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**10 DOWNING STREET**

**LONDON SW1A 2AA**

**25 September 1992**

*From the Private Secretary*

*Dea Lilla,*

**TALKS BETWEEN THE PRIME MINISTER AND THE  
PRIME MINISTER OF IRELAND: 25 SEPTEMBER**

Thank you for the briefing for the Prime Minister's talks with the Prime Minister of Ireland. I was also grateful for the briefing provided by the Foreign and Commonwealth Office. I have recorded separately the private discussion before lunch.

Mr. Reynolds took comparatively little part in the lunchtime discussion. Most of the running was made by Mr. Flynn. The Prime Minister thinks this may well have been by deliberate prior arrangement with the Taoiseach.

The Prime Minister said that he and Mr. Reynolds had had a very useful exchange and had agreed that the next session of the IGC would be on 16 November. We hoped it would be possible to reach heads of agreement in the intervening period. If it was not possible to reach agreement in that period, then it would be clear where the blame lay.

The Northern Ireland Secretary said he understood the pressures on the Irish Government in respect of the IGC and was very grateful for their agreement to a postponement. Sir Patrick Mayhew said that cooperation between our two countries was good and we were particularly appreciative of the stance taken by Mr. Flynn. Security cooperation had never been better. There was a friendly and open relationship which we hoped we could build on. We were at one in believing that the best help that could be given to the security forces was by the public having confidence in them. The Irish had the advantage that the Gardai worked in the community whence they came. That was not always possible for the RUC, particularly in the border areas. Equally, despite trying, the RUC had been able to recruit comparatively few Catholics. But public confidence was the key. It would be harder for the terrorists to gain ground if the security forces had the confidence of the public. Sir Patrick Mayhew referred to the shooting of Mr. McBride. He hoped that confidence was secured by the fact that the RUC had investigated what had happened and had charged the two soldiers with murder within less than 24 hours. It illustrated the independence of action of the RUC. We agreed that the law on the use of lethal force could and should be examined, though the issues were difficult ones.

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Mr. Flynn agreed with Sir Patrick Mayhew on the improved level of cooperation. This cooperation was made easier through the inter-governmental conference which brought professionals in the security field together. He noted the escalation in loyalist para-military violence this year. Any de-escalation had been on the PIRA side. He referred to a number of recent incidents including that at Cloghoge. The Irish had been rather cross with Sir Patrick because he had sought to put part of the blame on them. The absence of IGC meetings was frustrating. The postponement to the 16th was a very generous amount of time.

The Prime Minister said that it had required some political courage to proscribe the UDA. That had been the initiative not of himself but of the Secretary of State who had had to take quite a lot of flack as to why he had not proscribed Provisional Sinn Fein. We understood the Irish point about the inter-governmental conference. A whole range of things needed to be discussed, hence the Secretariat. Nothing was excluded from discussion and officials should get down to the root causes.

Mr. Flynn said that since the break in the IGCs, the level of cooperation in the Secretariat had diminished quite substantially. Matters were not getting the same amount of attention that they would if the IGC was meeting. This was a worrying development. If there was the same level of cooperation during the break as when the conference was meeting, that would be satisfactory.

Sir Patrick Mayhew said that we had to accept that the Secretariat was not able, under the agreement reached with the Unionists, to service the IGC during breaks but there was day to day contact. There was no intention to diminish its effectiveness. But people on both sides were tied up in the talks. John Chilcot endorsed this point. People in the Secretariat were working 16 hours a day, mostly, at present, on the talks. The Prime Minister said that we would do everything in our power to ensure that there was full cooperation. Mr. Reynolds said that he wanted to make clear that the Irish Government had appreciated the proscription of the UDA. Picking up Mr. Flynn's point, Sir Patrick Mayhew said that he had not put the blame on the Irish for Cloghoge but he would pursue this separately with Mr. Flynn. He referred to the very good cooperation there had been under the new legislation, which had led to a successful joint operation in May. Mr. Flynn agreed but thought the level of cooperation could be improved still further. There should be no message of diminution in any way. The Prime Minister said that cooperation would continue. There had been remarkable progress which had exceeded our expectations. Mr. Flynn said that, though it might cost him to admit it, he had reasonably good relations with Mr. Mates. The two of them could shout at each other behind closed doors. He had also had a very useful first meeting with the GOC.

Asked whether there were any other security matters the Irish wanted to raise, Mr. Flynn said that permanent vehicle check points on the borders (bunkers as he called them) were not the best way of winning hearts and minds or achieving security. Mobile patrols would be better. The existence of the PVCs helped PIRA's recruitment. He gathered there might be a small change of heart by the British Government. It would be a sign of goodwill if we were to change.

Sir Patrick Mayhew said that Mr. Flynn had spoken about the value of professional advice. He himself would love to be able to get rid of the PVCs and he had checked very carefully with his professional advisers and their unequivocal advice was that they were needed. He would certainly not tolerate them otherwise. He would, however, genuinely keep the issue under review. Mr. Flynn said he hoped that we would not at least go ahead with the new PVC. Sir Patrick Mayhew said it was almost finished. After the previous one had been destroyed by the IRA, Sir Patrick Mayhew had pressed the Chief Constable, who had insisted that a replacement was necessary. Mr. Flynn said that the Irish Government had suggested alternatives. Some of Sir Patrick Mayhew's security advisers had doubts about PVCs. Sir Patrick Mayhew said that he had had a son serving in Northern Ireland, so he knew the realities. The PVC was and remained necessary. Apart from that, it would be a bad signal to let PIRA win. He acknowledged that the issue could have been better handled but the new school were very happy even though they were closer now to Newry Police Station.

Mr. Flynn said that small issues tended to get blown up out of proportion. He hoped we could do more to open roads across the border rather than close them. Sir Patrick Mayhew said he would keep this issue under review and was willing to discuss it. He did not believe that any of the closures were anything other than necessary operationally. There was nothing we would like better than to have every road open. Mr. Flynn asked, somewhat heatedly, if a moment would ever come when Sir Patrick Mayhew authorised something which would be helpful to the Irish Government. Sir Patrick Mayhew said we would do so when we could without prejudicing our joint aims in respect of the terrorists. Mr. Flynn said he hoped Sir Patrick would lean on his security advisers.

#### The talks

Mr. Flynn said that we had reached a certain point in the talks but we were beating round the mulberry bush and going nowhere. With every week that passed, it was apparent that the Unionists parties' main interest was in a change in the Irish constitution without any change in their own position. The DUP, absent from the talks, were giving themselves a veto over the whole process. They reserved the right to reopen issues previously decided. To ask the Irish people to change articles 2 and 3 and 29 of their constitution with nothing in

return was simply not saleable and would bring the talks down.

The Prime Minister said he understood the frustration of dealing with the Unionists. We must not lose sight, however, of our joint goals or be de-railed. Unless we rode over those attempts, we could sit around for the next 200 years. There were powerful forces working in the direction of progress, notably public opinion. We must not let Ian Paisley stop us. The end prize was too big to be tossed away.

Mr. Flynn acknowledged that some progress had been made since Mr. Paisley left the talks. Was it not possible to get the Unionists to desist from putting the constitution at the centre of discussion? Sir Patrick Mayhew could use his influence on this.

Sir Patrick Mayhew said that substantial progress had been made in the last week. The Irish Government's paper on terrorism had been useful. The Unionists were thinking about structures. The Irish had produced a very careful and helpful paper on the constitution. Unfortunately Mr. Andrews had not been understood by Mr. Macginnes. He did, however, think that the Unionists now understood the position of the Irish Government. He was continuing to work on them to get a true perception in Unionists' minds of the Irish Government's position and he was confident that he could do that. The Irish had, however, over-estimated his influence with the Unionists.

Mr. Flynn acknowledged that there had been some progress, but only at the margins. If the Irish Government were to move on the constitution they needed movement on the other side. We should have no double speak. The Unionists could not expect the Irish Government to change their constitution while they were able to stick to their position on partition for all time. This had to be settled at Government level. Sir Patrick Mayhew was wont to ask whether Mr. Flynn trusted him. It was not a question of trust. Mr. Flynn sat opposite him the whole time. Every time Sir Patrick Mayhew made an intervention he referred to the constitutional guarantee and gave the Unionists comfort. They lingered on his every word. But those people were beholden to him and he should get them to understand the realities of life.

Sir Patrick Mayhew said the Unionists hung on his every word because they were convinced that he was going to betray him. He had feared that Strand one would founder. He had kept it in being but that was why he had to refer to the constitutional guarantees. If the Unionists had since then made some substantial moves that was because of the reassurance he had been able to give them. Mr. Flynn said that this proved his point. The reason the Unionists had stayed at the table was because of Sir Patrick's influence. The Prime Minister said that Sir Patrick Mayhew had been able

to keep the Unionists at the table but he could not put them at the table in the first place. That was a product of public opinion. Mr. Reynolds said that nonetheless he believed the Unionists did need to be pushed in the right direction. Sir Patrick Mayhew said that he had told the Unionists that a great prize was at stake. He had explained the problems that the Irish Government had. They now accepted that the Irish Government's involvement was genuine. The Strand one package was a reflection of that.

Mr. Reynolds said that he had looked at the problem from the perspective of 23 years of violence. Was that the choice people wanted for the next 23 years? Mr. Flynn, turning to the Irish Prime Minister, asked what it was Mr. Reynolds was requiring him to negotiate. Was it simply an internal settlement? Would that be enough for the Irish? Mr. Reynolds said that it would not. Mr. Flynn said that cooperation or jacking up the Anglo-Irish Agreement could be done. But we were looking for something more than that: peace, security and stability. If that was what we were going to achieve then we had to lift the game in the next week. The structures must accommodate something that went further than Sunningdale. Sir Patrick Mayhew said that we were starting to get into structures. The Unionists had started to talk about joint authority albeit only in minor areas. Mr. Flynn said that this represented no progress on the past. The Unionists were talking but not dealing. We could not be talking about an internal settlement. Being good neighbours was not enough. He had put up with tremendous insults from the Unionists. There was a huge prize to be had, especially in strand 3, i.e. between the two governments.

The Prime Minister said that he understood what Mr. Flynn had put up with but we could not impose a solution from above. If you asked two men what they were doing, one would say he was building a cathedral, the other would say he was laying bricks. Both were engaged on the same work. It was only by undertaking the nitty-gritty that we could get somewhere. We were looking for something better than before, but it could only be done step by step. If the Irish Government thought we were not serious, then they should reflected on the situation before the election when the Prime Minister, behind Labour in the opinion polls, could have done a deal with the Unionists to secure their support in exchange for ditching the Anglo-Irish Agreement. The fact that he had not done so reflected our commitment to the Anglo-Irish Agreement. The Irish must believe that we were sincere. Mr. Reynolds, who seemed to be worried at the direction of the conversation, said that Mr. Flynn did accept that but the Irish were afraid that if we built on weak foundations, the building would collapse. The Prime Minister said that we should continue with the process. He did not mind robust exchanges of views but there should be no mutual suspicions. Mr. Flynn agreed that we must really try for an agreement.

European Community

Mr. Garel-Jones described the mood in the House of Commons. The Maastricht Treaty was a good treaty for us. We were not in the business of avoiding ratification and he hoped Mr. Reynolds could explain the political realities to others. We did, however, need to show that we were implementing the agreement reached at Maastricht and would be looking for the Birmingham summit for a declaration taking account of concerns right across the Community.

The Prime Minister said we would want at Birmingham a discussion of current matters and a huge push on subsidiarity. That meant less intrusion and a clearer definition of what was for the EC to do and what was for individual nation states to do. Our Parliament would insist. The currency affair had been a disaster in terms of the perception of Europe. The Germans had been prepared to do for France what they had not been prepared to do for Britain, Italy or Ireland. On a vote today we could lose the Maastricht bill by 4 - 1. There was no cross-party consensus on this issue unless we could get agreement on how Maastricht was going to be implemented.

The Prime Minister said that the idea of the Eleven going ahead without the Danes was not on. Even if the Danes behaved unreasonably we must support the principle that the Maastricht Treaty could only go ahead with Danish agreement. Otherwise the Community would become a Community for the bully-boys. That was not the Community we joined or the Community we wanted.

Mr. Reynolds asked whether the Danes wanted declarations or protocols. The Prime Minister said he was not sure. Protocols would require ratification but, since they were not constitutional matters, probably not further referendums. Mr. Reynolds said the last thing he wanted was another referendum.

Mr. Garel-Jones pointed out that only Denmark and the UK had supported Ireland when they had sought an amendment to Maastricht covering the abortion issue. We must not allow the Danes to be bullied into leaving the Community.

I am copying this letter to Richard Gozney (Foreign and Commonwealth Office) and Melanie Leech (Cabinet Office).



J. S. WALL

William Fittall, Esq.,  
Northern Ireland Office.