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Meeting between the Taoiseach and the British Prime Minister,

London, 23th September, 1977

Report of Plenary Meeting

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The Plenary Meeting began at 12.30 p.m. immediately following a tete-a-tete discussion between the Taoiseach and the Prime Minister which began at 11.30 a.m. After a break for lunch at 1.15 p.m. the plenary resumed at 2.30 p.m. concluding at 5.00 p.m.

The Prime Minister, in formally welcoming the Taoiseach and the Minister for Foreign Affairs, reaffirmed the British Government's desire to work closely with the Irish Government on all matters affecting their common interests. EEC membership now gave a new dimension to this cooperation.

The Prime Minister suggested that he report on the tete-a-tete discussion just concluded with the Taoiseach. He had suggested that the discussions at the meeting should be viewed on a broad canvass without excessive concentration on Northern Ireland issues which, while, of course, important for both countries were only a part of their relationship. Inflation, unemployment, the development of industry and the attitudes of trade unions were all matters which concerned both countries, some of them with overlapping structures. While cross-border economic cooperation was an important aspect, economic cooperation should also be seen in the broader dimensions of Anglo-Irish interests. He hoped that officials could meet to discuss these questions on that basis.

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As regard the political situation in Northern Ireland, he recognised the frustrations - felt more, in his view, by politicians than by the community at large - about the absence of devolved government in Northern Ireland. While the difficulties were recognised, both he and the Taoiseach agreed that devolved power-sharing government was desirable at the earliest possible moment. There was no question of integration of Northern Ireland into the United Kingdom nor were there any pacts. The British Government were continuing to work for devolution and he had drafted a suggested statement for the communique to reaffirm this. As soon as it was possible to take an initiative which would improve rather than weaken the situation the British Government would do so.

He also mentioned that his conversation with the Taoiseach had touched on security questions.

The Taoiseach, referring to the Prime Minister's congratulations on the results of the June General Election, said that those results perhaps indicated in some respects the feelings of Irish people about the problems of Northern Ireland. The impression had perhaps grown that the previous Government had moved away from the aspiration of ultimate unity.

His own contacts led him to believe that disillusionment at the present political vacuum in Northern Ireland was not felt solely by politicians. There were certainly many issues to discuss in the broad field of Anglo-Irish relations but there was a particular need to look closely at the possibilities for reintroducing positive political activity in Northern Ireland.

It was of crucial importance that the SDLP should not break up through continuing frustration at the lack of political movement.

Though initiatives might be difficult at the moment there was a need for a softening up process which he felt the British Government recognised. As regards measures of interim devolution we would have reservations, as would the SDLP, about any step less than full devolution which did not clearly mark a step forward towards that goal. The SDLP, for example, could not accept any form of backbench committee system as a substitute for power-sharing.

Acceptability of the RUC among the minority community had been enhanced, in part because of their conduct in the May strike and in part because of their successful action against Loyalist as well as against IRA terrorists.

It was necessary, however, to mention some concern about UDR screening processes. There had been a number of convictions of UDR members in the recent past for serious criminal offences including murder. On two occasions members of the Northern Ireland judiciary had criticised the screening process. He hoped that screening methods might be made more stringent.

Mr Mason said that undoubtedly there were "bad apples" from time to time and the Taoiseach's remarks were noted.

In response to the Prime Minister's suggestion that he give an account of his view of the present situation in Northern Ireland, Mr Mason said that the NIO was being run on a basis which would allow immediate transfer of functions to an assembly in Northern Ireland if and when that could be established. There was no

question of integration, "creeping" or other. He had tried hard for fully devolved executive government. He had to admit failure to achieve progress so far. The Harry West faction was adamantly opposed to SDLP cabinet seats as of right and to date was adhering firmly to the Convention Report. He felt, however, that the SDLP would be prepared to look favourably upon a measure of interim devolution provided the goal of full devolution on acceptable terms was not set aside.

Discussions with the political parties in Northern Ireland during the summer had not yielded results. He himself had had three meetings with OUP and two with the SDLP. Alliance had shown readiness to go along with interim devolution but the recent Napier statement illustrated the party's readiness to look for political advantage wherever it could be found. He had put forward no proposals himself for interim devolution. It should first be seen where the parties were prepared to see devolution of a range of powers. It could be that some of the powers at present exercised by the area boards - which were not democratically elected bodies - might be brought within the ambit of an interim devolved structure. This structure might be some form of council or regional assembly with real powers.

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Over the summer the change of Government in Dublin and the Queen's visit might both have hardened attitudes in the North. He wanted, however, to get private talks going again. He also wanted to keep the SDLP leadership together and to maintain the party's role as a cohesive political force.

In recognition of the SDLP's problems he had "engineered" a Question in the house last November in order to reaffirm the Government's resolve to achieve devolved government based on power-sharing. There had been consultation with the Irish Government on this and the British Government's position had been supported by the Opposition. On direct elections, the Government had proposed three seats for Northern Ireland elected on the STV basis. This had been done with SDLP interests in mind and gave Northern Ireland a unique status in the Government's direct election proposals. The setting up of a Speakers Conference to examine Northern Ireland representation at Westminster had been necessary in the context of the proposals for Scottish and Welsh devolution. Gerry Fitt was a member of the Speakers Conference and it was possible that the SDLP could get two or three of the additional seats. These various moves had been part of his policy to keep the SDLP together as the voice of the minority.

There was a need for care that the present meeting should not arouse new resentments or harden attitudes. He hoped in a week or so that he might be able to start private discussions again with the political parties in Northern Ireland on the question of interim devolved government.

The Taoiseach said that he was not speaking for the SDLP but it was the Irish Government's urgent desire to get political activity under way again in Northern Ireland. In response to a suggestion

from the Prime Minister that it would be useful if the Irish Government could talk to Unionists as well as the SDLP the Minister said that the Government would certainly like to do so.

So far however, such suggestions had met with a negative response.

Of course, private contacts took place from time to time. *There had been some contacts through the Yai all Party Committee.*

Asked by the Prime Minister about the Alliance Party, Mr Mason said that the party was mainly composed of middle class people who wanted to rise above the sectarian divide. There were a few Catholics in the party which, with 14% of the vote, had come in third in the last local election although winning less seats than DUP.

The Minister observed that Alliance's role as a bridging party was extremely limited since it drew minimal support from the minority community, *its support coming almost entirely from east of the Burn. (It seemed to lack charisma).*

The Taoiseach raised the matter of an inclusion in the communique of a reference to nationalist aspirations. The Prime Minister suggested that such a reference could seriously compromise the prospects of getting talks started again among the political parties. Mr Mason agreed. The result would be to harden positions seriously and perhaps cement new alliances between the Official Unionists and Paisley. He mentioned in confidence that West's "Lieutenants" were ready to move him away from his Convention report or nothing line.

The Minister observed that West had not objected in the past to cross-border cooperation on economic matters. This was an obvious area for joint discussions.

The Prime Minister agreed. Ireland was a geographical entity and unemployment, for example, a key problem north and south. He agreed with the Minister that the EEC had a responsibility and a role to aid cooperation on regional studies and unemployment problems.

Mr Mason said that the public sector lent itself relatively easy to such cooperation. This already existed between the Electricity Boards and also between the Departments concerned on questions such as the Foyle fisheries, drainage and transport. ^{The Dwyer / Donaghy and} ~~Two EEC~~ ^{sublines} studies were already under way. He agreed that there might well be a need for more. There could be meetings between officials to review cross-border cooperation possibilities and to make suggestions for specific projects. If necessary, in two or three months time, progress could be reviewed at Ministerial level although it was not necessary to raise the matter of Ministerial meetings immediately. *He mentioned that co-operational level level was going well in some areas e.g. Coolengford and around the Eire.*

and seemed to be going well.

In all difficulty must be in relation to the private sector.

When the meeting resumed after lunch there was a brief discussion of a draft communique prepared in the interval. The Taoiseach suggested that the communique might include a reference to the declaration made by the British Government at Sunningdale that if a majority in Northern Ireland should in the future evidence a wish for unity with the rest of Ireland, the British Government would support that wish. The Prime Minister and Mr Mason said that the inclusion of such a reference could seriously compromise

everything which the present meeting hoped to achieve. Pressed by the Taoiseach as to whether this meant that there was some change in the British position, the Prime Minister said that it did not. But Sunningdale had included a number of elements some of which had not materialised. It would not be helpful now to make any reference to a particular aspect since this would necessitate the British Government's placing its own emphasis on other aspects. It was agreed to take up the communique again later.

Security Cooperation

The Taoiseach said that cooperation on security questions seemed to be proceeding satisfactorily and he understood that the British had no particular problems to raise.

Mr Mason confirmed British appreciation of the success of co-operation to date. The new Government had dispelled any unease that there would be any change of policy in this area and its statement following the SAS intrusion incident which occurred immediately following the Government's assumption of office had been most helpful.

Cooperation was working well but more should be done. Reviewing the past year, he said that troop levels had been maintained at the 14,000 level. The UDR had been built up (he agreed careful screening was essential). The RUC establishment had been increased. The SAS were now operating throughout Northern Ireland and there had been an increase in special army personnel for covert intelligence activity. RUC resources in forensic and technical work had been increased and RUC anti-terrorist units established. The partnership between the Army and the RUC was working well. Statistics showed a dramatic reduction in incidents of violence except so far as members of the security forces were concerned.

He felt that things would continue to improve although a special watch must be kept on the use of incendiary devices and actions of maverick PIRA groups. Cooperation between the

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RUC and the Gardai was very good. As the squeeze on terrorists tightened, however, border surveillance was becoming of greater importance than ever. The Minister observed in this connection that British statistics on incidents of border-related violence showed that these continued to be a very small, and diminishing, part of the total problem, the most recent statistics indicating a figure of 1.4% of total incidents of violence in Northern Ireland.

Mr Mason said that there was also a need for careful surveillance of movement of material or personnel to the British mainland. A very important factor in the success in dealing with the IRA in the North had been the great increase in the public's readiness to provide information. A spill-over of violence to the mainland was worrying because it could cause extreme Loyalists to bring similar violence to the South.

He hoped that there would be continuing interest at Ministerial level on our part in border security cooperation.

The Prime Minister said that he was extremely impressed by ^{Ch}our cooperation ^{on security matters}. ^{The Taoiseach} said that there

was no question but that this cooperation would continue and could be extended if necessary. As regards meetings of Ministers on security matters, it was our position, and had been in the past, that since the Secretary of State for Northern Ireland exercised functions over all aspects of Northern Ireland policy, the Minister for Foreign Affairs

was his appropriate counterpart on our side but that, of course, if security matters were to be discussed in any meetings with the Secretary of State, the Minister for Justice could be brought into the discussions, or other Ministers, as necessary, in other areas.

Strict attention was given on our side to border surveillance and one-eighth of the Gardai force (some 1,000 men) were assigned to border duties.

Emergency Powers Act

The Taoiseach explained the position regarding Section 2 of the Act which will lapse on 16th October unless renewed by Ministerial order. Experience has shown that the courts were treating with great suspicion and, in effect, not accepting statements or confessions from prisoners held under the seven day provisions. It was questionable how effective these provisions were. In addition, there had been public apprehension about the extension of the powers given to the Gardai and there appeared to be some falling off in readiness to supply information as a result. The Amnesty International Report had been critical of the treatment received by some persons apprehended under these provisions and the Minister for Justice was at present considering a report by the Gardai on the Amnesty findings. The Government would be considering next week the question of renewal of Section 2. If it were not renewed, Section 30 of the 1939 Offences Against the State Act would become applicable giving the power of detention for an additional

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24 hours beyond the first 24 if certified necessary by a senior police officer.

Mr Mason said that the RUC had found the seven day detention provision invaluable, particularly as it gave necessary time for forensic laboratory tests which were often crucial. There was some risk that a change in our provisions might be exploited as a relaxation of anti-terrorist measures and this would be unfortunate.

The Prime Minister said that the Irish Government's judgment in this matter was obviously not something for him to challenge. But the presentation of any change would be very important and he hoped, in particular, that the Taoiseach would use the occasion of his meeting with Mrs Thatcher to explain his thinking in this area. Airey Neave was one who might exploit the situation if it were not properly explained.

President Carter's Statement on Northern Ireland

Both sides reaffirmed their welcome for the statement. The Minister remarked that it might perhaps be additionally useful in encouraging greater interest on the part of the EEC in alleviating Northern Ireland problems. Mr Mason agreed that the Community's role in developing cross-border studies was to be encouraged but it was not the Community's function to intervene or advise on more general areas of Northern Ireland policy.

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Support from U.S. sources for terrorist activities

The Prime Minister said that the British Government recognised and was grateful for the very important achievements of Irish Ministers in the U.S. in bringing about a significant change of attitude among Irish Americans on this matter. He mentioned that Mr Mason would be visiting the U.S. in October.

Referring to his ^{own} imminent visit to the U.S., the Minister said that Irish Ministers were able to speak with particular effect in this domain. He urged caution about any undue insistence on the subject by Mr Mason during his visit. The British voice in this domain could be counter-productive particularly if not clearly balanced with denunciation of support from Loyalist sources.

The Prime Minister agreed and Mr Mason added that this was good advice and he accepted it.

Treatment of Irish Prisoners in Britain

The Taoiseach observed that complaints of maltreatment had been made in a number of instances. Without dwelling on the matter, he felt it necessary to allude to it. The Prime Minister said that he was not aware of any ill-treatments, but complaints about the treatment of Irish or any other prisoners were fully investigated. They would look at any particular case raised in the normal way. He felt that some complaints were certainly attributable to propaganda motives.

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Annex
about
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jail.

Cross Border Checkpoint Delays

The Minister said that problems arose from time to time in this connection requiring us to request expeditious action. The helpful responses received were appreciated.

Enlargement

The Prime Minister said that Britain as a party to the Community also for the Treaties accepted that countries qualified for membership of the EEC should be admitted. There were of course difficulties including the problems of mediterranean agriculture and their relevance for the Community budget. Britain fully recognised, however, the desirability for the applicant States themselves of Community membership given the move on the part of all three to democratic institutions.

Mr Judd said that Britain favoured a Community of twelve. The new candidacies for membership posed a vital political challenge for the strengthening of western democracy and the economic problems, though recognised, could not stand in the way.

The Prime Minister said that he hoped enlargement would bring a new touch of reality into the Community. The Tindemans report

had focused on theory rather than practice. In the British view the member countries had not got the power to work individually but they could

The reality of the Community was a group of nation States cooperating with all the closeness which common interests necessitated but federal concepts were not relevant. He wanted no first or second tier of Community membership (Britain, he suggested, might find itself in the outer tier). Within the next few days, before the Labour Conference, he intended to make a statement on Britain's view of the Communities' long-term objectives and the reforms which should bring the Community more into line with reality. He would

like more detailed talks with the French on the whole report - or perhaps it could be dealt with between the member and Dr Aven, I...

The Treaties referred to the
members of the Treaty / Rome
which required application for membership
of the Community to be carefully considered for
the applicant countries, membership was
probably essential politically. It was so
the Community
seriously.
There were
considerable
difficulties
in relation to
Mediterranean agriculture and the
Budget for example, but political
considerations
agreed
that these
be overcome

not
possibly be
got by itself
as a federation
in the way
originally
proposed.

The Taoiseach said that he too would be firmly opposed to any first or second membership tier. We recognised the political desirability of enlargement but the economic problems involved would have to be resolved. We regarded it as of paramount importance that the essential structures of the CAP should remain intact.

The Minister said that he had arranged to meet with Dr Owen on ^{2.12} 6th November to discuss this and other matters. We were not setting preconditions for the applicants so much as for the Community itself. The Community must face and resolve the institutional/^{and other} problems posed by enlargement and this should be an integral part of the whole exercise. The problem of imbalance of resources was increasingly serious and had aggravated further even in the period since our membership.

The Prime Minister said that in his view the CAP would collapse under its own weight. The present structures contained too many absurdities. It would be useful that we should study this together. Both countries had a strong interest in increasing the allocation of Community resources for regional support. The present imbalance in the Community budget, with such a large share going to agriculture, was not necessarily in either of our interests even allowing for the importance of agriculture in our own economy. Both countries had an interest in a Community agricultural structure which was healthy. In his view, Community agricultural policy should move more in the direction of support mechanisms. The CAP was a target of increasing criticism from third countries. He felt that the French would be very difficult about enlargement

*He wondered if a long transition period
should be allowed for the new applicants.*

unless the problems of mediterranean agriculture were solved to their satisfaction. The Minister commented that so far as the developing countries were concerned their problems were less concerned with the CAP than with wider issues of market preference. *On the transition phase, we favoured "the classical period."*

Direct Elections

The Prime Minister outlined the British situation and confirmed that legislation would be introduced in the next session. If the House accepted PR, direct elections would be possible for Britain in 1978. Otherwise the first-past-the-post system would apply and it would not be possible for Britain to have direct elections before 1979. The position should be clear by the end of January. His own guess was that PR would be rejected. He would vote for it without any enthusiasm but he would not regard it as particularly serious if direct elections had to be postponed for a year and he was not convinced that some other Member State would have much regret about this either. The Minister stressed the vital importance of direct elections for the strengthening of European cohesion at the popular and other levels. Any indefinite deferment of the introduction of direct elections would be obviously dangerous.

The Taoiseach explained the present position so far as Ireland's legislative requirements for direct elections were concerned. The Constituency Boundary Commission would report by mid-October and legislation could go through the Dail by the end of the year.

European Parliament Allowances

There was a brief exchange on this. The Prime Minister said that it was important for Britain, to avoid domestic controversy, that allowances should not be extravagant. He thought that there would be a real problem in achieving a reasonable turnout for European elections. They would have liked to have held these simultaneously with a general election but this was not of course possible given that the direct elections should take place on the same date throughout the Community. The Taoiseach said that we also shared the British concern that allowances should not be set at an excessive level.

There was also some discussion of the Parliamentary Groupings in the European Parliament.

Budgetary Contributions

The Prime Minister said that the Commission's position on this was one which Britain fully shared and the Taoiseach confirmed that we were also in agreement with it.

JET

The Prime Minister said that he hoped that this problem would be seen in terms of the broad European interest. Energy pressures would be great for all Member States particularly from the mid-80's on. Britain had now substantial oil resources and large coal reserves but the initiative in the energy field must not be left to the Russians and the Americans and it was vitally important for the Community as a whole that the decision on JET should no longer be delayed. There was no doubt that the team at Culham would break

up unless a quick decision was reached. The French President had told him privately that he did not agree to the siting of JET in the FRG. It was possible that, as a way out, the French might seek to shelve the project altogether but he had made it very clear to the French President that this would be a great mistake. He had talked recently with Schmidt and felt he detected some softening in the German position. He planned to see Schmidt in Germany on 18th October. The Germans might find it easier to back down if they could clearly be shown to be in a minority. He also thought that many of the Member States were coming round to the view that Culham was the right site.

The Taoiseach said that our position was to favour the site best suited on technical and other grounds. The Minister said that we wanted to see a consensus on the issue. We would tend to favour Culham but some member states, including perhaps the Netherlands, might find some difficulty in supporting Culham if there were not to be an answering positive "European" response from Britain e.g. on direct elections. The Prime Minister replied that he saw this connection more in the reverse sense and that a failure to agree on Culham would be likely to harden British feelings against Europe.

The Taoiseach said if we had to make a straight choice at the end of the day between the British and German sites we would support Culham.

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Continental Shelf

The Taoiseach said that we were ready for arbitration and the British side appeared to accept the principle. We would like early progress on this as we were anxious for the position to be clarified in connection with our allocation of exploration licences. Mr Judd said that the Working Party appeared to have got bogged down but he agreed that the British would now also like to see rapid progress made.

Communique

Discussion on the draft communique at the conclusion of the meeting centred on a paragraph including a reference to national aspirations. The Prime Minister proposed a "bridging sentence" at the beginning of the paragraph referring to support by both Governments for a long-term solution acceptable to both communities (Cubbon suggested "both parts of the community") in Northern Ireland. The British side was not ready, however, to add that such a solution should also be acceptable to the Irish people/both Governments. Without agreement on the bridging sentence the British were unable to accept the paragraph as a whole and it was dropped.

The Prime Minister also queried a reference in the draft to "satisfaction at security cooperation", suggesting to Mr Mason that the reference, if not qualified, would expose him to criticism in the House. He proposed that the wording be amended to "satisfaction at the closeness

of security cooperation". The Taoiseach pointed out that the reference without qualification had been included in previous communiques. The Prime Minister maintaining reservations on this point, the Taoiseach proposed the wording "satisfaction at the degree of ^{Security} cooperation" which was agreed.

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