SECRETARY OF STATE'S MEETING WITH MR BARRY IN DUBLIN: 31 AUGUST

A : STEERING BRIEF

B1 : TALKS WITH THE NI PARTY LEADERS

B2 : IRISH ATTITUDES, POST FORUM

B3 : ANGLO-IRISH PARLIAMENTARY BODY

B4 : KINSALE GAS

C5 : ATTEMPTED ARREST OF MARTIN GALVIN ON 12 AUGUST

C6 : BORDER INCURSIONS

ANNEX A : ALLEGED INCURSIONS IN COUNTY DONEGAL

C7 : BORDER FOOTBRIDGES

ANNEX B : CORRESPONDENCE BETWEEN MR PRIOR AND MR BARRY ON LACKEY BRIDGE

C8 : ANGLO-IRISH RELATIONS: IRISH COMPLAINTS

ANNEX I : LIST OF IRISH COMPLAINTS HANDED TO THE SECRETARY OF STATE BY MR BARRY

ANNEX II : UK RESPONSE TO COMPLAINTS RAISED INFORMALLY

ANNEX III: UK COMPLAINTS ABOUT IRISH ACTION OR INACTION

STEERING BRIEF: SECRETARY OF STATE'S MEETING WITH MR BARRY ON 31 AUGUST

The Secretary of State has been invited to dinner in Dublin on 31 August by Mr Barry. The other guests will be the Taoiseach, the Tanaiste, Mr Spring, Mr Goodison and Mr Dorr. The Secretary of State will arrive at 7.00 pm and a photocall will be arranged for 7.30 pm. The press are not to be informed of Mr Prior's visit until 7.10 pm.

Although this occasion will be at least in part a social occasion the Secretary of State will wish to discuss the prospects for political advance, both in relations between the United Kingdom and the Republic, and in Northern Ireland. Background to this is contained in briefs B1, B2 and B3. He will wish in particular to probe Irish thinking on developments post-Forum. In this context there would be advantage in his stressing the importance of consent which lies at the heart of the five principles he set out on 2 July. While the Forum Report and the Irish Government recognises its importance, they seem to think that their third option of joint authority would gain that consent (See B2). The British Government, on the other hand, has publicly rejected the idea of joint authority insofar as it would infringe sovereignty. It would also be advantageous to probe Irish views on a possible Anglo-Irish Parliamentary Body, an idea which received some support in Parliament on 2 July, although subsequently it has been bitterly attacked by Mr Powell. The Secretary of State will also wish to inform Mr Barry of developments at his meeting with the party leaders and how he views the prospects for political developments in Northern Ireland.

On matters other than political there is nothing which we see advantage in raising at this dinner. Nevertheless it seems probable that the Irish will touch on at least Kinsale Gas and the Galvin affair (C4 and C5); on which defensive briefs are provided. Briefs C6 and C8 are also defensive briefs on matters which the Irish might raise. The Secretary of State is committed to discussing C7 (Border Footbridges) with Mr Barry, but this is not the occasion to raise it. Again the briefing is defensive. The Secretary of State may care to let the Ambassador deal with C6, C7 and C8, if they are raised.

The Secretary of State should bear in mind that the Taoiseach is to see the Prime Minister on Monday 3 September to discuss EC matters,

and again it is expected that Galvin and Kinsale Gas may be touched on.

KW

CONFIDENTIAL

E.R.

Brief: B I

TALKS WITH THE NI PARTY LEADERS

Line to Take

1. I saw all the party leaders last week. I have asked them to talk to each other and I hope that further meetings will take place.

2. I have tried to encourage the two main unionist parties to adopt a more flexible approach. "The Way Forward" provides some evidence that the UUP are prepared to give the SDLP a say in the administration of Northern Ireland. Mr Paisley has spoken to me of the need to treat the minority community with generosity.

3. I have told Mr Hume that we are willing to facilitate arrangements which would enable the minority community fully to express its identity. I have urged that the SDLP reconsider its attitude to political development within Northern Ireland.

4. A large divide still exists between the SDLP and the two main unionist parties. Our objective remains to encourage them to reconcile their differences and to acquiesce in arrangements for running Northern Ireland which might create greater stability and undercut terrorism. I would be grateful for your views on how we can bridge this gap.

Background Note

In early July, the Secretary of State saw the leaders of Northern Ireland's four main parties in order to assess the prospects for political development. In line with the Official Unionist document "The Way Forward", Mr Molyneaux argued for a revival of local authority powers based on the committee system of the Assembly. Mr Paisley said he was ready and willing to talk to the SDLP about ways of making progress and recognised that, in order to secure agreement, it would be necessary to treat the minority community with generosity. He said that the DUP would be prepared to consider a form of administration which would enable the minority to exert considerable influence. For the SDLP, Mr Hume told the Secretary of State that no purely internal solution would be acceptable to his

E.R.

supporters and emphasised the importance of resolving Northern Ireland's problems within an all-Ireland context. Mr Napier argued that agreement between the parties was unlikely and that the Secretary of State should therefore impose arrangements for devolution and challenge Unionist politicians to work them. At each of the meetings, the Secretary of State asked the party leaders to talk to each other in an effort to find more common ground.

2. The Secretary of State held a further series of meetings with the party leaders on 23 and 24 August. It was clear that inter-party talks have, so far, achieved very little but all the party leaders - Mr Paisley and Mr Hume in particular - have expressed a willingness to hold further meetings over the coming months.

IRISH ATTITUDES POST-FORUM

1. In the wake of the Forum Report a divergence became immediately apparent between the participants over the conclusions of the Report. Mr Haughey argued that the unitary state model was the Report's preferred option. This led to a rift in Fianna Fail which culminated in the expulsion of Mr Desmond O'Malley from the Parliamentary Party, reinforcing Mr Haughey's intransigent interpretation of the Report.

2. In contrast the position adopted by the other participants has reflected a much greater degree of flexibility. They have taken pains to emphasise their willingness to consider any proposals which matched up to the "realities" and "requirements", including options other than those in the Report. The Irish Government announced its intention to seek discussions with HMG on the basis of the "realities" and "requirements" because "they did not exclude anything". Recent statements from members of the Irish Government imply that they are wholeheartedly committed to the pursuit of a major, radical involvement in Northern Ireland.

3. The parameters which the Secretary of State set for any future settlement, which were clearly laid down in the 2 July speech, were challenged by Mr Barry's statement of 4 July. The Secretary of State's speech was not accepted as the British Government's last word on the Forum Report and the Irish Government made clear their commitment to continue to discuss the Forum Report in all of its aspects. Mr Barry elaborated on these points in an interview in the Irish News on 10 August in a way which was designed to leave us in little doubt that the Irish Government has placed the onus on HMG for a response which trancends the parameters laid down in the 2 July speech. He said "We want a response from the British Government that is as concerned, as serious, and as committed to a solution as the one that has been given by the Irish Government in the form of the New Ireland Forum". He also took pains to emphasise the need for both sides to approach the intergovernmental discussions with open minds, prepared to discuss any solution. Dr FitzGerald's remarks on power sharing to the visiting Alliance delegation were represented to Mr Barry as reflecting the

Irish Government's opinion that power sharing might not now be a sufficient response to the problem rather than, as seen by the media, an attempt to rule out any solution containing a power sharing element.

4. Dr FitzGerald spoke in favour of the joint authority model in a Weekend World interview shortly after the publication of the Report. Although the Secretary of State ruled out the possibility of establishing a form of joint authority which would infringe sovereignty during his last meeting with Mr Barry on 25 May and, again, during the 2 July speech, the Irish have chosen to ignore it. The theme has been returned to on subsequent occasions: by John Hume in his July meeting with the Secretary of State and, according to Oliver Napier, again by Dr FitzGerald during his recent controversial meeting with the Alliance delegation.

5. Both Mr Barry and Mr Noonan spoke last weekend (25-26 August) in speeches which have been interpreted as indicating that the Irish Government were stepping up pressure on HMG for an initiative in Northern Ireland.

CONFIDENTIAL

F.R.

ANGLO-IRISH PARLIAMENTARY BODY

1. One major institutional factor open for development in the Anglo-Irish field is the Anglo-Irish Parliamentary Body. The attitude of the Irish to such a development will be inextricably linked with their general expectations in the political arena and the shape a Parliamentary Body might take.

2. When the Parliamentary Body was first mooted in the 1981 Joint Studies the Irish were enthusiastic about a structured Inter-Parliamentary Body shadowing the Anglo-Irish Intergovernmental Council. In the event the communique following the November 1981 Summit reflected the more reserved position of the United Kingdom by stating: "The Prime Minister and the Taoiseach agreed that it would be for the Parliaments concerned to consider at an appropriate time whether there should be an Anglo-Irish body at Parliamentary level, comprising members to be drawn from the British and Irish parliaments, the European Parliament and any elected Assembly that may be established for Northern Ireland". Since then pressure from the Irish for a Parliamentary Body has not been renewed. The climate of opinion at Westminster and in Northern Ireland towards a Parliamentary Body appears to have become more positive of late. The Forum Report has prompted a revival of interest and the Secretary of State's guarded expressions of sympathy were reasonably well received. Apart from Mr Powell's vehement attack on the concept on 4 August as a step down the road to Irish unity, Unionists have not shown strong opposition to it, although they have indicated that they would be unlikely to participate in such a body, particularly if it involved representation from the Assembly.

3. The difficulties inherent in the creation of any Parliamentary Body have been well rehearsed. It will not be easy to establish a Body which will be taken seriously and valued by the Irish and the SDLP without it trespassing on sovereignty. Difficult questions about the establishment, functions and structure of such a Body would need to be addressed before any concrete progress could be made. The most difficult issue may well be the composition of the Body. Whatever the arrangements for membership it is difficult to envisage an adequate and balanced Northern Ireland contribution. Unionists are very unlikely to attend from the Assembly. Indeed we have received credible warning that attempts to arrange Assembly

F.R.

participation would strengthen Unionist opposition to the Body and, perhaps, the Assembly itself. It is therefore likely that a majority of those attending (ie TDs, SDLP and some MPs) will be sympathetic to Irish unity, and that the Body would not reflect adequately the range of Northern Irish opinion. Nevertheless some arrangement which did not infringe sovereignty might be feasible (perhaps as a part of a larger package). Unionist opposition would be reduced if not stemmed entirely if there was seen to be some advantage for them.

4. So far we have not had any firm indications of Irish attitudes to the Body in the wake of the 2 July speech. Mr Barry was non-committal in the 10 August interview in the Irish News. He said that it might be a good thing if it included members from Westminster, the Dail and Northern Ireland but firmly set further progress in the context of the forthcoming discussions, which the Irish have consistently stressed must take place without pre-conditions or preferred solutions.

Conclusion

5. The Secretary of State may wish to take Irish minds about Irish views on Irish post-Forum attitudes to the development of the Parliamentary Body and to identify the scenario which holds most appeal for them. Given the indications that the Irish are reluctant to commit themselves in any way in advance of the inter-governmental discussions the circumstances are unlikely to favour any detailed discussion of the factors and considerations involved. However, the Secretary of State might be able to gauge Irish views on the composition of the Body. If, as seems likely, they are firmly wedded to Northern Ireland representation the Secretary of State will wish to highlight the difficulties involved in such an approach and the need for firm quid pro quo's from both the Irish and the SDLP if it were to be contemplated.

KW