

AFTER THE ANGLO-IRISH SUMMIT: NOTE OF A MEETING ON 20 NOVEMBER 1984

Present: Secretary of State
Mr Scott
Mr Andrew
Mr Bourn
Mr Brennan
Mr Burns
Mr Wood
Mr Bickham
Mr K Carlisle
Mr Sandiford

1. The Secretary of State said that the recent Anglo-Irish Summit meeting was to be followed by another early in 1985. The Foreign and Commonwealth Secretary thought that it would be useful, in the interim, if the Secretary of State and he discussed outstanding points further with Mr Barry and Mr Noonan. It was not altogether clear, however, what the objectives of Irish Ministers were. They evidently attached importance to establishing a political framework within which closer co-operation on security matters, for example, might be set; and they seemed to want to contribute in some way to making of key appointments within, for example, the police force. They did not, however, seek any role in relation to reserved matters, or to any matters which might be devolved. Nor had they shown any interest in a Bill of Rights, or a Parliamentary Tier; and they had made little reference to measures such as repeal of the Flags and Emblems Act which might help to give greater recognition to the identity of the minority in NI. It had been suggested to them that some form of joint security commission might help both to improve co-operation on security ('catching terrorists') and provide a forum where an Irish Minister and the Secretary of State, together with the heads of the two police forces, could consider constructively in a more general way what might be done to anticipate trouble before it arose. It had been suggested to them that developments of this kind could at least be considered, even if the territorial claim in Article 2 and 3 of the Irish constitution were not amended. The Taoiseach and Mr Barry had understood that such suggestions amounted to a significant gesture by the UK side, but they had not felt able to take up the suggestions in the absence of an over-arching political framework which would contain them. They had agreed, however, that it would be useful if the Chief Constable of the RUC were to write to the Commissioner of the Garda, seeking to develop greater co-operation; and there had been discussion of local matters such as border roads and the situation at Crossmaglen. They had also appeared to recognise the desirability of encouraging Mr Hume to join more actively in political discussion within Northern Ireland. The question now was how the Secretary of State and the NIO

SECRET

E.R.

could best use the time available before the next Summit.

2. Mr Andrew noted that the Taoiseach had emphasised the desirability as he saw it of progress in the political, security and legal dimensions. It was not possible now to see how progress might be made with the political dimension, but perhaps the legal dimension could be run together with the security dimension. This would take in co-operation on consideration of such matters as prisons and the legal system, including arrangements for extradition, to which Unionists attached importance. The Secretary of State said he thought this idea worth pursuing. The proposed joint security commission might then have another name, and it would be no bad thing if the membership were variable (while including himself and the Irish Foreign Minister as permanent members), to take in the Irish Minister of Justice and the UK Attorney General on occasion. It was envisaged that any commission of this kind would come within the Anglo-Irish Intergovernmental Council. The Secretary of State said that he thought it important for himself and his department to maintain the initiative in Anglo-Irish discussion, and to retain the interest of the Prime Minister. He would be grateful for a short paper which he could send to the Prime Minister and the Foreign Secretary making suggestions for revised proposals which might be put to the Irish in writing. He accepted that the Irish might not be willing to accept a security and legal commission unless it had a political ingredient which allowed a wide interpretation of its role, and that there were obvious difficulties in contemplating any such wider interpretation.

3. The meeting discussed why it should be that the Irish apparently attached such little importance to a possible Parliamentary Tier. Mr Burns explained that, at the time when there had been hopes that the AIIC might flourish into a wide-ranging system, it had appeared that a Parliamentary Tier might give a suitable democratic framework for the promotion of executive action. Since the AIIC itself had not developed on the scale which had once been envisaged, the perceived role of a Parliamentary Tier had correspondingly been diminished.

4. In discussion, it was suggested that the Irish approach to date had been too much 'top-down'; setting a thesis and then pursuing the alleged consequences for practical arrangements. An alternative approach, 'bottom-up', might be to identify the relationship which already existed, by which members of the Irish Government (notably Mr Barry) expressed views on matters in the North, and to seek to build on that. The Secretary of State said that such an alternative approach might be considered, but that the Irish would want the outcome of any discussions to be arrangements (and institutions) clearly visible to nationalists. To date, it had not been possible to reach agreement; and it was a particular difficulty that the Irish were shy of any proposals involving reciprocity.

SECRET

E.R.

on, for example, extradition, action on homemade explosives or border security. It was noted that NIO officials would join in the further discussions to be held with Irish officials before the next Summit, and it was agreed that the suggestion should be made that the Secretary of State and the Foreign Commonwealth Secretary might meet Mr Barry and Mr Noonan in, say, January.

5. Discussion turned to the future of the internal government of Northern Ireland. The Secretary of State said that this subject had increasingly come to the fore at the Summit. The Prime Minister had recognised its importance, and had expressed the view that, since arrangements for devolution could not be imposed, there was little point proposing them. She had suggested that she and the Taoiseach should seek to influence the Northern Ireland Parties to discuss matters together. The Taoiseach had agreed after some initial reluctance to seek to persuade Mr Hume to explore the Unionist position yet again.

6. In discussion, it was agreed that the time was not yet right for the Secretary of State to remind Mr Hume of his statement that he would contact the other party leaders, but that the Secretary of State might usefully do this in a week or so. The Secretary of State would also have his intended meeting with Dr Paisley, and urge him to discuss matters with the SDLP. It would probably not be advisable to put too much weight at this stage on discussion within the Assembly, and its Report Committee, partly because the SDLP objections to the Assembly were well known, and partly because the Unionist Parties should not be encouraged to assume that the Assembly was bound to continue whether or not agreement were reached on devolution. The message to all Parties in Northern Ireland should be that the scope of the Summit had been more limited than might have been imagined, and that greater efforts were needed now towards an internal settlement.

7. The Secretary of State said that, while he would urge the political parties to get on with discussions, he himself felt the need for a model of possible arrangements, at this stage only for the purpose of clearing his own mind and not for publishing as a proposed solution. It was agreed that a model, or possibly a range of models not exceeding 3, should be set out for consideration by the Secretary of State.

8. The Secretary of State said that, while the first stage must be to try to get the party leaders to meet and agree at least what were the points of disagreement, he wondered whether a second stage might not involve 'back-to-back' diplomacy, whereby some

intermediary would move among the party leaders, seeking to narrow the areas of disagreement. The fact of such diplomacy, if it took place, need not be kept secret, although as much privacy as possible would need to be maintained on the contents. It was agreed that the possibility of such a second stage should be kept in view.

9. It was agreed that the Secretary of State should use his forthcoming appearance before the Assembly to put great emphasis on the need for constructive discussion among the Parties. He need not shrink from pointing out that the future of the Assembly must in the long-term depend upon the working out of proposals for devolution which commanded widespread acceptance. If such proposals could not be devised, the only alternative appeared to be a continuation of direct rule, combined with any possible new measures to make direct rule more responsive. It would probably become fairly clear before the local elections of May 1985 which way things were moving. The Secretary of State reported that Irish Ministers saw the May elections as an event of historic importance, in view of the possibility that Sinn Fein might make a great advance. In discussion, it was agreed that Sinn Fein were unlikely to obtain more votes than the SDLP, and were thus unlikely to overtake SDLP as the main representative of the minority community. The outcome might perhaps be that SDLP obtained about 110 seats in local authorities, and Sinn Fein 50 or 60. This could, however, in itself be represented as a major advance for Sinn Fein, given that at present there were only 3 Sinn Fein councillors going under that name (although there were a number of Independents with a strong republican tendency). A further point was that, although the SDLP could be expected to hold Sinn Fein at bay if they chose to do so, the SDLP might begin to wither away if they felt that the best efforts of constitutional nationalism had been rejected.

10. In discussion of possible measures to give greater recognition to the identity of the minority, it was noted that arrangements were in hand for a meeting to discuss a range of possibilities identified in earlier submissions, a number of which had also featured in suggestions put to officials by Mr Napier.

11. There followed a discussion of the way in which the aftermath of the Summit should be presented. Arrangements for the press conference and interviews at Stormont Castle on 21 November were agreed. The Secretary of State could also make use of the opportunities presented by his forthcoming appearance on the television programme 'Question Time', and his meeting with the Backbench Committee. The aim throughout would not be to suggest

E.R.

SECRET

that a new package was imminent, but rather to expose slowly the various themes which had been touched on in discussion.

12. In conclusion, the Secretary of State noted that he had commissioned further work on -

- (i) the handling of the approach to the next Summit, including in particular proposals for a ministerial meeting below Prime Minister level;
- (ii) the possible nature and uses of a joint security and legal commission; and
- (iii) a model, or models, of possible arrangements for devolved Government, to serve as a point of reference for internal discussion within the Department

Graham Sandiford

G K SANDIFORD
Private Secretary

21 November 1984

DISTRIBUTION

PS/SOS (B&L) - M
PS/Ministers (B&L) - M
PS/PUS (B&L) - M
PS/Sir Ewart Bell
Mr Bourn
Mr Brennan - M
Mr Burns - M
Mr Buxton
Mr Doyne Ditmas
Mr Gilliland
Mr Merifield
Mr Abbott - M
Mr Lyon - M
Mr Reeve
Mr Carvill
Mr Wood - M
Mr Bickham - M
Mr K Carlisle - M

SP

5
SECRET