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Meeting at Foreign and Commonwealth Office, 10 July, 1981.

Summary Report

The Minister for Foreign Affairs and the Minister for Foreign Affairs Designate were accompanied by officials from the Departments of Foreign Affairs and of the Taoiseach. The Lord Privy Seal, Sir Ian Gilmour and the Secretary of State for Northern Ireland were accompanied by officials from the Foreign and Commonwealth Office, the Northern Ireland Office and the Cabinet Office. The meeting lasted two hours and was followed by separate press briefings by each side based on agreement that each side would confine itself to its own case and not pronounce on the attitude of the other.

1. Both sides expressed a desire to have good bilateral relations and to continue the Anglo-Irish talks and studies. The Minister for Foreign Affairs stated that the present Irish Government's policy would not reverse that of its predecessor but would emphasise North-South political dialogue in addition to Anglo-Irish discussions.

2. The Minister for Foreign Affairs described extensively the impact of the present Maze crisis on public opinion in the Republic. He said that the three main political parties for many years had a record of clear opposition to the IRA.

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This was particularly true of the parties now in power. The support for the hunger strikers manifested in the recent election was undesirable and highlighted the seriousness of the problem now. The Government was under severe pressure and, unless a solution were found, relations with the U.K. would suffer. The Government's commitment is clear but the British should understand that anything that smacks of "collaboration" makes the position of the Government difficult at the best of times. Stressing several times that he was not making a point of party political expediency, the Minister said that the death of Kieran Doherty, perhaps 10 days away, would create a political situation which could be destabilising politically. The present Government's position was highly vulnerable in the Dáil and a bye-election would be unusually keenly fought. There would be a period of perhaps three months before a bye-election, during which all sides would be tempted to strike dangerously provocative attitudes which would have an unsettling effect across the country.

3. The Government wishes to resolve the larger question of Northern Ireland and, with the British, we wish to avoid "reefs" such as the Maze crisis on the way. Commenting on the recent Irish Commission for Justice and Peace "fiasco", he asked:

- Why, if no real advance is possible, had the British Government encouraged the ICJP over several days of intensive discussion to believe that it was?

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- Why had the British Government delayed their first contact with the ICJP until July 3 despite the Taoiseach's personal call to Mrs. Thatcher on July 1?

- Why had the British delayed in sending an NIO official into the Maze until after McDonnell's death on the morning of July 8 despite an undertaking on the evening of July 6 to send someone in on the morning of July 7?

- Why had the NIO official eventually selected not fulfilled the conditions agreed with the ICJP of full involvement in the discussions from the beginning? The Minister also mentioned the impression of the ICJP that the person concerned (Jackson) was notoriously unsympathetic in his attitude to the prisoners, however excellent an official he might otherwise be.

- How did the British see the crisis ending?

4. The British responses were for the most part pro forma and added very little to our information. Both Ministers rejected the suggestion that the British attitude had displayed insufficient understanding of the seriousness and urgency of the problem. Mr. Atkins, who did most of the talking on the British side, said he had done little else since last October except try to solve the crisis. For his part he gave a lengthy account of the

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background to the present situation all of which was well-known; the ending of "special category" status in 1976, the protest campaign in its various forms since then, the efforts of the British last year to implement the recommendations of the European Commission on Human Rights' recommendations. It was the prisoners not the British Government who had shown "inflexibility". Until the previous week the prisoners had not been prepared to accept the same category of treatment as other prisoners. It had become clear to them that their demand for separate treatment enjoyed no support in the U.K., Ireland or the U.S. A close reading of their statement of 4 July, however, showed that the prisoners would not be satisfied by anything less than control of the prisons and this the British Government could not and would not concede.

5. In reply to the Minister for Foreign Affairs' questions, Mr. Atkins said:

- The British regarded the ICJP as a highly respectable and well-intentioned body. Nevertheless, as the meeting of July 6 and indeed the ICJP's own statement showed, there was at least one major difference between the ICJP and the N.I.O. i.e. on work. The British do not accept that the ICJP position would give the Prison Governor authority to control the prisoners' work activities.

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- It had not been possible for Mr. Alison to meet the ICJP on July 2, because that was the day of a major debate in the Commons. Mr. Atkins and Mr. Alison had been in the House for twelve hours. The absence of either of them, for whatever reason, would have led to a vote of censure.

 - The delay in sending the NIO official into the Maze until July 8. Mr. Alison is, said Mr. Atkins, a first-rate Minister but did not have sufficient seniority to make the final decisions on such matters which rested with the Secretary of State "and my colleagues". It had been necessary for Mr. Atkins to be in London and the difficulties of communicating at a distance of "600 miles"(!) could not be overcome more quickly.

 - Mr. Atkins could not accept strictures on the suitability of his officials whom he would, of course, defend.

 - On the ending of the crisis, Mr. Atkins made a pat and unoriginal statement on the need that the prisoners should accept the principles of control of the prison regime by the prison authorities and of identity of status with other prisoners.
6. The Minister for Foreign Affairs described Mr. Atkins' proposed solution as "hopeless". He said that in 1973

it had been possible to create conditions in Northern Ireland whereby a majority of Unionists had, for a time at least, favoured power-sharing. The Sunningdale experiment had not survived - all parties were perhaps at fault - but our object should be to recreate the conditions which made it possible to attempt such a solution. We should not get bogged down in minutiae of principle" which have been elevated into unalterable conditions. Prisoners in Portlaoise were not, for example, required to do prison work. Professor Dooge said the problem seemed to find a solution in practice, which seemed feasible, rather than argue over incompatibility of principles. Both British Ministers said that principles in this case were non-negotiable. The Minister for Foreign Affairs said that the prisoners, however fanatical, however demented, had their own "principles" and that any solution would have to take that fact into account. The ICJP effort had seemed to provide an opportunity to bridge the gap between the two sides - its failure and the "total effect" of the dialogue had been most unfortunate.

7. The Minister for Foreign Affairs stated repeatedly that the ICJP had impressed on us that the predominant attitude in the prisoners' minds was "suspicion". Any approach to them that smacks of brinkmanship e.g. approaching them only when one of their members is near death, only intensifies suspicion and diminishes the chances for success. A serious and open

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approach by the British is essential. Our conviction is that the problem can be solved on a basis and in words other than those of the "5 demands". Professor Dooge said that a resolution might be achieved were the British to look at the differences as differences of emphasis rather than of principle e.g. on work. Such an approach would show that there is more compatibility between the two sides than the British suppose. The Minister for Foreign Affairs stressed that time, the number of possible mediators and the range of positions are critically limited. It did seem that a solution had almost been achieved through the ICJP. He urged the British to get back to that basis for a solution and to renew contact with the ICJP. Mr. Atkins said he would consider doing so.

8. The interventions throughout on the Irish side were insistent and frank. The British responses were non-committal and defensive. At a number of points one had the impression that the British side, in particular Mr. Atkins, were somewhat shaken by the intensity as well as the extent of information shown in the Irish presentation.

Note: A more detailed report is under preparation in the Department of Foreign Affairs.

Mr J. Linn
 Department of the Taoiseach
 July 13, 1981.

c.c. Private Secretary to Taoiseach ✓
 Mr. Nally ✓
 Mr. Kirwan ✓
 Mr. Hourican ✓
 Mr. Neligan (Department of Foreign Affairs)