



## An Chartlann Náisiúnta National Archives

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## PRESENTATION OF THE REVIEW REPORT

### Objectives of Presentation

1. The message we should seek to put across might be along the following lines:
  - (a) as required by Article 11 of the Agreement, a thorough, serious and reflective examination of "the working of the Conference" to date (and not of course of the Agreement itself) has been carried out;
  - (b) while no fundamental change is required at present, it has been agreed to develop and expand the role and work of the Conference in a number of significant areas;
  - (c) this new programme of work for the Conference for the period ahead includes the maximising of cross-border economic cooperation, where the Government believe there is considerable mutual benefit to be derived from close cooperation in areas such as agriculture, industry, transport and communications, tourism, energy, health and in our approach and response to the challenge of 1992 - which clearly will have far-reaching consequences for the island as a whole. In order most effectively to advance this new agenda, Ministers with specialist responsibilities in these areas will participate in the Conference in future, at the invitation of the Co-Chairman;
  - (d) the expansion of the agenda into new areas does not of course mean, in any way, that the traditional agenda of nationalist concerns will be weakened. In fact, the highest priority has been given by the Government to issues such as prisons (which has now effectively been defused) and harassment (where the pursuit of cases takes up a high proportion of the time of the Secretariat and where the NIO has recently established

a high level Committee, with input from the Secretariat, to monitor the nature and pattern of harassment complaints against the security forces); this will continue to be the position;

- (e) the point might also be made that it is not surprising that no fundamental change is required in the working of the Conference. This is clearly an on-going process and indeed the scope and work of the Conference has already been developed significantly in the past few years. The Government for example, on taking office, decided that the agenda of the Conference should be broadened and expanded and that there should be a much greater focus on, and priority given to, the economic and social potential of the Agreement. This was subsequently reflected in such developments as the new Fair Employment legislation, the introduction of a special development package for West Belfast and the targeting of the work of the International Fund on disadvantaged areas.

#### SOME SPECIFIC CONCLUSIONS OF THE REVIEW

[with comments in square brackets]

##### Commitment to the Agreement (Para. 2)

2. The two Governments "reaffirmed their full commitment to all of the provisions of the Agreement and to the shared understandings and processes set out both in the preamble and in the Agreement itself as well as in the Hillsborough Communique of 15 November, 1985". [The full Agreement and accompanying Communique are therefore still on the agenda of the Conference even if every aspect of them is not specifically referred to in the Review Report].

Political Dialogue (Para. 2)

3. The two Governments "reaffirm their belief in the need for political dialogue at all levels as an essential element to achieving progress and an end to violence".
4. [The Government are disappointed that the Unionists did not decide to become involved in the Review process but that is now past history. For the future, the Government's position remains clear. They want the widest possible dialogue at all levels, without preconditions or without prejudice to anyone's position. It is hoped that, once the election and marching season are over in the North, the effort to achieve political progress, and develop political dialogue, will be undertaken with renewed vigour. As the Government have consistently made clear, this can take place outside the framework of, or in parallel with, the Agreement, without prejudice to the views of any side about the Agreement itself. This is a much more pragmatic and honest approach than any attempt to tinker with meetings of the Conference, or to consider its suspension, etc. This possibility was not in fact raised during the Review discussions].

Devolution (Para 7)

5. The text states that "it continues to be the British Government's policy, supported by the Irish Government, to encourage progress towards the devolution of responsibility for certain powers to elected representatives in Northern Ireland as set out in Article 4 of the Agreement. Both sides recognise that the achievement of devolution depends on the cooperation of constitutional representatives of both traditions within Northern Ireland".

6. [Article 4 of the Agreement quite clearly states that devolution has to be "on a basis which would secure widespread acceptance throughout the community". It is self-evident that the conditions which would allow for devolution simply do not exist at present. If they did emerge, then of course, as the Taoiseach has said in the past (e.g. This Week interview on the 26th February, 1989), that is something we will consider at the time; we are always ready to respond constructively to any changes which may take place].

#### Rhythm of meetings and structures (para. 4)

7. The review agreed that there should be a regular schedule of meetings, and suggested that the objective should be to hold ten Conferences a year. [This was in fact the number held last year, which was the largest since the Agreement was signed]. It has also been decided to hold at least one informal meeting - i.e. Gymnich-type meetings as they are called in Europe - a year. [This would give Ministers the opportunity, perhaps over a weekend, to look at longer term strategy and issues, away from the restrictions of a fixed agenda. The Government welcome the decision to have better advance planning and a more structured pattern of Conferences].
8. It was also agreed (para 6) to try to put more information about the work and achievements of the Conference into the public domain in future.

#### Involvement of economic Ministers (paras. 5 and 23)

9. [Specialist Ministers from North and South have been meeting regularly, and making useful progress, within the overall framework of the Conference. However, it is now felt that these meetings should be brought more directly within the

Conference structure. This is also desirable due to the direct overlap which can occur between Conference and specialist meetings. An obvious example of this is the envisaged discussion between the Minister for Energy and his Northern counterpart on, inter alia, the restoration of the North/South electricity interconnector. This clearly has security as well as energy saving implications].

10. [The Government believe that there is very considerable mutual benefit to be derived from maximising cross-border economic cooperation, whether it be in agriculture, industry, transport and communications, tourism, energy or health. Above all, as the report states in para. 24, the advent of 1992 will have far reaching consequences for the island as a whole. These are all issues which will be given urgent attention by the Conference under its new structures].

Inter-Parliamentary Body (para. 26)

11. [The Government are pleased that an Inter-Parliamentary Body is about to be established. The formal announcement of the composition and first meeting of the Body is expected to be made sometime next month].

Future Adjustment (para. 29)

12. "If in future it were to appear that the objectives of the Agreement could be more effectively served by changes in the scope and nature of the working of the Conference, consistent with the basic provisions and spirit of the Agreement, the two Governments would be ready in principle to consider such changes".
13. [It is unfortunate that not all parties made submissions on the Review. However, the Government would wish to keep the

door open to suggested changes, including from outside bodies, and will at all times be willing to consider seriously any constructive changes which are consistent with the basic spirit of the Agreement].

#### General

14. It is of course true that the Agreement and the Review have not eliminated all difficulties and differences in the British-Irish relationship. What they provide is a framework for the Government to put forward views and proposals, for the discussion of difficulties between the two sides and for determined efforts to be made to resolve differences. It is understandable that progress in relation to some of the more difficult areas will take time. The important thing is that the process of discussion through the Agreement will continue - with, we hope, enhanced success following the Review.

#### Consultation

15. Both Governments received a range of submissions from outside bodies, and there was of course a full debate on the Review in the Dáil. These submissions were carefully considered by the two sides. It will be appreciated that it would not be appropriate for the Governments to publish these submissions.

#### Secretariat

16. The Review Report makes clear that the Secretariat has played a valuable rôle both in serving the Conference and in acting as a continuing channel of communication between the two sides. We will seek ways, on an on-going basis, of seeing whether the Secretariat might further improve its

procedures and methods of operation, where this is possible and appropriate.

Areas of Possible "Disagreement" between both sides

17. Ministers will need to spend some time at the Conference to review their public presentation of the Report. The following are some of the main areas of potential disagreement, as identified by the Secretariat:
- (a) Political Dialogue: where the text speaks of the "need for political dialogue at all levels". The Secretary of State has been anxious to avoid any apparent endorsement of the Taoiseach's call for wider dialogue between the Irish Government and the Unionists, as he takes the narrow view that this might be in competition with his own call for talks "to or towards devolution" in a strictly Northern Ireland context.
  - (b) Devolution: this is less of a problem, though the British have in the past (privately) suggested that the Government could do more to encourage the SDLP to consider the devolution option;
  - (c) Three Judge Courts: the text makes it clear we cannot agree on the issue at this time;
  - (d) Extradition: text is neutral and both sides should avoid straying from it. Extradition is essentially a matter for the Laws, the Courts and for confidential exchanges.

Anglo-Irish Division  
23 May, 1989.