

cc Mr Burns - B
Mr Miles - B
Mr Blackwell - B

ANGLO-IRISH INTERGOVERNMENTAL CONFERENCE
LONDON, 8 FEBRUARY 1989

DISCUSSION ON THE ARTICLE 11 REVIEW

1. At the start of the plenary session, a draft joint statement prepared by British and Irish officials was distributed. A paragraph of this text referred to the Article 11 Review and discussion of the Review initially concentrated on the phrasing of the joint statement to be issued. Mr Lenihan explained his preference for a reference to 'political directions'. Officials had carried out detailed work on individual topics; submissions had been made by external parties and some more were anticipated. The Review had moved onto a new stage. There was an opportunity now to give the exercise a positive political steer. He foresaw completion around Easter.

2. Mr King expressed reservations about the phrase. Summarising the state of play on the Review, he thought the Unionists would ignore the consultation process, the next stage on the British side would probably be a Parliamentary debate, with the week beginning 20 February as the likely time, and Unionist MPs could make their views known during the debate. Unlike the Dail, there were significant elements in the Commons, including some among his own backbenchers who were opposed to the Agreement. Some MPs would be keen to bring the debate to a vote and handling this discontent would be more difficult if Members thought they were being ignored. He was anxious that the joint statement should not be seen as pre-empting the Parliamentary debate.

3. Mr Lenihan wished the joint statement to signal that matters were not being dragged out but that completion was in sight. After further discussion it was agreed that the other two elements to be emphasised were that the Governments were still keen to receive the

views of interested parties, and that Ministers were giving directions to the officials' work. A sentence to that effect was included in the joint statement. Sir John Blelloch queried a reference in the draft joint statement to publicising the results of the Review and it was agreed to delete it.

4. Later in the Conference, discussion turned to the general approach to be taken to the conclusion of the Review. Mr Lenihan thought the two Governments should be aiming for an upbeat outcome, demonstrating that it had been a meaningful review of a meaningful Anglo-Irish process. Irish officials argued strongly for work to begin immediately on a joint final Review statement which would be published on completion. This would both short circuit some of the detailed work by officials and provide a focus for them. Mr Lenihan suggested that a draft of the final document should be available at the next Conference meeting. Mr Burns objected that there were aspects of the Review which could not be published, for instance on security, but the Irish side thought that this would not be insuperable. Mr King hoped that this proposal would not detract from detailed work on aspects of the Conference's Workings related to individual articles of the Agreement. Some of these needed a hard look, for instance Article 6 on which he had reservations about the Irish Government's role as a channel for SDLP suggestions for appointments. He also noted that there had been no Irish input at the time of appointment of the Police Authority. On the latter point, Mr Gallagher responded that the rejection of the Irish suggestion for appointment to the Independent Commission for Police Complaints was unlikely to generate confidence.

5. Mr Lenihan suggested one method of reinforcing the Conference's role which could be highlighted in the Review report. It involved bringing into the margins of the Conference specialist Ministers in areas such as transport and health. At present, bilateral cross-border Ministerial meetings tended to receive little attention. Sir Kenneth Bloomfield added that an alternative way of raising the profile of this kind of cross-border co-operation would be to devote Conference discussions to a specific socio-economic theme; suggestions included 1992, veterinary health and EC structural funds.

6. The relevance to the Review of progress being made on a proposed British-Irish Parliamentary Body was discussed. Mr Lenihan pointed out that talks between Parliamentarians were expected to reach a successful culmination at about the same time as the Review would be completed. He was conscious of the sensitivities of those involved in the Parliamentary negotiations but an Article in the Agreement was devoted to the Body, and he wondered if it was possible to link it with the Review conclusion. Mr Gallagher provided an update on the progress of the talks on the Parliamentary body and suggested that the Review report could in some way endorse it. Mr King noted that the Parliamentary body came under the aegis of the Anglo-Irish Intergovernmental Council and that some of the participants would not favour a link with the Conference and Agreement. Mr Burns added, however, that the coincidence of timing had a lot to recommend it.

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