

NORTHERN IRELAND POLITICAL TALKS: POINTS TO MAKE

Next IGC

1. Welcome your agreement to a final extension of the gap until the next conference. Talks would, in our confident judgement, have ended by now had it been announced earlier this week 'no extension'. We have suggested Friday 13 or Monday 16 November as firm dates and understand these would suit relevant diaries. Can we settle on one or other of those? (A week or two more would be better. Anything earlier won't give enough time - NB previous public commitment was to no IGC 'before beginning 28 September': 6 weeks from that is week beginning 9 November.)

2. Realistic to ask everyone to work towards outline heads of agreement on this timetable. If achieved these may help talks move on after conference without breakdown.

3. We remain committed to 1985 Agreement, unless we both agree something better. We can address, eg security issues, in bilateral meetings before next conference.

Progress so far

4. Significant progress already. Strand 1: Unionists committed to devolution, with executive powers allocated in proportion to party strengths and significant safeguards for minority.

5. Strand 2: good meeting in Dublin, most generously hosted. Courageous of Mr Molyneaux to attend despite Dr Paisley. Irish papers on terrorism and economic co-operation helped progress. Interesting UUP ideas on North/South structures.

6. Strand 3: good working relationship between two governments. Valuable discussions on constitutional issues.

Prospects for the future

7. Possible to reach outline heads of agreement in next 6-8 weeks. Six weeks irreducible minimum. Won't be easy. We shall need to work closely together and encourage flexibility. Must try to hold DUP in process. Better chance of full popular acceptance of outcome if we do.

8. Outline agreement may require just one or two leaders from each delegation to put their heads together. Of course, what they agree must carry everyone else.

9. For our part we can see those heads of agreement including:

- New political institutions in Northern Ireland along lines already indicated in Strand 1.
- Permanent, statutorily-based North/South institutions. Perhaps capable of developing executive authority, with agreement of both sides.
- New agreement between two Governments building on 1985 Agreement. Retention of intergovernmental conference, with rights of consultation. But we need to take some account of Unionist concerns.
- Unambiguous consensus on constitutional issues.

Constitutional Issues

10. Understand the significance of this for you. Appreciate that if there is a referendum to change Articles 2 and 3, it must be a success. Right outcome from rest of talks will be essential to this.

11. Small step further might make all the difference. Realize you think Articles 2 and 3 blown up out of all proportion to true significance. But can you say you would seek changes to Articles 2 and 3, if the overall outcome to the talks were acceptable? Or that if those circumstances came about, then you cannot foresee any reason for not seeking such changes? A move now would not be seen as a reward for the DUP.

12. Nationalist concerns about constitutional issues must also be addressed. We have said that we have no selfish interest in Northern Ireland. If a majority in Northern Ireland want a united Ireland, we won't stand in their way - but we won't join the persuaders either. Ready to repeat this (eg speech by Secretary of State) if it would help.

Future Prospects

3. This means we have six weeks or so to get outline heads of agreement from the talks. Giving a broad outline of what those might be, including retention of the Anglo-Irish Conference (which they fear we wish to abandon), might encourage the Irish to be more forthcoming themselves.

4. We shall need to make significantly faster progress than in Strands 2 and 3 so far. A problem has been the Irish reluctance to agree to small committees. They have insisted on having four Cabinet Ministers present virtually all the time. This reflects personality conflicts and coalition politics. So the subject needs to be approached sensitively. [NB It is not true that Mr Hanley or anyone else has ever suggested that the talks might need to continue for a year.]

Constitutional Issues

5. The Unionists insist that a final agreement must involve reform of Articles 2 and 3 of the Irish constitution. That requires a referendum. So far the most the Irish have said is that if the talks achieve a new beginning in the relationship between the two traditions in Ireland, then "... the Government could approach the electorate with the hope and prospect of a positive response."

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Objectives

We need to:

- finalise arrangements for the extension of the "gap", so as to give the talks a further six weeks or so;
- persuade the Irish that we now need to move quickly onto specifics, which may require them to field a smaller ministerial delegation; and
- press for further movement on Articles 2 and 3.

Next IGC

2. The Irish have now agreed that the "gap" between conference meetings should be extended for a second and final time. They will insist that we now announce - and stick to - a firm date for the next meeting (rather than a 'not before' formulation). We have suggested Friday 13 or Monday 16 November. The Irish want the two Prime Ministers to settle the date, though have confirmed the dates are possible for their team. The precise arrangements will need to be reflected in the communique.

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have pressed strongly for "could" to become "would". This will satisfy the UUP, who have already recognised that the Irish are moving in the right direction. It could also make it possible for the DUP to return to full participation, though nothing could be guaranteed.

7. Because of its sensitivity for the Irish, it is important to show we are as alive to Nationalist concerns on constitutional concerns, as to Unionist. In Strand 3, the Secretary of State has discussed the possibility of a speech to reassure Nationalists that we shall not impede Irish unity if that is ever the wish of a majority in Northern Ireland.

- The Irish security forces' support for the PVCP construction programme in Counties Fermanagh and Londonderry (Op LOREN) was excellent; we are most grateful for this.
- But while violence continues there is scope for additional measures to improve security co-operation. Recognise gratefully the highly beneficial influence of Mr Flynn.
- Michael Mates and Padraig Flynn working together. At senior official level, John Chilcot (PUS, NIO) and Joe Broome (Permanent Secretary, Irish Department of Justice) are continuing to work through an agenda of important initiatives which could lead to real improvements on ground.
- Operational contact between the police forces is excellent, as are relationships - a very positive development.
- Most grateful for the renewal of the IED [Improvised Explosive Device] Agreement, which provides for both overflights to observe actual or suspect devices on the border and for bomb disposal officers to cross into the ROI. They have an exceptionally dangerous and exposed task, and on specific occasions there might be need for greater flexibility (eg for more than currently permitted two officers to cross border). Would much appreciate an understanding response from you on this.

SECURITY CO-OPERATION: POINTS TO MAKE

- SECURITY CO-OPERATION: BACKGROUND
- Terrorism poses continuing challenge throughout these islands.
 - A great deal has been achieved to combat it through excellent work north and south of the Border.
 - Especially appreciative of the considerable resources the Irish authorities put into border security.
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CONFIDENCE ISSUES - SECURITY: POINTS TO MAKE
SECURITY CO-OPERATION: BACKGROUNDBackground

Considerable efforts have been made by both Governments to improve cross-border security co-operation within the framework of the Anglo-Irish Agreement. Progress has been made and much potentially valuable work is on-going, although a number of concerns remain about the ability and will of the Irish to take decisive steps forward in co-operation. Particular factors are:

(a) continuing inadequacy of resources and lack of specialist expertise (the Irish are however very sensitive to any suggestion of this);

(b) historical attitudes limit the extent to which the Irish are prepared to be seen to be acting in support of the security forces in Northern Ireland.

The 1992 Marching Season (2,300 marches) went extremely well, (apart from the appalling behaviour by Loyalists outside the bookmakers shop in Ormeau Road - condemned by the Secretary of State as behaviour 'that would have disgraced a tribe of cannibals'). While still a concern, tensions were avoided at flashpoints by careful, sensitive, policing, involving much community liaison.

CONFIDENCE ISSUES - SECURITY: POINTS TO MAKE

- A full confidence issues stocktake was held on 31 July between
- Confidence in the security forces in the fight against terrorism must be won from both parts of the community.
 - Fairness of treatment of individuals is vital; but equally, measures to defeat terrorism must be effective.
 - Proscription of UDA has underlined Government's repugnance of terrorism, whatever its source.
 - Believe there is a high confidence (and ultimately political) dividend to be had from visible improvements in our joint strategy to defeat terrorism.
 - The tragic shooting in Belfast of Peter McBride could have had serious repercussions, but the very rapid charging of two soldiers for murder the following day demonstrated that the system worked and did much to avoid conflict.
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A full confidence issues stocktake was held on 31 July between senior British and Irish officials. The Irish asked for another stocktake in early September. This was resisted, given that meetings are normally held quarterly.

The Irish approach to confidence tends to focus solely on the nationalist community, and to be reactive and critical of HMG's efforts with only grudging recognition of positive steps that have been taken.

4. The two Heads of Governments re-affirmed their commitment to make every effort to achieve progress. They recalled that the Northern Ireland parties were committed to participate actively and directly in the North-South discussions.

5. They confirmed their commitment to the 1985 Anglo-Irish Agreement including the principle of regular and frequent Ministerial meetings. They also re-affirmed their readiness to consider a new and more broadly-based agreement or structure if such an agreement can be arrived at through direct discussion and negotiation between all the parties concerned.

6. To enable the necessary urgent work to proceed without interruption, they agreed to a second and final extension of the interval between Conferences under the Anglo-Irish