell Barry about the case).

Flags and Emblems Act

Barry said the Act had great symbolic importance. Mr King had told him that as and when the new Public Order Act was applied to Northern Ireland, by means of an Order in Council, then that would make the Northern Ireland and UK laws uniform, as a result of which the Flags and Emblem Act would fall. This issue was being very carefully watched in the Republic.

Irish Language

Barry commented that the IRA were fishing around very actively looking for issues of interest to the Nationalists which they could take up. One such was the Irish language. The IRA were totally cynical about it, but saw it as a tool they could use. It was therefore important that the authorities in Northern Ireland should do what they could to diffuse the problem.

/Kidnap

Kidnap Ransom Insurance

The Secretary of State shared the concern that insurance of this kind could indirectly aid terrorist funds. The UK would be pushing discussion of this problem on the Trevi net during our Presidency. Barry undertook to have a word with Dukes about it. Barry wondered aloud whether there might be some point in developing an anti-kidnap convention. The Secretary of State said it might be worth looking into.

CR Budd

(C R Budd)

9 June 1986

cc: PS/Lady Young
Mr Goodall ✓
Mr Renwick
Mr Wall, ECD(I)
Mr Houston

+ PS/PUS