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Meeting between Mr. Stanley Orme and Minister for Foreign Affairs,

Iveagh House, 7 February 1975

British side:

Mr. Stanley Orme, M.P., Minister of State, Northern Ireland Office
Sir Arthur Galsworthy, British Ambassador
Mr. Denis Trevelyan, Under-Secretary, Northern Ireland Office
Mr. David Gilliland, Northern Ireland Office
Mr. John Hickman, British Embassy
Miss Francis Elliott, Private Secretary to Mr. Orme
Mr. M. Daly, First Secretary, British Embassy

Irish side:

Dr. Garret FitzGerald, Minister for Foreign Affairs
Mr. Michael O'Leary, Minister for Labour
Mr. P.J.G. Keating, Secretary, Department of Foreign Affairs
Mr. D. Nally, Assistant Secretary, Department of the Taoiseach
Mr. S. Donlon, Assistant Secretary, Department of Foreign Affairs
Mr. J. Swift, Counsellor, Department of Foreign Affairs
Mr. G. Ó Broin, Counsellor, Department of Foreign Affairs
Mr. J. McColgan, Counsellor, Department of Foreign Affairs
Mr. W. Kirwan, Principal, Department of the Taoiseach

Review of current situation

Mr. Orme began with a review of the current situation. Following the temporary ceasefire the British Government's case rests on the Secretary of State's statement of 14 January. The Government wants to get out of a Dutch auction situation and to achieve a sustained ceasefire. It has visibly reduced the role of the Army and reduced the amount of searches. IRA suggestions to the contrary are completely untrue. A limited number of internees were released but here, in particular, the Government did not wish to get into a Dutch auction situation. The pressure for the release of internees came from the Catholic community and not from the IRA. Following this limited response the Government wanted to see an extension of the ceasefire. The three cardinal points of the Government statement were firstly, that in a period of genuine and sustained ceasefire, the Government would end detention; secondly, it would reduce the role of the Army and thirdly, it would be prepared to talk, though not to negotiate, with any legal party in Northern Ireland, including Sinn Féin. It was felt to be important that Government policy be explained by officials to Sinn Féin. The reasons why this is taking so long are firstly that one is dealing with persons who do not have a great understanding of the Government's position and secondly one is dealing with persons who are not themselves protagonists and who

must refer matters further. Mr. Orme emphasised that no more was involved and that no documents were being handed over. There is a need for monitoring since there is evidence of mavericks in the current situation. The Government agrees that this should be done through officials and Sinn Féin. It must be appreciated that this is being done against the background of feeling in the Protestant community. In this connection, Mr. Orme mentioned that Glen Barr had told him recently that he did not believe that the Government was selling the Protestants down the drain. He understood that the Government was not negotiating and that they needed to have room for manoeuvre. While Paisley does not recognise this, it is interesting to note that the para-militaries do. Continuing incidents of violence could, however, lead to a souring of the situation. He wished to assure the Minister that there was nothing going on of which he was not aware.

The Minister expressed appreciation for Ambassador Galsworthy's recent briefings. The question of contacts with Sinn Féin was one on which the British authorities must make their own decision. Our position would be somewhat different. We are not saying that we would act in a similar way and, indeed, the British talks with Sinn Féin could create a difficult precedent for us in the future. We are very encouraged by the reaction of the Protestants to the British contacts with Sinn Féin and Paisley's isolation is also an encouraging factor. We would hope that the situation will continue to develop in a promising direction.

Mr. Orme said that in relation to violence the position could be described as a "broken back" situation. Some of the violence was attributable to the IRA and some to independent elements. The security forces reacted accordingly. They are not going out looking for people who might be inclined towards violence and those detained in recent days are, in fact, those known to have been actually involved in recent violence.

Convention Elections

The Minister agreed that the measured response to violence had helped to keep the position stable. He enquired how Mr. Orme expected to see the situation developed.

Mr. Orme replied that the Provisionals have the power to decide whether violence should resume. If they do decide before the elections, they could ensure a Protestant majority. The very worst estimate is that there could be 47 UUUC members. We are thus dealing with a need to reduce this by 10 members and this could

come about in a period of relative peace. Violence is now down 50% on what it was 7-10 months ago. There could be a resurgence towards the Faulkner Unionists if this continues. Protestants are now feeling the effects of the economic situation but this situation could be affected if all are forced back into a tribal situation.

The British Government are committed to giving four weeks' notice of the date of election but no firm decision as to the actual date has yet been taken. A date in Autumn can not be countenanced because of Loyalist pressures. The UUUC have rejected pre-election talks. The Government may be forced to hold the election during the "broken back" position.

The Minister said that his impression was that Loyalist pressures for elections were much less noticeable now.

Mr. Orme said that pressure was there. The Government had gone on record that the election would be held in the first half of this year. Because of the present vacuum, there is a need for movement. In reply to a question from the Minister for Labour, Mr. Orme said that no reference was made to the election in talks with Sinn Féin but he would welcome their participation.

The Minister said that a turnover of nine would suffice but this is still quite a large number and would entail a doubling of the Alliance-UPNI strength. He enquired whether it was realistic to expect this.

Mr. Orme replied that there was a great deal of resurgence and enthusiasm in the Faulkner camp. However, while a simple majority of UUUC members might make the work of the Convention difficult, the last discussion paper has made it clear that unless proposals are acceptable to both communities they would not be acceptable to Westminster. Any recommendation from the Convention must be ratified by the House of Commons. One must not underestimate the nervousness in the Protestant community. There is now little talk of UDI and a greater appreciation of the reality of the financial situation is beginning to bite into the Protestant community.

The Minister again enquired whether it would be feasible to achieve UUUC minority representation in the Convention without a long period of peace.

Mr. Orme argued that deferment could have worse effects. He appreciated the Minister's point and repeated that no decisions had yet been made on the timing of the election.

The Minister urged that the points which he had made be considered if pressure from the Loyalists does not mount.

Green Paper

He noted that the recent discussion document appeared to meet our points in a general way.

Mr. Orme said that the representations contained in the Taoiseach's letter to the Prime Minister had been taken into account when the document was being finalised.

The Minister said that, in Cabinet Government, where some posts are held by the majority and some by the minority, the minority have a bargaining power which minimises the danger of abuses of power by the majority. In an Executive Committee system there would be a Loyalist majority in each Committee, despite minority presence.

Mr. Orme replied that Gerry Fitt had expressed interest in the Executive Committee concept on the basis that one must get away from the Cabinet Ministerial concept.

Mr. Trevelyan agreed with the Minister's remarks but said that they were not necessarily advocating the Executive Committee device. It could be associated with other devices to ensure participation by the minority community.

The Minister emphasised that it was important to ensure that the minority should not be in a minority in all cases. If the Loyalists declared their acceptance of the concept, it might be difficult for the British to resist since it is to be found in the discussion document as a device which is acceptable to the Government. The advantage to Mr. Fitt could be that it does get away from the Stormont system but it could open up a Pandora's box.

The Minister for Labour said that the Executive Committee system presumed civilised representatives on the Protestant side. He enquired whether this was likely if elections are held in the first half of this year. The possibility of getting a workable system would be increased by later elections. If, as Mr. Orme had suggested, the Faulknerite Unionists were increasing in strength, should they not be given more time?

Mr. Orme repeated that the UUUC must face up to the fact that power-sharing is essential.

Department of Labour

The Minister for Labour said that co-operation between his Department and the corresponding Northern Ireland Department must await political developments generally. Scheduled discussions between him and Mr. Bob Cooper had fallen through at the fall of the Executive. At that time we were considering the merging of training services and close co-operation between organisations concerned with management. There are areas in which there should be closer co-operation, for instance, where both Departments spend cash derived from the same EEC fund. There could be closer co-operation in the area of training in Donegal/Derry and the Newry/Dundalk regions.

Mr. Orme remarked that there had been considerable co-operation on electric power until the connection was blown up. There are difficulties in raising the profile of co-operation but officials in his two Departments have instructions to co-operate wherever possible. There must be North-South co-operation, firstly, in security matters and secondly in economic matters. Political co-operation comes much lower down the line. The Government desperately wants to get power-sharing started. If the Minister felt that there were any specific matters on which there should be North-South co-operation he need not hesitate to raise them officially and they will be looked at officially.

Mr. Donlon stated that there seemed to be a reluctance in some Departments other than those with which Mr. Orme was associated to maintain even the minimal co-operation that there had been before. It was a pity that some projects in the educational sphere, for instance, could not go on.

Mr. Orme replied that he could only speak for his own two Ministries. He realised that there were difficulties in other Ministries and he was sure we knew the reasons for this. Mr. Cooney had suggested that Lord Donaldson who had responsibilities in Penal Reform and Agriculture should visit the Republic. The British would welcome an exchange of Ministerial visits on economic and social matters.

The Minister for Labour said that he would look at the question of co-operation in the labour field again in this context.

Cross-border studies under EEC auspices

The Minister stated that this was one of the most frustrating areas of all. He was unable to give a satisfactory answer to questions in

the Dáil. There had been an initial agreement in principle for a study of the North-East and we had subsequently accepted a British suggestion that there should also be a study of the mid-North-West. Despite agreement at the highest level we had now received a suggestion that studies be limited to the port of Derry and fisheries. He had so far successfully avoided having to say that the British Government had departed from what had been originally agreed.

Mr. Donlon stated that British officials apparently have instructions not to get involved in broad cross-border studies and to confine themselves to limited studies. This is not what was envisaged originally, it is not what is required by the situation and it is not what we understand the EEC funds are for. The idea of the EEC study, first came from a study group led by Professor Carter of Magee College and the idea is one for which there is universal support in Derry. It is not seen there as a political matter but as a practical matter which should not be hindered by political factors.

The Minister stated that Loyalists in Derry including the Mayor, Mr. Jack Allen, had expressed to him the same kind of frustrations which he was now expressing to Mr. Orme.

Mr. Orme referred to Mr. Rees' letter of 23 January to the Minister in the matter. The Secretary of State supported the view expressed by Mr. Faulkner when he was Chief Executive that it would be better to avoid a wide-ranging study and to concentrate on specific areas of likely practical utility.

The Minister repeated that the discussion had always been about broad studies. The North-West area at least is not controversial and if the British felt that a similar study at the same time of the mid-North-East presented problems, at least a start could be made with a general study of the North-West.

Mr. Donlon pointed out that there had been a number of reports on Derry port recently and questioned the value of a further such report.

Mr. Orme undertook to report back to the Secretary of State that we wished to press for a wider study but he enquired whether we could not go ahead in the meantime on the limited studies proposed.

The Minister replied that this would not be acceptable. He quoted from the minutes of the meeting in London of 1 November 1974 and

stated that he could not recall that there had been any suggestion that the original proposal should be changed. He agreed with Ambassador Galsworthy that the proposal should be taken out of a political context and pointed out that it was purely an economic proposal.

Mr. Orme repeated that meetings of Ministers provide a useful forum for questions such as this and repeated that there were difficulties.

The Minister enquired as to who are objecting. He knew of nobody in Derry who opposed it.

Conditions in Long Kesh

The Minister stated that the British authorities appeared to be making a minimal effort in improving conditions in Long Kesh.

Mr. Orme denied this and said that millions of pounds are being spent on cellular accommodation there. The facilities are open to criticism and such criticism can be found in the Gardiner Report. Planning permission is being obtained for a new prison. While much is being spent on Long Kesh the detainees can be released if a political settlement is achieved. A parole system will help in regard to sentenced prisoners. The problem is one to which a great amount of time and effort has been devoted. The Secretary of State is deeply involved in it and there is no simple solution.

The Minister said that lack of privacy is one of the main criticisms made.

Mr. Orme said that the prisoners themselves wanted it that way. On a recent visit he was surprised at the different standards which obtained in different compounds. This is something which is very much up to the prisoners themselves. New cubicle huts should take care of the question of privacy. If detainees can be released the main problem will be the special category prisoners.

Ambassador Galsworthy mentioned that there are 1,133 such prisoners and 412 awaiting trial.

The Minister said that medical facilities would not appear to be adequate and that this was something which might be looked at immediately. Given the normal ratio of doctors per number of the population there should be a full-time doctor available in Long Kesh.

Mr. Orme replied that there were doctors and dentists who serve the prison. In a recent riot the prisoners had destroyed the hospital, dental facilities, library and kitchen. He would look further into the question.

The Minister said that as a general approach we would prefer to see the problem defused by larger releases.

Mr. Orme emphasised that both he and the Secretary of State were anxious to see an end to the system of detention. This, however, would not necessarily lead to a reduction in violence and they would not wish the question to become a bargaining point.

Northern Ireland Grand Committee

Mr. Orme explained that this Committee would not take decisions or vote. All Northern Ireland M.Ps. would be members.

The Minister adverted to the unrepresentative composition of the Northern Ireland M.Ps. at Westminster.

Mr. Orme stated that there would also be representatives of the three main British parties which would redress the balance.

Cross-border security

Mr. Orme said he wished to raise the question of cross-border security.

The Minister immediately intervened to say that it now appeared that the British had been finding explosive wrappers of Southern origin right through 1973 and 1974 and had never told us at either security or diplomatic level about these finds. This was totally unacceptable at a time when the security forces were constantly briefing the media that the South was lax in its security. If we had been told about these wrappers it could have prevented the leakage of explosives from Enfield for which six Army personnel had been tried only last week. He had challenged the Secretary of State at his meeting with him in December last to produce exact dates and figures for explosives finds. We had had no answer to this.

Mr. Orme replied that the Secretary of State's recent letter gives chapter and verse on explosives finds. He admitted that arms finds were more difficult and that they had not furnished details on these as yet.

Ambassador Galsworthy intervened to refer to a letter which was handed to Mr. Whelan on 1 March 1974 an annex to which was listed a number of finds of crystalline ammonium nitrate. The dates and places were: 9th September 1973 near Castleblaney, 20th December 1973 at Newry and 14th January 1974 again at Newry. In addition details of the recovery of identifiable material from scenes of explosions between 27th December 1973 up to 5th February 1974 had also been given.

The Minister replied that the Ambassador was referring to what was in fact a statistical summary. No reference had been made to the Enfield find and as he recalled a lot of the material referred to finds of fertiliser produced by Nitrigin Éireann Teo. There had been no mention of Franjex. It was negligent on their part to have omitted passing this information to us. If we had received it in time we could have prevented the leak at Enfield.

Mr. Orme replied that the Labour Government had only been in power since March 1974. He was not interested in looking back but in trying to prevent future leaks.

The Minister replied that the constant briefing by British Army sources of negligence on the part of the Irish authorities could adversely affect political relations between what he hoped were two friendly countries. He referred, in particular, to the front page report of 5th February 1975 by Mervyn Pauly in the Belfast Newsletter as totally unacceptable. If Army sources had not briefed Pauly in the sense that was reported in the article then presumably a denial would have been issued. As no denial had been issued one presumed that Pauly was reporting accurately. This was only one example of something that had been going on for years. It is totally unacceptable if the British brief the media in this way and at the same time they are not even telling us about finds purporting to come from the South. What we want is notification on the same day as the material is found.

Mr. Orme replied that he had received a report of three incidents from the Secretary of State just before lunch which Mr. Rees had asked him to bring to our attention. They all concerned incidents of shooting across the border in the last few days. The first took place two miles south of Rosslea on 2nd February, the second on 5th February near Crossmaglen and the third on 6th February north-west of Crossmaglen. Much of the violence in the broken-backed situation that obtained for the last three weeks was taking place in border areas. This cross-border shooting was serious and was doing

enormous political damage in the present situation. He stressed that co-operation on security was now better than ever but wondered if we could not do something about these cross-border incidents.

The Minister replied that we would only be too happy to investigate and the exact details of what happened should be given locally by the RUC to the Gardai quickly. We need to know the moment something happened so that the investigation could start without delay. When incidents were the subject of representations through diplomatic channels, we would need to know the exact time at which RUC/Garda notification had taken place.

Mr. Orme said the British were trying to get the Army back to the border. There had been movements of explosives in the border area during the ceasefire period. Intelligence information indicated that there were mavericks from the IRSP who have a military wing operating on the border. They had been responsible for much of the recent violence. They are dodging over and back across the border and this is the Achilles' heel of British security. In the event of a resumed ceasefire all their efforts could be destroyed by this sort of thing and our assistance was vital here.

The Minister replied that immediate information is essential, not a long list some weeks later. We must know at what stage the RUC telephoned the Gardai as well as what time the incident took place. If the British keep up a flow of such information for several weeks it would enable us to cross-check our own operation and see if there were any loopholes in our system. We are even more anxious than the British to stop this but without the type of information the Minister was speaking about these incidents would go on.

Mr. Orme replied that the Army people assured him that the information was being passed as soon as possible. He would check on this and would get the Ambassador to get further details of the three incidents which Mr. Rees had telephoned him about.

Kiltclogher

The Minister quoted from Mr. Rees' letter to him of 14 January 1975 and in particular the suggestion that even if an Irish checkpoint were mounted, the British would have to exercise surveillance over the road. This suggestion was frankly offensive. A security problem had been created for us by the fact that the British had unnecessarily aggravated the situation.

Ambassador Galsworthy said that the British side had requested evidence of the social effects of the closure and that it would help if they could have this.

The Minister said that we were prepared to provide all possible information. Road closures, however, are a matter which concern both sides and both sides must have some say in deciding them. In this case the British had acted as judge and jury. We had recently agreed to 21 road closures and had taken all necessary precautions. Co-operation in other cases could be affected by the British attitude in this case.

Mr. Orme undertook to inform the Secretary of State of the strength of the Minister's feeling on this question.

Fisheries

The Minister stated that we had requested talks to discuss problems in this area.

Mr. Hickman stated that he would be in touch with the Department shortly since the Embassy had now received notification that a date early in March would be suitable.

Press Conference

Mr. Orme said that if he were asked questions about Portlaoise he proposed to say that the matter was not discussed and that it was one for the sovereign Government of the Republic.
