

## NATIONAL ARCHIVES

### IRELAND



<b>Reference Code:</b>	2011/127/1009
<b>Creation Date(s):</b>	27 July 1981
<b>Extent and medium:</b>	16 pages
<b>Creator(s):</b>	Department of the Taoiseach
<b>Access Conditions:</b>	Open
<b>Copyright:</b>	National Archives, Ireland. May only be reproduced with the written permission of the Director of the National Archives.

*Confidential*

S.22045

Meeting on Northern Ireland matters, London,  
27 July, 1981

Participants:

1. A meeting was held at the Cabinet Office, London on 27 July, 1981 attended by

British Side: Sir Robert Armstrong  
Mr. R L. Wade-Gery  
Mr. P. Evers  
Mr. W N Wenban-Smith

Irish Side: Mr. Dermot Nally  
Mr. D Neligan  
Mr. W Kirwan  
Mr. G Corr

The meeting was devoted to a general and informal stocktaking and exchange of views on (i) the joint studies (ii) the H-Block situation and (iii) the timing of the next meeting at Head of Government level.

General

2. Mr. Nally stated that the Irish Government had been compelled to expend much of its time since assuming office on economic matters and on the H-Blocks problem. The orientation of the Taoiseach toward the joint studies was positive but the British side would appreciate that this must be with the reservation that there had not yet been time for the Taoiseach fully to study the areas involved. Mr. Nally added that the Taoiseach felt that it would be to the benefit of both sides if unionist tensions regarding the talks could be alleviated. He referred to some diary considerations affecting the timing of any Head of Government meeting so far as the Taoiseach was concerned but pointed out that it was clear no meeting of the Taoiseach and the

...../

Prime Minister could take place as long as the H-Block situation persisted or in its immediate aftermath. Mr. Nally portrayed the extremely serious effects of the hunger strike on both parts of Ireland which might not be sufficiently appreciated in London.

Sir Robert Armstrong said that it appeared that a meeting between the Taoiseach and the Prime Minister could not conveniently be agreed before the latter part of September. He mentioned the period 20-25 September as one possibility. The Prime Minister would be involved with the Commonwealth Conference in Melbourne between the 30th September and 7th October and would be leaving early on 25 September since she was to visit the Gulf en route. The Conservative Party Conference would take place in the week beginning 12 October so the alternative would be the second half of October.

(The timing of a Heads of Government meeting was returned to later in the meeting and Sir Robert Armstrong suggested that while the September period was possible, it would appear for political reasons and the schedule of the Joint Studies that the second half of October might be the better time framework. It was pointed out again that, in any event, firm dates would have to await the ending of the H-Block dispute).

#### Joint Studies:

3. Mr. Nally stated that he felt the form of the conclusions of the meeting towards which we might work would involve a communique with an "attachment" or annex containing, in abbreviated form, what the Heads of Government agreed were the worthwhile aspects of the joint studies. The chairmen of the groups could meet to finalise

tentative conclusions and submissions.

Sir Robert Armstrong agreed that the Heads of Government meeting should have reference to the joint studies and an indication should be made of the outcome in the various areas.

Mr. Wade-Gery asked the Irish side to elaborate on what they would see as being in any joint studies "attachment" to the communique.

Mr. Nally stated that the Taoiseach is very conscious of the Unionist position and feels that the "credit" of the Irish Government and the Taoiseach himself with that community must be used to facilitate a way forward. He was also concerned that what had been described as the damaging secrecy surrounding the studies should be removed. The Taoiseach would see a publicly available summary of the joint studies outcome in that context. The Irish side would view the communique as indicating the nature of the talks, their broad framework in time and substance. At this stage he favoured concrete conclusions as far as possible. He entered a further caveat as to the H-Block situation.

Sir Robert Armstrong said that he understood the Irish side's perception of the communique references to the joint studies, however, this was done, as deriving from a desire to find ways of allaying Unionist fears as well as indicating conclusions.

Mr. Nally stated that the meeting of the Taoiseach and the Prime Minister would clearly serve the purpose of both leaders becoming better acquainted. It was a question whether the meeting should

...../

.... /

be portrayed as one in the series of bilateral meetings and therefore perhaps rather low key or whether it should be seen as the December communique envisaged as being concerned with the "totality of relationships". While the emphasis of this might change with the new (Irish) Government, his feeling was that the meeting should be within the context of the totality.

Sir Robert Armstrong said that the Prime Minister would feel that the next meeting should discuss the "totality of relationships" and be within that framework and accordingly with other Ministers being present. The Prime Minister would see the meeting as part of a regular process.

/Comment

The code-phrase "totality of relationships" is here interpreted by Armstrong in a different way - as covering sectional or departmental, aspects of Anglo-Irish relations other than Northern Ireland - from the Irish understanding that it refers to the political/constitutional relationships <sup>and that a meeting</sup> "specially devoted" to it would amount to a new Sunningdale/.

Mr. Wade-Gery stated that we should devise our work programme so as to complete the joint studies first and then go on to reach agreement on the "summary" of the studies as soon as possible with a view to attaching such a summary to the communique. He felt that one more meeting for each working group would be sufficient and that this work should be completed by the end of the first week in September. He and Mr. Kirwan could then examine the outcome from each with a view to submitting texts to the full Steering Group.

Mr. Kirwan said that whatever final document emerged should summarise areas of agreement. It should be positive in its orientation.

Sir Robert Armstrong felt that the Prime Minister would fully the objective of reducing suspicion regarding the studies. On confidentiality, he would propose that the existing "ground rule" pertaining to the talks should apply until the Heads of Government meeting and it should be left to them to "widen it out" as they necessary.

Mr. Nally agreed to this proposal and said that there should be unilateral change prior to the Heads of Government meeting.

Mr. Wade-Gery asked the Irish side to clarify how they saw the "attachment" to the communique. He asked should it be formulated in the context of stating what had been agreed or within the framework of shared ideas open to broader discussion?

Mr. Nally stated he felt it might have a form of "Green Paper" dimension rather than being formulated in a context of finality. This would allow input by various interested bodies and create a framework for involvement.

Mr. Wade-Gery said that this was an issue of significance in terms of how to approach drafting.

Mr. Nally asked how the British side saw the process of the talks and their follow-up in terms of the envisaged advisory council announced by Secretary Atkins. It was important that the possibility of a link between any Council and whatever institutions might emerge from the Joint Studies should be borne in mind, particularly when the composition of the Council was being looked at. It was no good setting up a body which would be totally negative in its attitudes. If the Advisory Council were properly constituted it could make a valuable contribution to whatever other institutions might emerge. The attitude of the people in

Northern Ireland was of course important in considering whether the Advisory Council could take off at all.

Mr. Neligan stated that there must be considerable question about the Advisory Council given the reaction of political parties in the North and its envisaged composition.

Sr. Robert Armstrong said that the British side saw the Council as being constituted partly by nomination by the Government. He envisaged "Joint Studies" and the Advisory Council as going forward separately but that one day there might be a linkage. This should not be done now.

Mr. Kirwan taking up Mr. Neligan's point wondered whether it might be possible to get over attitudes of "backwoodsmen" within an Advisory Council drawn largely from District Councillors by having something like the Bureau of the European Parliament where the more practised politicians in the party leaderships could come together as a filter and channel for input from the Advisory Council. He considered that linkage with the Anglo-Irish process might make the Advisory Council more attractive to the SDLP although he could see, of course that the reverse could apply with the Unionists.

#### Institutions

4. Mr. Nally said the Irish side noted that the British paper on institutions had not gone beyond the inter-governmental area. He felt an inter-parliamentary structure was important in making progress. The inter-governmental body was important because it could be set up and function without any possibility of Unionist veto - and could give a profile to co-operation between the two countries. But as things stood now, it would be difficult to get Northern Ireland involvement in the body because there were no Northern Ireland politicians in the

Government or administration of Northern Ireland. This was a problem which could perhaps be overcome but it would need close attention. Even if Northern Ireland politicians were involved in Government, they might not want to participate in the inter-governmental exchanges.

The inter-parliamentary grouping offered the same opportunities to a wider grouping and could be expected to be attractive to a substantial minority, at least, of Northern politicians.

Sir Robert Armstrong felt that this question was essentially a matter of what could be "sold" without endangering progress already made. It would be best to first have the inter-governmental council established and then later look at the parliamentary area. It was important to have the first stage right. It was better to go one step forward that sticks rather than be over ambitious and see the whole edifice come down.

Mr. Nally stated that an inter-governmental framework by itself was not enough. Indeed, if it was only bilateral it would not really be an advance since it would not move greatly beyond present realities, even if by a different name. There could also be obvious dangers as far as we were concerned if all that emerged were machinery for more formalised contacts between the two Governments, with a strongly East-West bias. The North-South element must be there somewhere.

Sir Robert Armstrong argued that in this area, whatever about the practicalities, it was the perceptions that were vital. The British side saw the creation of an Anglo-Irish Council as being perhaps a bigger step than did the Irish side. He added that the Franco-German Co-operation Treaty had no parliamentary link but this had not prevented its development nor undermined its importance. Links between France and Germany had become a force to be reckoned with the Community

...../

and elsewhere. There was no difficulty as far as they were concerned about the Economic and Social Council or whatever it would be called but on overt parliamentary links Mrs. Thatcher would have to take account of opposition from Unionists and possibly, people within her own party.

Mr. Wade-Gery said that a parliamentary dimension would attract most comment and the other structures would be seen in that context.

Mr. Kirwan stated that the Irish side did not underestimate the importance of the inter-governmental area. Activity in this area could attract unionists into the parliamentary component. The Franco-Germ analogy was not fully valid. One could not be confident that perceptions forming on the British side would carry through to North Ireland people unless they were directly involved. It should be noted that in the most recent draft of the Irish paper, our concept of the parliamentary component was developed as a "deepening and broadening of the composition and activity" of the existing Anglo-Irish Parliamentary Group, to use language in the British paper. We were wedded to the numbers cited, the basis of which he explained. It might be possible to come to a formula that would reconcile the respective approaches. Mr. Kirwan added that many in the Conservative Party would be in favour of a parliamentary framework.

Mr. Nally said that a parliamentary framework could be built on what existed and could allow a Northern Ireland input.

Sir Robert Armstrong agreed that a parliamentary level should be established in due course and should have a Northern Ireland input. He wondered if the Advisory Committee would advance this.

Mr. Kirwan accepted that for practical reasons - consultation etc - it might not be possible to announce a decision on a parliamentary component.

at exactly the same time as announcement of an inter-governmental be  
The Irish side would, however, see "in due course" as referring to a  
short interval. Mr. Wade-Gery thought that while the attachment to  
communique might have to be terse on this aspect, the Irish ideas on  
numbers etc. might perhaps be retained in the "private" paper for  
Heads of Government.

(It was agreed that Mr. Kirwan and Mr. Wade-Gery would take account  
of the points raised).

### Security

5. Mr. Nally stated that there was a particular problem concerning  
the security paper in relation to operational details of contacts  
and meeting between the Defence Forces, intelligence gathering and  
extradition. He said that detail in the paper should be reduced and  
the appendices scrapped.

Mr. Wade-Gery stated this was an important issue.

Sir Robert Armstrong said that Government Ministers liked to show  
something "real" in this area whenever it was raised.

Mr. Nally stated that if much of the material was kept on file  
(rather than being made public) the question would not be a problem.  
He raised the issue of extradition and detailed the present position  
in the context of the extra-territorial provisions of the Criminal  
Law Jurisdiction Act which had been tried but had failed largely on  
technical grounds which he detailed. These technical problems in  
particular cases did not mean that the legislation had failed. Any  
effort to establish extradition qua se would face challenge in the  
Irish courts and he had little doubt but that it would be found  
unconstitutional. Two of the people on the 1974 Committee  
were now Supreme Court judges and would be likely to reach the same  
conclusions now as then. A referendum would cause far more problems

than it would solve in that, for example, it would raise again the question of inhuman and degrading treatment of which certain members of the R.U.C. had been found guilty by the Human Rights Commission and had remained undisciplined. The whole area was a hornets' nest, which could bring more damage to security efforts than any likely benefits.

Mr. Kirwan noted that the ground had been covered regarding extradition in discussion in the security group. The discussion was not reflected in the British draft report of the group which simply had a cross-reference to a paper in the appendices which was the original British paper on extradition. The Irish side had waited for a further British paper modified in the light of discussion; possibly the British side had been waiting to see an Irish paper. On the basis of the discussions held he felt that they could reach an agreed summary in this area.

Mr. Wade-Gery proposed that the summary should develop the idea of improving the operation of the extra territorial legislation while "logging" the extradition question.

Mr. Wade-Gery felt the British side would have to mention the word "extradition" at some stage in a conclusion security paper but, having done so, it would move on.

Mr. Nally said that if the British side were stated the Irish side would be stated too.

#### Economic Co-operation Group

6. Mr. Neligan stated the Economic Co-operation Working Group would need some up-dating in the energy area but that discussion could take place in early September to "knit together" both papers.

Mr. Kirwan recalled that the Interconnection Working Party had recently finalised its report. This had been commissioned under the aegis of the Anglo-Irish Economic Steering Group which was not meeting during the currency of the joint studies process. The assessment in the report of rates of return on investment on East-West Interconnection seemed to indicate that, on reasonable assumptions, it was a viable proposition. There was reference to the possibility of EEC aid but the report did not show the favourable effect this would have on rates of return. In general the conclusions were somewhat bland. The question arose as to whether it was appropriate for the Economic Co-operation Study Group to sharpen up the conclusions on this matter.

Mr. Nally said that the Prime Minister admittedly without brief had seemed enthusiastic about the proposal at the last Heads of Government meeting; and that we regarded this as an important political input in a positive direction.

Mr. Eyers stated that the reason why the working party studying the question had not come up with a recommendation was <sup>that</sup> it would probably have been a divided one. He doubted that the study group could succeed where the Working Party had failed.

Mr. Kirwan said that the matter had a political dimension which the Working Party could not take into account but which fell within the joint studies brief. The joint study should at least bring out that the matter was one for political decision. He conceded, however, that it might be necessary that one wait for the Head of Government level to get this decision.

Sir Robert Armstrong agreed that there could be a reference stating this issue has political implications.

(It was agreed Mr. Evers and Mr. Neligan move towards framing a draft on Economic Cooperation).

Mr. Nally commented that the economic situation in Northern Ireland was extremely critical and perhaps the papers did not quite reflect this. There was a link between steps to revitalise the economy, political institutions and establishing peace. He mentioned the population movement from Northern Ireland and added that many of these people had moved to the South. He felt the larger economic questions like taxation, industrial restructuring, agricultural regimes in the CAP, should be mentioned with a reference to the link with political institutions and stability..

Sir Robert Armstrong said that this should be mentioned in some Mr. Kirwan felt this could be done by way of an introduction to the composite report on the joint studies as a whole. Perhaps currency regimes should be included on also.

7. Mr. Nally mentioned that the "measures to encourage mutual understanding" drafts were at times very general but this was perhaps inevitable given the subject matter. <sup>on "misconceptions"</sup> The paper/seemed satisfactory but perhaps the question of making more concrete recommendations could be looked at. There was the possibility of a joint history for educational establishments and he found that the idea of the open university was looked at with some enthusiasm by a number of people.

#### Citizenship Rights

8. Sir Robert Armstrong stated there was considerable detail in citizenship papers, much being of a recital nature. He felt a

summary should not entail a great problem.

Mr. Wade-Gery mentioned at this point that Mr. Wasserman and Mr. Hasti Smith were moving to different areas of work although the latter might maintain some involvement for the next few weeks. They were being replaced by Phillipa Drew and Roger Facer, respectively. that with the legislative programme of the new Irish Government Mr. Kirwan stated/it was not easy to foresee when a Bill might be introduced regarding voting rights for British citizens in Ireland. This was an issue that would be brought to the attention of Government Ministers.

#### Summary Paper

9. Sir Robert Armstrong suggested that when the individual studies had been completed Mr. Wade-Gery and Mr. Kirwan might join together in preparing a draft of the summary for attachment to a communique. This summary could then be looked at by the Steering Group at its next meeting, the date of which would depend on the date of a Head of Government meeting.

#### Meeting of the Steering Group

10. Mr. Nally invited Sir Robert to come to Dublin for this next meeting.

Sir Robert said that he accepted with pleasure. If sufficient time were available, the week of the Conservative Party Conference (12 October) would be suitable but if work had to be directed towards a September Summit an earlier meeting would be necessary.

#### H-Blocks

11. Mr. Nally stated that <sup>the</sup>/H-Block dispute and the deaths were creating great damage in both parts of Ireland. The recent riots in Dublin would

have been inconceivable a few months ago. Up to the time of those there could be little doubt but that the Provisional IRA were winning the propaganda battle. He added that it would be most helpful if there could be a better flow of information to Dublin regarding developments. We had very good sources and would probably get the information anyway. All that happened through concealment was that the relations were soured. Mr. Nally instanced the recent visit of the Duke of Norfolk to the Maze and added that the Taoiseach had been about to make a statement when he heard about it. The Irish Government's position was made very difficult when it was caught unaware in such situations. We had received the information anyway from our channels but this did not help in the matter of general attitudes. Mr. Nally concluded by describing the great difficulty the current situation presented for the Irish Government, not least because of the fact that one Member of the Dail was close to death and another might follow or resign his seat.

Mr. Neligan outlined recent developments and mentioned the apparent hardening of the IRA stance. He added that the Irish Government felt it vital that no opportunity should be missed and the onus for the deaths should be placed with the IRA and the hunger strikers themselves.

Sir Robert Armstrong said that the British shared apprehension about the propaganda element, particularly in the United States. He was, of course, aware that the Irish Government would not wish Britain to yield political status or to allow the prisoners to organise their own prison regime. He did not see where the authorities could move unless the prisoners showed signs of yielding on the "purity" of their demands. If they had an indication of what the prisoners would accept

- which they would then equate to political

status - they would certainly consider the situation most carefully. They had to bear in mind the situation in British prisons on the mainland, where conditions were worse than in the Northern Ireland prisons, and which now contained about 45,300 inmates, compared with an "absolute maximum" set by Mr. Roy Jenkins as Home Secretary in the early 1970's of about 42,000. The reaction of the Unionists and prison officers in the North had also to be considered.

Mr. Nally said the Irish Government would not wish Britain to yield political status if that were an issue. There had appeared a certain movement on the prisoners side. Not so long ago, they had issued a statement saying they did not want to be differentiated from other prisoners. This seemed at the time to dispose of the issue of political status. They had also said that they were not seeking control of the prisons. Attitudes seemed to have hardened since.

In so far as the Unionists were concerned there was a certain ambivalence because there were "Unionists" paramilitaries in the jail too.

Mr. Neligan added that Unionists were concerned also to see the level of tension in Northern Ireland reduced.

Mr. Kirwan referred to a British statement of 9 July, given to the Irish authorities by the British Embassy and Secretary Atkins' letter 30th June to Bishop O'Mahony. In these cases, they had been more explicit in referring to improvements in the prison regime that could operate when the protest ended than they had been in Mr Atkins' rather reticent statement of 8th July. Had they a difficulty about setting out in public documents how far they were prepared to go, as in the private papers cited?

...../

Sir Robert Armstrong said that there appeared no readiness by the prisoners to yield or make concessions. It was not so much a case of difficulty about saying things publicly but rather an assessment that those things would not lead to a solution.

Mr. Kirwan referred to the uncertainty that the prolongation of hunger strike injected into the follow-up to the joint studies through a summit meeting and otherwise. He wondered whether one possibility might be for the British to indicate a final "point" beyond which they would not go in handling the situation, to agree with the Irish authorities that they would regard this as acceptable and then to go as far as agreed. It was felt however that there would be considerable difficulties about this.

Mr. Nally stressed the need for Britain to maintain sufficient flexibility and prevent the Provisionals and the prisoners winning propaganda victories by making the intransigence appear wholly on one side. He explained again the need for a good information flow.

Sir Robert Armstrong agreed to note the views of the Irish side and pass them to his authorities, particularly on ways of improving the information flow to Dublin.