



An Chartlann Náisiúnta
National Archives

Reference Code:	2019/31/44
Creator(s):	Department of the Taoiseach
Accession Conditions:	Open
Copyright:	National Archives, Ireland. May only be reproduced with the written permission of the Director of the National Archives.

Overview on Review Report

not all levels.

1. While there are still a significant number of drafting difficulties remaining between the British and ourselves, there are only a few issues of political substance left to be decided. These relate to:
 - our insistence that the text should contain a satisfactory sentence about political dialogue/progress;
 - a satisfactory balance in paragraph 2 of the text;
 - the location of a sentence signalling a willingness, in the light of developments, to consider adapting the future operation and machinery of the Agreement;
 - the content of the paragraph on extradition.

Political Dialogue (para. 2)

2. The present (British) text, which calls for "political problems to be addressed by peaceful dialogue", is weak and indeed reads rather oddly. (However, this does represent some movement as initially the British opposed any reference to political dialogue).
3. We would suggest the following formulation, which has the added advantage of being an exact reiteration of the Joint Conference statement of 13 September, 1988.

"They reaffirm their belief in the need for dialogue at all levels as an essential element in achieving political progress and an end to violence."

invited or outside the framework of the Conference

Balance (para. 2)

4. There is also a question of whether paragraph 2, given that it is likely to be particularly closely scrutinised, contains the right balance. While it reaffirms a full commitment to all the provisions, etc, of the Agreement and Communique, it goes on to be specific only about political dialogue, violence and security cooperation. We would argue that it should also contain a general reference to reform and change within the North. A suitable extract from the Agreement preamble, such as the following, might give the required balance:

"They regard as fundamentally important the recognition and respect for the identities of the two communities in Northern Ireland, and the right of each to pursue its aspirations by peaceful and constitutional means."

5. If the above is acceptable, the new paragraph 2 would read as follows:

"Having conducted the Review, the two Governments reaffirm their full commitment to all of the provisions of the Agreement and to the shared understanding and purposes set out both in the preamble and in the Agreement itself as well as in the Hillsborough Communique of 15 November 1985.

They regard as fundamentally important the
[recognition and respect for the identities of the
two communities in Northern Ireland, and the
right of each] to pursue ^{its} aspirations by
peaceful and constitutional means; they
reiterate their unyielding opposition to any
attempt to promote political objectives by
violence or the threat of violence and commit
themselves to continuing close cooperation in the

*Y.H.B.
all copies
of
N.I. to
pursue...*

security field to ensure that those who resort to such methods do not succeed; and they reaffirm their belief in the need for dialogue at all levels as an essential element in achieving political progress and an end to violence."

Possible future adjustment

6. The British would like to include the reference to this (the language of which we can agree at official level) within paragraph 29 (see working text). We feel, however, that in the suggested form it is somewhat "buried". In our view a self-contained final paragraph would convey a clearer, more focussed message. We would, therefore, have a strong preference for a new final paragraph, as follows:

*Notes
Sept
14
activity*

"Both Governments will continue to assess ^{on an} ongoing basis progress ^{being made} towards achieving the objectives of the Agreement. If in the future it were to appear that these objectives could be more effectively served by adjustments to the operation and machinery of the Conference, consistent with the ~~basic~~ provisions and spirit of the Agreement, the two Governments would be ready in principle to consider the merits of such adjustment."

6

Extradition

7. The new suggested paragraph on extradition (para. 19), as received this morning, is unhelpful and unacceptable. We would hope that, particularly in the light of recent developments, the British will be ready to withdraw the phrase "the British Government maintains its view that there needs to be changes if these procedures are to be fully effective". If the British side is insistent on some phrase along these lines, we would obviously want to insert a balancing phrase.

Other textual issues

8. There are a small number of other textual issues for consideration; these might best be raised orally at the meeting. They relate, inter alia, to arguably recriminatory language about security cooperation which is contained in new British amendments, received this morning. In handing over their amendments, the British indicated that they had emanated from the Cabinet Office and that the existing Review text had been seen by a number of Ministers, including the Prime Minister.

Presentation

9. The British intend having the text printed in Belfast and have suggested that this could be used by both sides. Our inclination would be to have our own printing done.
10. It is extremely important that our public presentation of the Report be carefully considered and worked out in advance.

Date of next Conference

11. This has been arranged for the 26th April, due to difficulties with the diary on the other side. Should we seek to change this date in the light of the Taoiseach's return on that day from Tokyo? A difficulty in seeking a change is that a Conference in early May is unlikely to be acceptable to the British given the local elections in the North later that month.

Anglo-Irish Division
14 April, 1989.