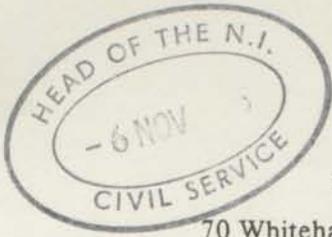


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SECRET AND PERSONAL

B.07193

5 November 1985

~~M/S/K~~
Copies PUS (L+D)
1. Mr Blomfield
Mr Stephens
Mr Chester
Mr Bell
Mr Egan

Dear Tony

Anglo-Irish Negotiations: The Press Conference following a Summit

5/11

COVER NOTE
NOT
ENCLOSED -
TO FOLLOW
J.M.K.

I enclose the portfolio of Questions and Answers, brought up-to-date following the Armstrong/Nally meeting on 30 October. You will see from the cover note that I have made various changes, which I propose to discuss with Mr Lillis this week, perhaps on Wednesday in London. Once these further points have been discussed, and subject to what happens on the question of elucidating Article 1 of the Agreement, I plan that this material should be submitted to Ministers before the weekend.

2. I also enclose a draft statement for the Prime Minister to make in opening the Press Conference. I should be grateful for comments as soon as possible.

Yours ever

Christy

C L G Mallaby

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NORTHERN IRELAND OFFICE

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SECRET AND PERSONAL

As at 5 November 1985

LIKELY QUESTIONS AND SUGGESTED ANSWERS

Article 1 of the Agreement

1. Question to the Prime Minister and the Taoiseach What is the meaning of Article 1 of the agreement? What is the British - or the Irish - view of what constitutes the present status of Northern Ireland, referred to there?

Answer The two Heads of Government have answered that question in paragraph 4 of the Summit communiqué.

2. Question to the Prime Minister Please expand on that

Answer As we said in the communiqué, the two Governments in the agreement recognise as matters of fact that Ireland is not united and that Northern Ireland is part of the United Kingdom. In Article 1, the Irish Government goes further than before: it recognises not only that the status of Northern Ireland would only change if a majority there so wished but also that the present wish of a majority is for no change. Moreover these points are embodied for the first time in a binding international agreement.

3. Question to the Prime Minister But Article 1 does not say what the present status of Northern Ireland is

Answer The agreement recognises repeatedly that the United Kingdom Government is responsible for the government of Northern Ireland. If it wasn't, why would an international agreement between it and the Irish Government be needed in order to provide a framework fo

the latter to express views on Northern Ireland affairs? Article 1(c) of the agreement describes circumstances in which the establishment of a united Ireland could in the future come about, which shows clearly that it is something which has not happened hitherto.

NOTE

The Taoiseach said in the Chequers communiqué of 19 November 1984 that "any change in the constitutional status of Northern Ireland as part of the United Kingdom would only come about with the consent of a majority of the people of Northern Ireland". But in order to maintain their ability to withstand the allegation that the agreement is unconstitutional, the Irish would prefer HMG to use the points in the three answers above.

4. Question to the
Taoiseach

Do you agree with the Prime Minister's answer?

Answer

Yes. Successive Irish Governments have accepted the inescapable facts that Ireland is not united. Article 1 of the agreement is consistent with this reality, and every other Article of the agreement is based on it. This agreement, in which the British Government accepts that the Irish Government has an important role in relation to Northern Ireland, would not be necessary were it not for the fact that, as a practical reality, Northern Ireland is within the United Kingdom. I believe that Article 1 of the agreement provides a major reassurance to both sides in Northern Ireland and creates a basis for stability and progress. I believe that Article 1 of the agreement provides a major reassurance to both sides in Northern Ireland and creates a basis for stability and progress.

Article 1 provides important reassurances both to unionists and to nationalists in the following ways: the Irish Government accept the fact that there does not now exist consent for any change in the status of Northern Ireland and that means that there does not now exist consent to establish Irish unity; the Irish Government accept that the principle of consent is central to the establishment of Irish unity. My Government is in fact saying that the reference in Article 3 of the Irish Constitution to the reintegration of the island of Ireland would be given effect if a majority of the people of Northern Ireland consent to this, and we are moreover saying that that consent does not now exist.

Article 1 also contains an important reassurance to nationalists in Ireland: both Governments now agree that the only consideration which will be taken into account on the question of establishing Irish unity is the question of consent. That is of course what the Forum Report made clear as its approach. It means, for example, that the British Government in this international agreement commits itself to the view that other issues would not constitute obstacles to Irish unity if the principle of consent were satisfied.

Value of agreement

5. Question to the
Prime Minister

Is this agreement not meaningless?

Answer

No single agreement is going to resolve the problems of Northern Ireland. This one is a useful step forward. It marks a change in the attitudes of the two Governments towards one another in relation to Northern Ireland. It incorporates formal Irish recognition that the status of Northern Ireland will remain as it is so

long as a majority of the people there so wish, and that the present wish of a majority is for no change. It also incorporates formal British recognition that the Irish Government may advance views and proposals on aspects of Northern Ireland affairs and commits both Governments to make determined efforts to resolve any differences between them. It should be seen as promoting the development of closer and more systematic co-operation between the British and Irish Governments without affecting the position of Northern Ireland as part of the United Kingdom. The agreement is also a useful step on the road to reconciliation between the two communities in Northern Ireland.

6. Question to the
Taoiseach

This is all promises. It is full of commitments "to study" and "to consider" etc but it is short of actual concrete measures to end alienation. After months of build-up to this Summit aren't the results real an anti-climax?

Answer

No. This agreement marks a [completely] new stage in the development of the Anglo-Irish dialogue, giving the Irish Government for the first time a formal role in relation to Northern Ireland, involving systematic arrangements for resolving differences on the problems of Northern Ireland and a new level of co-operation between North and South. It will [help] [make a major difference to] nationalists in Northern Ireland by providing new means for the expression of their identity and giving new scope for the expression of their aspirations. It would be selfish and irresponsible of us to withhold the progress involved here for the minority in Northern Ireland, merely for the sake of ideological concerns.

As to alienation, the problems of nationalists in Northern Ireland have been focussed on politics, security, human rights and the law. All of these problem areas have been provided for in this agreement, and of course the very first meeting of the Conference will address all of these areas, [notably] [and will concentrate on] the especially difficult area of relations between the minority community and the security forces, on which progress is already taking place.

Obviously this agreement cannot resolve all the problems of Northern Ireland. But the agreement is an important stage in the search for peace and stability. What it does is to provide within a new context the basic legal and institutional machinery through which the two Governments can fulfil their commitment of November 1984 to work together for the accommodation of the rights and identities of the two traditions in Northern Ireland. The new arrangements established today are unique - [nothing like this has ever been attempted between two countries]. This reflects the special nature of the Northern Ireland problem.

The Forum Report

7. Question to the
Prime Minister

The agreement falls far short of even the least ambitious of the three options set out in the New Ireland Forum Report (ie joint authority)?

Answer

Let us concentrate on what the two Governments have agreed. The agreement represents the outcome of prolonged and serious negotiations. The arrangements it embodies are unique, reflecting both the closeness of the Anglo-Irish relationship and the special problems of

Northern Ireland. The New Ireland Forum's meetings and reports helped to create the climate in which these negotiations became possible. The new agreement accords with the spirit of conciliation which characterised much of the Forum Report.

8. Question to the Prime Minister

Do you still reject the Forum Report?

Answer

The British Government welcomed many positive elements in the Forum Report. We welcomed such principles as the clear and unambiguous commitment to the politics of peaceful persuasion, and unqualified opposition to violence and those who support violence. We welcomed the recognition and respect which the Report gave, on the part of nationalists, to the distinctive identity of Northern Ireland unionists including their loyalty to the United Kingdom.

(If pressed again on the "three illustrative models"): I have already said that I welcome many of the innovative features of the Report. But I do not think anyone would expect the British Government to endorse it in its entirety.

9. Question to the Taoiseach

Can you really say that this agreement is based on the Forum Report? Does it not fall substantially short of joint authority, the least of the options proposed by the Forum?

Answer

The Irish side throughout these negotiations based their approach on the Forum Report. The necessary elements for progress proposed in Chapter 5, paragraph 2 of the Forum Report are all accommodated in today's agreement. I believe above all that they are reflected in the

commitment of the two Governments to work together for the accommodation of the rights and identities of the two traditions in Northern Ireland on the basis of the new arrangements and the shared priorities established by this agreement. You will recall, moreover, that the Forum Report indicated the openness of the participants to discuss all other views which would contribute to political development, ie views other than the three particular options set out in the Report. The purpose of any negotiation is to reach an accommodation of views and the British and Irish Governments have achieved that in this agreement.

Role of Irish Government/British Sovereignty

10. Question to the
Prime Minister

By giving the Irish Government a role in relation to Northern Irish affairs, surely the agreement infringes sovereignty?

Answer

No. There is no derogation from sovereignty and the agreement makes this clear.

11. Question to the
Prime Minister and
the Taoiseach

So is the Irish role merely "consultative?"

Answer

The Conference is a unique mechanism. There is no single word to describe its role. It will not have executive functions: Article 2(b) of the agreement makes clear that there will be no derogation from sovereignty and that each Government retains responsibility for the decisions and administration of government within its jurisdiction.

But the Conference will be more than just consultative

in that the Irish Government will put forward views and proposals on its own initiative (as well as being invited to do so); there is an obligation on both sides in the Conference to make determined efforts to resolve any differences; and one of the Conference's functions will be to promote cross-border co-operation between North and South in Ireland.

Note: It is accepted by both sides that the words "consultative" or "consultation" should not be used to describe the agreement.

12. Question to
the Prime Minister

So the Irish will after all share in the
decision-making?

Answer

As Article 2(b) of the agreement makes clear, each Government retains responsibility for the decisions and administration of government within its own jurisdiction. On matters covered by the agreement, however, the British Government in reaching its decisions will take full account of any views and proposals put forward by the Irish side, and also on the obligation on both sides to make determined efforts to resolve any differences.

13. Question to
the Prime Minister

Is it not setting Northern Ireland apart from the rest
of the United Kingdom by giving another country a part
of the government there?

Answer

There is a unique situation in Northern Ireland because of the division within the community there. The agreement reaffirms the present status of Northern

Ireland and makes clear that Her Majesty's Government remain responsible for the decisions and administration of government there.

14. Question to
the Prime Minister
and the Taoiseach

What happens when differences cannot be resolved?

Answer

Article 2(b) makes it clear that each Government retains responsibility for the decisions and administration of government within its own jurisdiction. But a key point of the agreement is that we are both committing ourselves to determined efforts to resolve differences [Taoiseach : in the interest of peace and stability]

Moreover the agreement reflects the careful consideration that the two Governments have given to minimising differences: it envisages for example a variety of levels at which matters can be considered and also provides for the convening of special meetings up to Ministerial level when required by either side.

15. Question to the
Prime Minister

The agreement says in Article 2(b) that "Determined efforts shall be made through the Committee to resolve any differences". In the context, these are differences relating to views and proposals which the Irish Government have put forward on matters relating to Northern Ireland. What does this provision mean?

Let me start by emphasising the desire of both Governments to implement the agreement in a spirit of co-operation and goodwill. That being so, we are not starting off in the belief that we shall confront many or substantial differences; the whole point of meeting together will be to find common ground, bearing in mind

that the sentence you quote speaks of serving "the interest of promoting peace and stability". But if there are differences, both sides will work hard to resolve them, recognising that each Government retains responsibility for the decisions and administration of government within its jurisdiction.

Unionist Concerns on Irish Unity, Status and
The Irish Government's Role

16. Question to
the Prime Minister

In November 1984 in the communiqué issued after their Summit the Prime Minister and Taoiseach agreed "that the identities of both the majority and minority communities in Northern Ireland should be recognised and respected, and reflected in the structures and processes of Northern Ireland in ways acceptable to both communities". How will the Prime Minister and the Taoiseach test the acceptability of the agreement to the unionist community?

Answer

The identity of the majority community is already recognised and respected in the way the majority desire by virtue of Northern Ireland being and remaining part of the United Kingdom. This agreement provides means for the expression of the identity of the minority. The agreement thus furthers the aim of making the structures and processes in Northern Ireland acceptable to both communities.

The elected representatives of the people of the United Kingdom as a whole will have the opportunity to express their views when Parliament debates the agreement shortly.

17. Question to
the Prime Minister

Is the agreement not the first step on the slippery slope to Irish unity?

Answer

No. The agreement contains a formal and binding statement by the Irish and British Governments that the status of Northern Ireland remains unchanged. It commits the Irish Government to acknowledging the rights and identity of unionists. It commits the two Governments to the view that any change in this status would* only come about with the consent of a majority of the people of Northern Ireland; and that, if in the future a majority in Northern Ireland clearly wished for and formally consented to a united Ireland, the two Governments would introduce and support legislation in the respective Parliaments to give effect to this. This is the most formal commitment on this subject made by any Irish Government.

[Note: *The agreement says "would" not "could".]

18. Question to the
Prime Minister and
the Taoiseach

The agreement establishes special channels for conveying the nationalist minority's views to the British Government. Why is nothing comparable proposed for the unionist majority?

Answer

The question is not comparing like with like. The unique arrangement we have made with the Irish Government reflects the position of a minority which looks to Dublin to express its aspirations. The unionists by definition identify with the United Kingdom; they have, and will continue to have, ready

means of access to the British Government, including unionist Members of Parliament in Westminster, and the Government pays close attention to their views.

19. Question to the
Prime Minister

Why has Her Majesty's Government failed to secure the abolition of Article 2 of the Irish Constitution?

Answer

Questions about the Irish Constitution should be put to the Irish Government. The agreement is the outcome of a thorough process of negotiations in which each side had to take account of the constraints on the other. What is significant is that Article 1 formally commits the Irish Government, like the British Government, to the position that the status of Northern Ireland will remain as it is so long as a majority there so wishes.

20. Question to the
Taoiseach

Will you now hold a referendum on Articles 2 and 3 of the Constitution?

Answer

The changing of Articles 2 and 3 of the Irish Constitution is not part of this arrangement. I would again draw your attention to Article 1 of this agreement. That provision involves a formal, solemn and joint reaffirmation by the two Governments of the principle of consent. It will be perfectly obvious that the overwhelming majority of Irish nationalists determinedly reject the use of force or threat of force in seeking to realise the aspiration of Irish unity. This was a basic principle of the Forum Report and a point strongly emphasised at the time. This agreement puts the principle of consent beyond question and therefore gives a clear reassurance to unionists.

21. Question to the Taoiseach

Is this agreement the first step on the road to British disengagement and a united Ireland?

Answer

Article 1 explains that any change in the status of Northern Ireland would only come about with the consent of a majority in Northern Ireland. It also recognises that consent does not presently exist. If in the future a majority wished for and formally consented to a united Ireland, the two Governments would introduce and support legislation in the respective Parliaments to give effect to this.

22. Question to the Prime Minister

This agreement seems to have something for everybody in Ireland except Ulster Unionists. Are there any concessions at all to fundamental unionist concerns in this agreement?

Answer

The agreement is designed to promote peace and stability to the benefit of all of the people in North and South. There is also much in it which should be of especial value to unionists. For instance, Article 1 confirming the status of Northern Ireland; the intensified security co-operation provided for in the agreement and already beginning to take place; and the Irish Government's acceptance of the validity of the unionist tradition in Ireland. The Taoiseach has also stated his Government's intention to accede to the European Convention on the Suppression of Terrorism.

23. Question to the Taoiseach

Doesn't the agreement maintain all the ambiguities in the Irish nationalist approach to Northern Ireland. Haven't you and Mrs Thatcher simply agreed to differ on this point so that there is no real concession to unionist concerns?

Answer

This agreement involves a formal, solemn and joint reaffirmation by the two Governments of the principle of consent. That is something new - something special - and something which I am sure unionists will welcome. That principle is now clearly beyond question.

Furthermore the agreement makes clear the rejection by both Governments of any attempt to promote political objectives by violence or the threat of violence: this is a concern basic to constitutional nationalism in Ireland and it was a concern highlighted in the Report of the New Ireland Forum.

What both sides must do, and this is also explicitly recognised in the agreement, is to continue their efforts to reconcile and to acknowledge the rights of the two major traditions that exist in Ireland. For our part we have made it clear that we have no designs on the rights of the unionists. We accept and acknowledge their Britishness. While we shall by dialogue seek to persuade, we respect and will respect their reasons for opposing Irish unity.

Perhaps most important of all, this agreement offers both communities in Northern Ireland a new opportunity to rebuild society - free from the tensions, the turmoil and animosities of the past - and to participate fully in the structures of government. I believe that unionists, no less than nationalists, fervently seek in Northern Ireland just such an opportunity.

24. Question to the
Prime Minister

Is the concession of a major role for Dublin not an admission of the failure of British and unionist policy in Northern Ireland over the past sixty years?

Answer

No. I am concerned with the future, not the past. The agreement shows that the two Governments are determined to work together in seeking peace and reconciliation in Ireland.

25. Question to the
Prime Minister

Twelve years ago, the loyalists in Northern Ireland defeated an Anglo-Irish agreement based on power-sharing and a Council for Ireland. Won't they do the same this time?

Answer

I believe that the great majority in Northern Ireland have a deep longing for peace. The Government have made a decision that action is necessary to support the democratic process in Northern Ireland and that it would be damaging and even dangerous to do nothing. Indeed, the two major unionist parties recognise in their policy documents that it is necessary to take action to accommodate the nationalist tradition. This agreement tries to accommodate both traditions. I am determined that it should work, and work to the benefit of all.

Nationalist Concerns on Irish Unity. An "Internal Solution"
and the Application of Proposals in the South

26. Question to the
Taoiseach and the
Prime Minister

The agreement represents a betrayal of the nationalist cause and the abandonment of the goal of unity.

Answer

This is more a question for the Irish Government. But as the agreement makes clear, if at any time in the future a majority of the people of Northern Ireland formally consent to unity, then the two Governments will take the necessary steps to bring it about.
[Additional points for the Taoiseach: This means

that other considerations would not constitute obstacles to Irish unity if the principle of consent was satisfied. There is no abandonment of the aspiration to Irish unity, to be achieved peacefully and by democratic means.]

27. Question to the
Taiseach

The preamble speaks about diminishing the division in Northern Ireland? Isn't the real division the division in Ireland? What does this agreement do to end partition?

Answer

It is not the division of the territory of Ireland in my view which is the fundamental problem. Unity cannot be achieved and partition ended by erasing a line on a map. The basic division which we face is that arising from the competing identities and conflicting loyalties of nationalists and unionists in Ireland. That means that we can only proceed through persuasion and agreement as the Forum Report emphasises.

The immediate priority must be to improve conditions on the grounds for the nationalist minority in Northern Ireland; this has been a fundamental concern of my Government and it is a concern which is overriding in this agreement.

It is very important to note that this is the first formal agreement in which the British Government commits itself to introduce and support legislation to give effect to their desire for Irish unity, if a majority of the people of Northern Ireland should formally consent to this.

28. Question to the
Taoiseach

Is this not yet another effort to make Northern Ireland work on the basis of a purely internal solution?

Answer

No. This agreement gives the Irish Government for the first time an important role in relation to Northern Ireland. In the agreement, the British Government accepts that the Irish Government will put forward within the new Conference views and proposals on matters relating to Northern Ireland and, in the interest of peace and stability, undertakes with us to make determined efforts to resolve differences. By providing these practical arrangements through which the two Governments can work together for the accommodation of the rights and identities of the two traditions, the agreement acknowledges the obvious reality that the Irish Government is involved in efforts to promote peace and stability in Northern Ireland.

29. Question to the
Taoiseach

The Leader of the Opposition in Dublin has called Northern Ireland a failed political entity. Is this agreement not propping up this failed political entity?

Answer

So far as I am concerned we are talking about new political structures in Ireland; measures which accommodate the identity of Northern nationalists; measures which provide for the first time an important role for the Irish Government in the affairs of Northern Ireland; measures which put unionists and nationalists on an equal footing. I am interested in working for peace and stability. I am not interested in the question of whether Northern Ireland has or has not been a failure. So far as I am concerned these arrangements meet the requirement of the Forum: [they transcend the context of Northern Ireland. This is a new arrangement

for all of Ireland.] [They will benefit people in North and South.]

30. Question to the
Taoiseach

Why should the rights of unionist be placed on a par with those of nationalists given that nationalists represent the overwhelming majority of the people of the island of Ireland?

Answer

My immediate concern is to ensure that the rights of the nationalist minority in Northern Ireland are respected; this is an essential feature of the agreement and of the Chequers Communiqué of last year. Article 1 reiterates the principle of consent in relation to unity. In this we have acknowledged a fundamental political reality; unity - true unity between all the people of Ireland - cannot be achieved by force, or coercion or subjection. Each of the two traditions must acknowledge and accommodate the concerns and the rights of the other; were the Irish nationalist tradition to seek supremacy or domination over unionists, the result would be even greater division and turmoil in Ireland.

31. Question to the
Taoiseach

Some of the proposals under consideration by the Conference may have application in the Republic. What does this mean?

Answer

It simply means that certain measures taken in Northern Ireland - eg those designed to improve relations between local communities and the police force - may be found to have relevance and value outside the strict context of Northern Ireland. They might for example, be seen to be of value in the South and indeed in Britain and be applied, as the case may be, in either jurisdiction.

Rights and Identities

32. Question to the
Prime Minister

How will the agreement improve the human rights
situation in Northern Ireland?

Answer

The Government has introduced many major improvements in recent years to ensure that human rights in Northern Ireland are protected as effectively as possible. The answer to your question is in the agreement. Article 5 in particular provides that the Conference will discuss measures in this field.

33. Question to the
Prime Minister

Do you propose to introduce legislation:

- a. giving the vote at local elections to Irish citizens resident in Northern Ireland;
- b. permitting the use of Irish as an official language;
- c. enabling the Irish tricolour to be flown from City Hall, Belfast and other public buildings in Northern Ireland?

Answer

All these matters are among those for consideration by the Conference. I should not anticipate that discussion.

Security in Northern Ireland

34. Question to the
Prime Minister

The agreement means that the Irish Government will be
able to interfere with the work of the security forces

in Northern Ireland. This will greatly undermine their morale and efficiency.

Answer

There is no question of interference, and the Intergovernmental Conference will have no operational responsibilities. It will be to everyone's advantage to establish a systematic means of taking account of the Irish Government's views about security matters. I very much hope that this will reassure those in the minority community who have expressed a lack of confidence in the security forces. The co-operation foreseen in the agreement will not be all one way. The agreement will intensify security co-operation between the authorities in both parts of Ireland and this should be greatly welcomed by all who wish to defeat terrorism.

35. Question to the Prime Minister

Are you not in Article 6 giving Dublin a right of veto on matters fundamentally affecting the security and well-being of the people of Ulster?

Answer

No. As Article 6 makes clear, the Irish Government may put forward views and proposals on the role and composition of various bodies appointed by the Secretary of State for Northern Ireland and his Departments. It does not give the Irish Government a veto but every effort will be made by both sides to resolve any differences which may emerge.

36. Question to the
Taoiseach

What concrete commitments have you got in relation to changes in RUC policy, practice and structure? What concrete changes do you believe are necessary to ensure minority confidence in the RUC?

Answer

This agreement (Art 7) indicates that the Conference will address matters relating to RUC policy issues as well as serious security incidents and forthcoming events. This would include, for example, parades and processions.

The two Governments see the need for a programme of special measures to improve relations between the security forces and the nationalist people. It will also consider the composition and role of the Police Authority. The very first meeting of the Conference will consider measures which would underline respect for the rights and identity of nationalists as well as unionists on the part of the police.

37. Question to the
Taoiseach

In the context of this agreement, would you be free to criticise the RUC as you have done in the past or would you not be obliged to bear some of the blame in the event of another tragedy?

Answer

The commitment of the Irish Government and of the British Government is to make this Agreement work in relation to all matters within its scope and that very much includes the police.

38. Question to the
Prime Minister

Are the SDLP now expected to support the RUC and to encourage Catholics to join the force?

Answer

Everyone should support the security forces. It has long been the wish of HMG to see more members of the minority community joining the RUC. We hope, following the agreement, that this will happen more and that the SDLP will feel able to encourage Roman Catholics to join.

39. Question to the
Prime Minister

The clear implications of this agreement is that the RUC has failed to discharge its duties fairly and even-handedly in the past. Are you not, therefore, accepting nationalist criticisms as valid?

Answer

We have always had full confidence in the RUC. I hope that following the agreement the minority community will increasingly share that confidence.

40. Question to the
Taoiseach

What concrete commitments have you got on the disbandment of the UDR? Is the regiment going to be phased out?

Answer

The UDR is a major concern [particularly] for the nationalist community in Northern Ireland. [You will know that the Irish Government has been concerned that the UDR has often been more a focus of division than of harmony between the two communities.] At the same time, it has considerable importance to unionists, particularly in isolated rural areas. I recognise that there are many honourable men and women in the UDR and I condemn without reservation the campaign of murder against them. Changes have already begun in relation to the UDR's contact with the public, which is where the [worst] [main] problems have arisen. The first meeting of the Conference will review progress. In particular it will consider the application of the principle that

the UDR operate only in support of the civil power, with the particular objective of ensuring as rapidly as possible that, save in the most exceptional circumstances, there is a police presence in all operations which involve direct contact with the community. The first meeting will furthermore consider ways of underlining the policy that the UDR discharge their duties evenhandedly and with equal respect for the unionist and nationalist identities and traditions.

41. Question to the
Prime Minister

The UDR are a particular reassurance to unionists in a minority position in border areas. Will you guarantee that the role of the UDR as a bulwark against IRA assassins be maintained in these areas?

Answer

The UDR will not be disbanded. They are brave and dedicated people who have a major role in providing security in Northern Ireland. I recognise that there are difficulties in the Regiment's relations with the minority community. The Government keep the role of the security forces including the UDR under review in the light of community relations as well as operational needs. Improvements will continue to be made.

42. Question to the
Prime Minister

Will you now move towards a general amnesty in Northern Ireland? Will prisoners with indeterminate sentences now be given a definite date for release?

Answer

Those possibilities do not arise from the agreement itself. Any question of speeding up release from indeterminate sentences, if the agreement led to a real reduction in violence, would be for the Secretary of State for Northern Ireland.

43. Question to the
Prime Minister

Article 8 represents an intolerable intrusion on the
independence of the Northern Ireland judiciary?

Answer

Nonsense. There is no threat to the independence of the judiciary anywhere in Ireland. The agreement says in Article 8 that the two Governments agree on the importance of public confidence in the administration of justice and that the Conference will seek measures which would give substantial expression to this aim. Surely nobody can quarrel with that. The Government are willing in the Conference to consider the possibility of mixed courts among other things, and we do not exclude the possibility becoming feasible and acceptable at some future time. But we cannot see any easy or early way round the political and other difficulties that would be involved.

44. Question to the
Prime Minister

Why are mixed courts highlighted in the agreement?

Answer

Other ideas, such as extradition and the harmonisation of the criminal law, are also mentioned in the same Article of the agreement.

Extradition

45. Question to the
Taoiseach

Do you contemplate new legislation to facilitate
extradition of IRA offenders? Will you accede to the
European Convention?

Answer

I have said that it is the Irish Government's intention to accede as soon as possible to the European Convention. The communiqué has committed the two sides to work for early progress in relations between the

security forces and the minority community in Northern Ireland, ways of improving security co-operation between the two Governments and seeking measures which would give substantial expression to the aim of underlining the importance of public confidence in the administration of justice. It is against this background that the Irish Government has [announced its] [indicated that it is our] intention to accede as soon as possible to the European Convention on the Suppression of Terrorism.

46. Question to the Prime Minister What guarantees have you got from Dr FitzGerald that the South will cease to provide a haven for IRA fugitive terrorists?

Answer No doubt there are fugitive terrorists in the South, as in the North. On both sides of the border strenuous efforts are made to catch them. One of the main purposes of the agreement will be to enhance the co-operation against terrorism which already takes place between North and South. Article 8 of the agreement foresees further consideration by the two Governments in the Intergovernmental Conference of the question of fugitive offenders. Moreover, the Taoiseach has announced his Government's intention to accede to the European Convention on the Suppression of Terrorism.

IRA Campaign

47. Question to the Prime Minister Will the agreement not encourage the Provisional IRA in their murderous campaign?

Answer One of the main effects of the agreement will be that the British and Irish Governments will strengthen their co-operation in the fight against the men of violence.

[The Provisionals have already denounced the agreement, which hardly suggests that they feel encouraged by it.]

48. Question to the Prime Minister and the Taoiseach

Will you now accept that the electoral success of Sinn Fein and the PIRA's campaign of violence including attacks on British cities, have brought both of you together in this agreement today. Is this not confirmation of the success of the ballot box/armalite strategy?

Answer

Absolutely not. This agreement is a rejection of terrorism. We are seeking to build up hope for the future, where the IRA have sought only to destroy. We are seeking peace and reconciliation, where the IRA have brought only strife, turmoil and tragedy. This agreement will reinforce the position of all who seek peace and stability by constitutional means.

Role of Irish Minister/Secretariat

49. Question to the Prime Minister

Where will the permanent Secretariat be located and how will it be staffed?

Answer

The Secretariat will be very small. Its function will be to service the Intergovernmental Conference which will [normally] meet in Belfast, and to act between meetings as a channel of communication. [The Secretariat will be located in Belfast.]

[Note: the Irish would like to omit "normally" and retain the final sentence.]

50. Question to the
Prime Minister and
the Taoiseach

Will the permanent Irish Ministerial representative have direct contact with the nationalist community in Northern Ireland?

Answer

The role of the permanent Irish representative will be to implement the agreement on behalf of the Irish Government, as joint chairman of the Conference. This will not alter the Irish Government's freedom to maintain contact with people in Northern Ireland.

51. Question to the
Taoiseach

There are four vacancies still outstanding on the Police Authority? Are these to be your nominations? Is this marginal number of vacancies which has been set aside for your views an indication of what consultation will mean in practice?

Answer

The Irish Government will be putting forward views in relation to all present vacancies on the Police Authority for Northern Ireland as well as in relation to any vacancies which may arise in future. The precise number of vacancies which may happen to exist at the present time is less important than the Agreement's recognition that the Irish Government may put forward views and proposals on the role and composition of this body and that there is an obligation on the two sides to make determined efforts to resolve any differences [in the interest of peace and stability.]

52. Question to the
Taoiseach

You have a say in appointments to a number of bodies in Northern Ireland. Are Northern nationalists now expected to co-operate with these bodies as they are currently structured and to accept their legitimacy?

Answer

In presenting views on appointments and other matters relating to these bodies, the Irish Government will naturally be taking account of nationalist concerns and priorities. But my objective will be to ensure that all of these bodies adequately reflect the concerns of the entire community.

Devolution

53. Question to the
Prime Minister

Do you expect the SDLP to support this agreement and to participate more in the political life of Northern Ireland?

Answer

We hope that the nationalist community as a whole will see this agreement as evidence that progress can be made by constitutional means.

54. Question to the
Prime Minister

What proposals does the Secretary of State for Northern Ireland have for encouraging a return to devolved government in Northern Ireland?

Answer

The Government remain committed to a return to devolved government in Northern Ireland as the best basis for political stability. We will do all we can to identify a scheme of administration acceptable to both sides of the community. We hope that the political parties in Northern Ireland will respond constructively to the opportunities this agreement offers, and will help to work out satisfactory proposals for a newly devolved administration.

55. Question to the
Prime Minister and
the Taoiseach

Do you now expect the SDLP to enter the Assembly?

The agreement makes it clear that both Governments support a policy of devolution which would command widespread acceptance throughout Northern Ireland. The question of whether the SDLP should enter this or any future Assembly is a matter for that party to decide.

Fund

56. Question to the
Prime Minister and
the Taoiseach

The reports that the United States Government will offer a large sum for expenditure in Ireland suggest that Her Majesty's Government entered into the agreement in order to obtain US financial support.

Answer

The agreement has been concluded on its merits. We naturally hope that friendly states, including the United States, will welcome it.

[N.B. Article 10(a) says that the two Governments will consider the possibility of securing international support for the promotion of economic and social developments in Ireland. It is preferable not to be drawn on the meaning of this until US offers of money have been made.]

57. Question to the
Prime Minister and
the Taoiseach

Is it part of the package that the Irish Republic will modify its policy of neutrality?

Answer

No.

NB: The next two questions would arise after a United States announcement

58. Question to the Taoiseach

Will contributions from America (and Europe) be matched by a contribution from the Dail?

Answer

Any funds made available by the United States and the member states of the European Community are intended to be specifically international expressions of support for the work of promoting reconstruction and reconciliation in Ireland. This is separate from the efforts of the Irish and British Governments, so that the question of my Government contributing to the Fund, as such, does not arise.

59. Question to the Prime Minister

Why is the British Government not contributing to the Fund when the United States Government is forking out \$.... million?

Answer

The British Government already makes a massive annual subvention contribution to the Province which is now running at around £1.5 billion per annum.

Review Clause/Requirement of Legislation

60. Question to the Taoiseach

Since the review provision applies only to the operations of the Conference and not to the declaration on status, have we not recognised Northern Ireland without obtaining a corresponding guarantee that future British Governments will continue to accept that we have a policy role in Northern Ireland?

Answer

Article 1 of this agreement incorporates the principle of consent enshrined in the Report of the Forum and accepted in communiqués by successive Heads of Government in both countries. It also incorporates the agreement of the two Governments to support Irish unity in the event there is consent to that aim.

The two Governments have entered into this agreement determined to make it work, but experience may show that adjustments are desirable to the role and nature of the Conference's activities. The Review Clause will enable the two Governments to make such adjustments.

61. Question to the
Prime Minister

Is such an agreement possible without legislation?

Answer

Yes. The agreement is fully consistent with statute law relating to Northern Ireland.

Draft Opening Statement for the Prime Minister at the Press Conference
following an Anglo-Irish Summit

This was the [fourth] in the series of meetings between the Heads of Government of the two countries. It was the most important and productive so far.

2. Dr FitzGerald and I have signed an Agreement which we believe will mark a step forward in relations between our two countries and towards peace and reconciliation in Northern Ireland.

3. The Agreement has four main elements:

- a Preamble in which various important principles, including our total rejection of violence and our recognition of the validity of both traditions in Northern Ireland, are set out;
- an Article committing the two Governments to the view that any change in the status of Northern Ireland would only come about with the consent of a majority of the people of Northern Ireland; that the present wish of a majority is for no change; and that, if in the future a majority formally consented to a united Ireland, the two governments would support legislation accordingly;

- Articles establishing a new Intergovernmental Conference within the framework of the Anglo-Irish Intergovernmental Council. ^{In the Intergovernmental Conference} ~~At its regular meetings~~ the Irish Republic will be able to put forward views and proposals on stated aspects of Northern Ireland affairs; and determined efforts will be made to resolve any differences. ^{Responsibility for} ^{the} decisions and administration of government will remain with the United Kingdom north of the border and with the Republic south of the border;

- provisions on the enhancement of cross-border co-operation between Northern Ireland ^{and} the Republic, notably in combatting terrorism.

4. We have provided for the convenience of the media a summary of the Agreement in the form of a Press Release.

5. The third document which we have issued today is a Communique on our meeting, which says that the new Intergovernmental Conference will concentrate in its initial meetings on relations between the security forces and the minority community in Northern Ireland, ^{or} ways of improving security co-operation between the two governments, and ^{or} seeking measures which would underline the importance of public confidence in the administration of justice.

6. The intention is that both Parliaments should have an early opportunity to debate the Agreement. It will enter into force only after the Parliaments have approved it.

7. The Agreement will bring benefits to unionists and nationalists alike in Northern Ireland - through promoting peace and stability and by enhancing our efforts against terrorism. It will bring particular benefits to unionists, notably through the assurance that the Irish and United Kingdom Governments agree that there would be no change in the status of Northern Ireland unless a majority there so wished. It will bring particular benefits to nationalists in Northern Ireland, notably through the new Intergovernmental Conference, where the Irish Government will no doubt speak in line with their interests. I hope that the Agreement will also open the way for progress towards devolution in Northern Ireland.

8. I believe that this Agreement represents a serious contribution to progress on one of the most difficult problems that has faced the United Kingdom in recent years. The two Governments are committed to implementing it fully and effectively. We call on all people of goodwill to join us in seeking peace and progress.