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RECEIVED
1804
21 MAY 1985
HUFAX ROOM
STORMONT HOUSE ANNEX

c.c. Mr. Bloomfield - M
Mr. Brennan
Mr. Carvill - M
Mr. Gilliland - M
Mr. Merifield - M
Miss Elliott
Mr. Lyon
Mr. Reeve - M

THE UNIONISTS AND THE ANGLO-IRISH TALKS

1. In commenting on the draft speaking notes that I circulated under cover of my minute to Mr. Reeve of 16 May, PUS expressed some doubt as to whether they went far enough in describing the proposed agreement to enable us to assess what the Unionists' reaction to it would be. Other comments have reflected a similar view, though Mr. Reeve has also pointed out the risks of the whole enterprise, particularly in the light of the new UUP-DUP concordat.

2. In my earlier draft I had left certain matters of detail to be covered in defensive supplementary material. On reflection, since those details contain perhaps the most incendiary aspects of the agreement, I accept that that may not have been the most helpful approach. I have therefore expanded the speaking notes to cover key areas such as the kind of matters on which we would consult the Irish and the physical means by which they would make known their views. I hope that, as expanded, the notes will enable us to assess the implications of proceeding on the basis of a full description.

3. I think that we must be clear in our minds about our objectives in sounding out the Unionists. We may be seeking to do no more than take the Unionists a little further down the path of awareness in the hope that a gradual unveiling of the agreement will marginally ease its reception when eventually made public: if so, a less than full description would suffice. On the other hand, we may be seeking to discover just how forceful the Unionist reaction to an agreement might be. In that case a full description would be necessary. But that, of course, opens up the possibility of (a)

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Mr. Bloomfield puts it) the Unionists going on the stump, thereby making subsequent negotiations with the Irish extremely difficult. It is arguably easier to cope with a hostile Unionist response after we have gone public and can mobilise GB opinion in our support, rather than while negotiations are still in train and we are constrained by confidentiality and the conflicting demands on us of the Irish. There is, of course, also the point that if soundings of the Unionists now were to prompt a strong reaction from them, we might find ourselves beating that off, only to discover that problems at the negotiating table result in us at the end of the day not coming to the agreement that we have been so staunchly defending. I recognise that I seem to be in the minority but I see some advantage in taking a minimalist approach at this stage and facing up to Unionist hostility when the time comes to go public.

4. Finally, I see considerable attraction in Mr. Merifield's suggestion that (however much surface we expose) the soundings of the Unionists are taken in the context of a general political stock-taking meeting in the light of the elections.

WZ
D. CHESTERTON

21 May 1985

WZ

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SPEAKING NOTES

1. Time has come to tell you rather more about our talks with the Irish than I was able to do when we met in January. Inter-governmental discussions of this kind must proceed on a confidential basis and I hope you will treat what I have to say on that basis. [For Mr. Molyneaux - on a Privy Councillor basis.]
 2. Aware that the SDLP give the impression that they are kept informed by Dublin. Understand your justifiable sense of annoyance that you are not similarly kept in touch.
 3. The principle of an Anglo Irish dialogue was clearly stated in last November's summit communique. I have made no secret of it ever since. Talks have been progressing steadily but unhurriedly since then.
 4. The dialogue has been conducted at both ministerial and official level. It has had Prime Minister's full approval. Officials have always acted on ministerial instruction and reported back to Ministers. Both I and Geoffrey Howe have been involved because, when it comes to relations with another sovereign government, the FCO has a clear interest.
 5. We have made it absolutely clear to the Irish that there can be no question of derogation of sovereignty or joint authority. Dublin now knows that it cannot expect any executive role in affairs in the North. If for no other reason the talks have been valuable in getting that message across.
 6. But what I and Cabinet colleagues recognise (as I am sure you do) is that Dublin has an inevitable interest in events in the North; and that if we can create a framework for the Irish to put their views to us, they are more likely to reach us in a constructive rather than a negative form.
 7. As I said in January, we are seeking a more methodical basis for the interchange that we have with Dublin over the North. We
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want to reassure the Irish that we recognise their interest and to ensure that we are fully aware of the viewpoint represented by Dublin's voice.

8. So that is what the discussions with the Irish are aimed at: devising a framework through which the Irish can be seen to be communicating with us on certain matters in the North, thereby helping to reconcile to the institutions of government those nationalists who would otherwise reject HMG as being unwilling to take account of minority views.
9. We envisage that a Committee might be set up to meet regularly. The kind of matters that we see this Committee discussing include security, legal matters, cross-border co-operation and political matters.
10. On security, there is no question of any review of the UDR as suggested in press reports. But we would be ready to listen to (and then of course come to our own decisions on) Irish views about policy issues, serious incidents and forthcoming events such as parades. For example, it could well be valuable to hear Dublin's views on how to improve the RUC's relations with the minority community.
11. On legal matters, we would be interested to receive any ideas from the Irish about how to increase minority confidence in the judicial system. For example, some of the ideas discussed in the 1974 Report of the Law Enforcement Commission may be worth looking at again. But this is difficult territory: the interests of the administration of justice must remain paramount.
12. On cross-border co-operation there is a certain amount going on already. The big advantage would be in security where - as recent incidents have demonstrated - a more favourable political environment would further ease the working relationship that is so essential.

13. On political matters, the Irish may have helpful ideas for increasing the minority's confidence in and support of the apparatus of government in Northern Ireland. They may be able to assist in improving the quality of minority candidates for membership to public bodies. And they clearly have an interest in any moves we might make to recognise the identity of the minority community in the North.

14. The format of the Committee considering these matters is for consideration. There might be a case for a permanent joint secretariat in Belfast. Or the Committee might simply come together on the basis of an agreed agenda as happens at present in the Anglo-Irish Intergovernmental Council.

15. As part of any agreement the Irish would make absolutely clear that they accepted that Northern Ireland must remain part of the United Kingdom for as long as the majority wish. That is a valuable - indeed essential - element in the arrangement.

16. An agreement with the Irish would bring a number of advantages:

- i) a more reliable means of knowing nationalist views;
- ii) a closer understanding in the Republic of the realities of government in the North;
- iii) a more favourable environment for fully effective security co-operation with the South;
- iv) a more favourable international image, which is important because coolness in relations overseas can have implications for security, inward investment and public morale;
- v) clear acceptance by the Republic of Northern Ireland's status as part of the UK;
- vi) greater readiness of the SDLP to consider options for political progress within Northern Ireland.

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17. No guarantee of the outcome. The Taoiseach was not far wrong in forecasting a 50/50 chance of success. Agreement is difficult because Irish would prefer more than we can give them. But no question of us conceding any executive role in order to arrive at a deal. The proposed Committee would be consultative only.

18. There is no set timetable. We will see how discussions progress and be guided by that. But one way or another, expect the outcome to be settled later this year.

19. Hope that what I have said will reassure you. No question of our departing from principles to which we have consistently adhered. No question of an executive role for the Irish. And if there is any agreement it will confirm the Republic's acceptance of the principle of consent in regard to the status of Northern Ireland. An agreement should reconcile many nationalists in the North to the institutions of government there; but it will in no way work against the interests of the majority.

20. Finally, stress that this is an East-West arrangement between London and Dublin. It does not commit any future devolved government in the North. It will be for the local administration in the North to make its own arrangements - if any - with Dublin about matters transferred to it (as envisaged in 1973). So in the event of devolved government an agreement would have to be reviewed in that light.

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