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FROM: MRS DOREEN BROWN
CENT SEC
30 JUNE 1997

Mr McGee

*p/A North/South file.
Co-op.*

152/96



MR BELL - O

MEETING BETWEEN MR INGRAM AND MR DONOGHUE

1. I attach some input for the briefing for Mr Ingram's use during Mr Donoghue's courtesy call next week.
2. The main input relates to north/south co-operation in view of Mr Ingram's responsibility for that area.
3. DED are considering whether there are any areas of Mr Ingram's DED responsibilities which would need to be covered by bull point briefing. If they believe that there are, depending on the the timing they will either forward it to you or submit it direct to Mr Ingram's office.

(Signed DAB)

D A BROWN

NORTH/SOUTH CO-OPERATION

Line to Take

- I am aware that there is already a substantial amount of north/south co-operation taking place, and that good working relationships exist between NI Departments and their counterparts in the ROI;
- my role in respect of North/South co-operation is to ensure that activity in this area is properly co-ordinated between Departments;
- it is not to take over responsibility for the functions in question from Departments;
- I fully support North/South co-operation which brings benefit to Northern Ireland and, hopefully, to the ROI also;
- I want to see quantifiable benefits coming from such co-operation;
- my main focus will be on economic areas;
- I will be reviewing the position on North/South co-operation on a regular basis with my colleagues and will be discussing with them their ideas on areas where north/south co-operation would be of greatest benefit.

Background

1. The relationship between North and South forms the second strand in the 3-stranded approach to a political settlement for NI, and the establishment of North/South links is of great importance to the ROI.
2. Because of its importance within the 3-stranded process, the North/South relationship figured strongly in "Frameworks for the Future", which set out ideas for cross-border

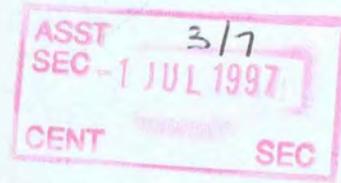
institutions and structures operating at a variety of levels - executive, harmonising, consultative, and discussions also took place with the Irish on the details of the functions which might be suitable for north/south working at each of those levels.

3. There is already a substantial amount of north/south working taking place, with good links established between NI Departments and their Southern counterparts. The DFA would be keen to involve itself in all north/south contact, to formalise it and to give it a political dimension, but neither the NI Departments or the ROI Departments welcome such involvement as it tends to militate against the most effective working.
4. The Framework Document emphasised the need for benefit to result from north/south co-operation, and the idea of benefit lay at the heart of identifying specific areas for north/south working. However, the Irish (DFA) definition of "benefit" includes the benefit which the very existence of north/south links brings to the nationalist community in terms of the recognition it gives to their Irish identity.
5. Mr Donoghue will be interested (whether at this meeting or subsequently) to explore Mr Ingram's role as Minister with responsibility for north/south co-operation. He will be keen to see a proactive role, driving the north/south agenda forward, rather more than the co-ordinating role which Mr Ingram envisages.
6. Mr Donoghue may also seek to persuade Mr Ingram that the Government should now initiate north/south co-operation in the areas identified as possible contenders in the British/Irish discussions prior to the publication of the Framework Document. Any such initiative would spark Unionist sensitivities and would not be appropriate outside the context of a wider, comprehensive political initiative. In the meantime, there is scope to use the IGC as a forum in which north/south working can be reviewed and encouraged where such an approach makes sound pragmatic sense.

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FROM: P N BELL
BRITISH SECRETARY
30 JUNE 1997



DESK IMMEDIATE

cc: PS/PUS (B&L)
PS/Sir David Fell
Mr Loughran, DED
Mr Thomas
Mr Steele
Mr Leach
Mr Stephens
Mr Watkins
Mr Beeton
Mr Brooker
Mrs Brown
Mrs Collins
Mr Lavery
Mr Maccabe
Mr Perry
Dr Power
Mr Smyth
Ms Bharucha
Mr McIlroy
Mr Tebbit via RID
Mr Lamont, RID
HMA, Dublin
Mr Warner
Mrs Osborne



Mr McIlroy
1/7.

PS/MR INGRAM (B&L)

COURTESY CALLS ON MR INGRAM BY THE IRISH SECRETARY, MR DONOGHUE TOMORROW

An Opportunity for HMG

My opposite number the Irish Secretary, Mr Donoghue, is paying a courtesy call on Mr Ingram on 1 July at 9.10-9.30 a.m. A personality note on Mr Donoghue is attached, as is the note of his courtesy call on Mr

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Murphy (copied to Mr Ingram's office only). The meeting is nominally a formality and owing to the Taoiseach's arrival is shorter than originally planned but nevertheless, since the Minister can guarantee all he says will be fully, if perhaps tendentiously reported to Dublin, it remains an excellent opportunity to get across to the Irish Government any key messages that he chooses. As my Irish colleague has a marked tendency to hear only what he wants to hear, hard messages will need careful spelling out and possibly repetition. (The Minister may have a further opportunity if he is able to join the Secretary of State's when she meets Mr Burke, and the new Minister of Justice later in the morning).

The "Agenda"

2. While Mr Donoghue is unlikely to raise on this occasion the Talks Process, bringing in Sinn Fein, or decommissioning, (all Irish favourites) he has however expressed Irish concerns for a (Nationalist sympathetic) resolution of the parades issue generally and Drumcree in particular. He will press the Minister for a first hand account of his views of the likelihood for local agreement in the light of our Proximity Talks (the Irish view is that the earlier decisions are announced (and less is left to speculation) the better). (On this I have told him only today that we are still playing for an honourable accommodation; in the meantime the least said to suggest the Irish support the residents the better; and thanks for their public support so far and not nominating an observer at Hillsborough.)

3. Other subjects which Mr Donoghue may raise include:

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- the recent withdrawal of "faulty" PBRs (about which we have already given the Irish a great deal of information) and Policing Issues generally;
 - Bloody Sunday where the Irish side have now submitted to us their dossier of further evidence and their own "negative" conclusions; and, (we need to study all the evidence very carefully.)
 - Rights Issues, generally and the SACHR Report on Fair Employment where we have been doing our best collectively to persuade, that notwithstanding the Government's general sympathy the Irish not necessarily to expect any immediate responses on the part of Government to major further action in a very complex air;
 - if time permits, the Minister may be quizzed about his 'responsibilities in regard to DED.
4. Short, bull point briefing is attached on these subjects for use by the Minister is attached (Any Departmental briefing judged necessary by the DED will follow separately). The Minister may also want to emphasise.
- the importance we attach to a warm and constructive Anglo-Irish relationship - butter on Irish paws is rarely wasted;

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- probe Mr Donoghue about any likely changes in policy under a new, Fianna Fail led administration.

5. But Mr Donoghue is fascinated above all by the Minister of State's special responsibility for North/South co-operation. Again, bull point briefing is attached. However, given the Irish side's consistent desire to play up the "political" significance of North/South co-operation as an end in itself, it may be timely to remind him that any such political benefits are more likely to accrue when there are accompanying tangible economic and social benefits for Unionists as well as Nationalists in Northern Ireland.

6. I propose to accompany Mr Donoghue for his call.

Signed

P N BELL
01232 427532

PS Owing to the earlier arrival of the Taoiseach, (to accommodate the Secretary of State), David Donoghue will have to leave not later than 9.30 with due apologies, and with the intention of an early resumption of his dialogue on Northern Ireland issues perhaps over dinner.

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POLICING ISSUES AND PBRs

- Determined to secure genuine improvement to the police service, building on the sound principles of policing by consent, impartially and with integrity, effectiveness and efficiency. The need to increase confidence in and support for the police is crucial.
- **Consultation paper published** in May 1996.
- **Proposals** aim to reform the legislative framework for policing and strengthen policing so that the police can tackle crime as effectively as possible, and improve the quality of life of the whole community.
- **Reforms** provide tangible ways in which the community can influence the direction of policing, through new police objective setting, planning and monitoring arrangements; increase efficient and effective deployment of resources by giving the Chief Constable day-to-day management of policing resources; and strengthen accountability mechanisms.
- **Nothing in what is proposed pre-empts political talks.** Open to participants in Talks to discuss policing, and for any legislation to be informed by such discussions, and shaped by any agreements reached.
- Matters such as **symbols** are best left to all-party political negotiations. These are sensitive issues. Changes to symbols would require widespread support.
- Work on completing **draft legislation** continues but no timetable has yet been set for its introduction. Pressure on Parliamentary time means giving effect to these proposals by Order in Council; intend to implement them in this session of Parliament. However, Northern Ireland MPs will have proper opportunity to scrutinise the proposals in detail.

- The Government will be implementing changes to the **police complaints system** along the lines of Dr Haye's proposals. Reforms aimed at building greater confidence in the system. The recommended police ombudsman will be responsible to Parliament and have a duty to investigate complaints.
- The RUC continues to make strenuous efforts to ensure **equality of opportunity**. RUC is subject to fair employment legislation and works in close conjunction with the Fair Employment Commission and Equal Opportunities Commission. During the last 2 1/2 years there has been a marked increase in the percentage of applicants to join the RUC from the minority community. The figure for those recruited in 1996 is 16.0%.
- Recognise there is a problem in regard to **RUC accountability**. Intend to address problem through the introduction of police planning and objective-setting mechanisms. Police Authority, having collected community views and Secretary of State, as provider of resources will set objectives.
- **Police Authority** has been re-constituted for a period of 3 years. Some 149 people were nominated or applied for appointment and the Secretary of State appointed the 9 who performed best at interview. Process conducted totally in accordance with the guidance of the Commissioner for Public Appointments, Sir Len Peach.

PBRs

- Government regrets that this situation has arisen, and should the deployment of equipment which did not meet the specifications laid down. Remedial action was taken as soon as the position was brought to the attention of the security forces in Northern Ireland. It is evidence of the seriousness and urgency with which this matter was addressed. Further stocks, conforming to a tightened specification, are to be made available over the new few weeks to the RUC.

Procedures being put in place to ensure that PBRs continue to conform to operational specification. Programme to take advantage of emerging technologies, with the aim of developing improved baton round equipment with reduced injury potential. Some 100 people may have been injured over the last 3 years. Ministry of Defence has 3 outstanding claims arising from injuries caused by PBRs. Since 1992 42 claims for injury, 2 of which settled recently.

27 June 1997

Bull Points

"Bloody Sunday"

- The Government recognises that the events of 30 January 1972 in Londonderry symbolise the pain and divisions of the lack of progress in finding a solution to the problems of "Bloody Sunday". We deeply regret the loss of life.
- I agree with John Major that "those who died should be regarded as innocent of any allegation that they were shot while handling firearms or explosives"
- Officials are examining the evidence presented to the previous Secretary of State and that presented by the Irish Government. If there is new evidence the appropriate action will be taken.
- No options have been ruled out but the material must be examined thoroughly first.

Background Note

On 30 January 1972 13 people were killed by the parachute regiment during a demonstration in Londonderry. The 25th anniversary this year brought more than the usual number of calls for a new inquiry into the events. John Hume handed the Secretary of State (Patrick Mayhew) a dossier of material that claimed to include some new evidence. The Irish Government complied a dossier of evidence which was handed over on 24 June. These are being examined by officials and legal experts. There has also been an application made at the courts in Belfast to seek leave to have a judicial review into the findings of the Widgery Tribunal. No date has been fixed and it would seem that the appellants are stalling the process. Quite separately the Secretary of State has written to George Robertson in MOD expressing a desire to announce a review of the new evidence and into the findings of Widgery. This would be conducted by an independent reviewer.

Rights Issues/EER

- The Government's commitment to incorporate the ECHR will go a long way to address the rights agenda for all citizens of the United Kingdom.
- There remains the question of whether any additional measures are required for the unique circumstances of Northern Ireland. This is something that I hope will be addressed as part of the talks process.
- The Employment Equality Review was published on 26 June. The Government will be responding in detail once it has examined the contents of the report.
- The Government is grateful for the hard work put in by all the members of SACHR and welcomes the opportunity to study in detail their recommendations.
- It would not be right for me to comment in detail on the substance until I have had an opportunity to study it in detail.

Background note

In the Queen's Speech the Government announced that it proposed to incorporate the European Convention on Human Rights into UK domestic law. This will be led by the Home Office although all departments with an interest will be fully involved. There is general agreement between all the parties in Northern Ireland that there is a need for measures to enhance the protection of rights, but consideration of how this might work out in practice has not yet been discussed in detail in the talks.

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FROM: MISS R K HUSSAIN
Security Policy & Operations Division
30 June 1997

cc Mr Perry - O
Mr Clarke - O
Mr Margetts - O
Mrs Todd - O
Mr Myles - O
Miss Dullaghan o/r - O

Mr Fisher, AIS - O

IRISH SECRETARY'S COURTESY CALL ON MR INGRAM - BRIEFING ON PARADES

I attach as requested further briefing for Mr Ingram's meeting with Mr Donoghue, the Irish Joint Secretary, which reflects our line on the Proximity Talks.

(Signed)

RAFIA HUSSAIN
SHA Ext 27037

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Proximity Talks

The Secretary of State was grateful to the representatives of the Orange Order and the Garvaghy Road Residents' Coalition for agreeing to attend the proximity talks on Friday. The discussions formed part of the Government's continuing effort to find a principled and honourable resolution to the difficult problem in Portadown.

Although a resolution was not reached, there were a number of areas which the Secretary of State wants to consider further. She will do so and be in touch again with both sides this week. All must continue to play a part in the search for a reasonable local accommodation.

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