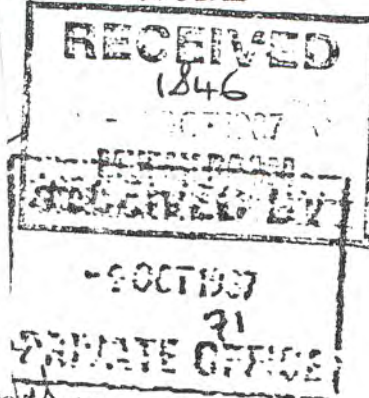




FROM THE AMBASSADOR

The Rt Hon Tom King MP
Secretary of State for Northern Ireland
Northern Ireland Office
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BRITISH EMBASSY,

WASHINGTON, D.C. 20008

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6 October 1987

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Dear Secretary of State,

NORTHERN IRELAND: THE NEXT STEPS IN THE UNITED STATES

1. Although you will have formed your own impressions during your visit to the United States of how Northern Ireland issues now stand here, I thought you might find it helpful to have, on your return to the United Kingdom, a view from Washington on the way forward, particularly on MacBride.

2. The first impression which I have is that Northern Ireland is no longer anywhere near the top of most American politicians' agenda. Across the nation, but especially in Washington, the level of interest in Northern Ireland as a political issue has fallen off sharply among all but the most committed Irish Nationalists. One illustration of this was the absence of significant demonstrations during your visit, despite widespread advance publicity. Another was the relaxed attitude which legislators in Washington with an interest in Ireland (with the notable exception of Joe Kennedy - and in his case, of course, for constituency political reasons) took towards pressing you on Irish issues during your visit. (One negative consequence of this relative quiescence, however, is that the local activists are able to get the Irish agenda here, and focus attention on areas, such as MacBride or three judge courts, where they believe the British Government to be vulnerable.)

3. There can be no doubt that the Anglo-Irish Agreement is far and away the single most important reason for what I regard as a healthy decline of interest in Irish affairs. Another cause is the widespread belief (which this year's events have only partially undermined) that the level of violence in the Province is gradually falling off.

4. Against that, generally favourable, background, however, there are a number of areas of continuing concern, of which fair employment is at present the most difficult. Before tackling

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that, and making some recommendations for handling the issue, perhaps I could deal with the other worries on the minds of those here interested in Ireland.

5. Under the broad heading of the follow-up to the Anglo-Irish Agreement come concerns about political developments; about the International Fund; and about the administration of justice. On the first, I detect, as I said in my telegram number 1948, a slight but growing sense of "what now?". There is a great deal of interest in progress under the Anglo-Irish Agreement. While this may be slow, and much of it confidential, we need to bear in mind that Americans who care about Northern Ireland are keeping a watchful eye on the situation as a whole, and the talks with the Unionists in particular. If they fail, the sense of puzzlement will be great, and, in those rather bleak circumstances, we shall need to have ready a cogent account of how HMCG sees the political future for Northern Ireland.

6. Congressman Lantos and his fellow members of the House Foreign Affairs Committee, among others, ably expressed to you the worries about the Fund: first, that there was so far nothing concrete to show for the money which had been granted to the Fund; and, secondly, that the Fund was international only in name. We have dealt with both of these concerns in my letter to Lantos. Although he and others seemed to talk about a grant in FY 89 as a real possibility, I stick by my advice to you (again in my telegram no 1948) that we shall need to be able to offer much more convincing evidence of concrete results in terms of actual projects if we are to have any chance of securing a fourth year of funding. At the least, we shall need another visit here by Fund Board members, coupled, I hope, with the publication of a glossy pamphlet showing what the Fund is doing on the ground.

7. The third worry in this area, of interest mainly to those with local Irish constituencies, is that of the administration of justice in general, and of three judge courts in particular. You will be dealing with this in your letter to Joe Kennedy. Apart from MacBride, there is no doubt that this is the area where our opponents, egged on by the Irish Government's attitude, believe us to be most exposed. As so often in Irish affairs, presentation is far more important than substance: the fact that terrorists stand a better chance of a fair trial in Northern Ireland than probably anywhere else in the world scarcely registers with Irish-Americans, who are convinced that three judges are better than one. I have to say that I do not think we have yet evolved a fully convincing statement of our reasons for refusing three judge courts and we need to have one available. Without more ammunition, this question will continue to loom and thus make our presentation of other Northern Ireland issues more difficult.

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8. Finally, and most important, MacBride. Here again, the facts on fair employment in Northern Ireland are of little or no interest to local law-makers whose often wilful ignorance of the realities is matched by the knowledge that a vote for the Principles is a cost-free way of showing Irish-American constituents that, on Irish affairs at least, the heart is in the right place. As I told you when you were here, I very much welcome your decision to shift the emphasis of our efforts away from the Principles themselves to the effect of the campaign on investment in Northern Ireland. The "hassle factor" must be the weak point on which our lobbying is concentrated. It would be of great help to our efforts if this important change of emphasis could be distilled into a new agreed line to take which would serve as the basis for lobbying here, and perhaps also in the United Kingdom. I enclose a possible first draft, on which we would welcome comments.

9. In addition, I wonder whether it would be possible to use our move towards publicly acknowledging that we share the basic philosophy of the MacBride Principles to try again to persuade the Irish Government (and perhaps eventually even the Friends of Ireland on St Patrick's Day) to issue a similar statement, supporting the essence of MacBride but criticising the campaign. In my view, a major effort, perhaps jointly by the Prime Minister and yourself, to undo the damage done by Mr Haughey's interview with 'Irish America' magazine would pay great dividends.

10. Beyond that, however, I think we need to have a much clearer and more realistic idea of what we can hope to achieve in the United States. On the assumption that the MacBride campaign will maintain or gather speed in the remainder of this year and the first half of next, what should we be trying to do, and with what resources? You will have seen David McKittrick's gloomy assessment in "The Independent" of 2 October. My own view is that, even with a substantial increase in resources, both in terms of UK-based staff (who, in practical terms, could only hope to be fully operational next spring) and of money, we would have little or no chance of halting the campaign altogether. We shall still be dealing with legislators (often in the State capital a long way from the seat of our Consulate General) who see no reason to change their entrenched view of Northern Ireland, who are unwilling to concentrate on the detail, and whose attitude to MacBride will be determined largely by local political considerations. But, with more realistic aims, a marginal increase in our existing effort, and more effective targeting of that effort, we should stand a slightly greater chance of making a greater impact on the problem, at least in some States.

11. To achieve this, I should like to see us adopt as soon as possible all or some of the following steps (many of which echo the conclusions of your meeting at Hillsborough on 27 July):

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- i) Agreement on a new and more positive line to take on MacBride, as suggested in paragraph 8 above.
- ii) In circumstances where we judge that we have little or no hope of halting MacBride legislation, agreement that, very much as second best and subject to the views of this Embassy and the NIO, our aim should be to amend the legislation so that it does not conflict with Northern Ireland law. One way of achieving this might be to encourage local legislators to table amendments encouraging US companies to subscribe to Principles consistent with our own Guide to Effective Employment Practice rather than the MacBride Principles. To do this we would need to deploy rather more resources in the State legislatures than we have so far been able to do (see v below). We should need to explain such a change of tack to the Federal Government, who have weighed in on our behalf with State legislatures and who remain absolutely opposed on constitutional grounds to any encroachment into foreign policy by the States. But I feel sure that the State Department could be brought to understand that the hope of a successful constitutional challenge is too remote a prospect for us to depend on; and they might even accept privately that many local legislators consider themselves better judges of US interests overseas than the State Department.
- iii) As you will have gathered from your meetings here, an early statement unequivocally committing the Government to early legislation remains the single most important step which we could take to convince American audiences that we are serious about tackling religious discrimination in employment in Northern Ireland.
- iv) On tactics rather than strategy, I should like each Post in whose area MacBride legislation is tabled to draw up an action plan for handling the campaign, to be agreed between this Embassy and the NIO/DED. I should also like to see greater coordination of our efforts with those of the State Department where appropriate.
- v) Agreement in principle that you, through either the Northern Ireland Office, the Department of Economic Development or the Industrial Development Board, would provide resources for:
 - a) our own MacBride lobbyist(s) based in New York to be able to spend significant periods of time in areas where MacBride legislation was under consideration.

/b)



- b) Posts to hire lobbyists, and to subscribe to legislative tracking services, where they judged that to be effective, subject to the agreement of this Embassy and the NIO/DED. Private Sector reinforcement for our efforts is likely to be an important part of our strategy.

Once we know whether funds are available, we shall urgently pursue the possibilities in this area.

- vi) I should like to see the US companies themselves take a much more forward role in combating the problem. To do this, I think we need to establish, or encourage the establishment of, a forum (either here or in Northern Ireland) for US companies with holdings in Northern Ireland. A first, and very early, product of such a forum might be a joint statement by all US companies in Northern Ireland, welcoming the underlying philosophy of MacBride, adhering to our own Declaration of Practice and, perhaps, agreeing to monitoring by the FEA (or another, mutually acceptable, independent body). One way of launching a mutual support group of this kind might be for you to get representatives of all US companies in Northern Ireland together, perhaps socially, to talk about your trip. Overall, I am sure we must devote much more effort both here and in Northern Ireland to helping the US companies do more to help themselves at the Federal and local levels. This will require a great deal of time and resources: once the exercise was in hand in Northern Ireland, a visit by DED officials could help take it forward in the United States.
- vii) we shall need to devote more resources to bringing lobbyists from Northern Ireland over to MacBride hearings here, and, perhaps even more important, to bringing influential legislators from the individual States over to Northern Ireland. In presenting our case to local legislatures, one authentic and independent Irishman is worth a wagon load of people perceived to be British Government stooges. Ideally, we need to set in place independent bodies to manage visits in both directions.
- viii) finally, I should like FCO and NIO officials urgently to explore the possibilities for establishing direct secure communications between the Department of Economic Development (who lead on MacBride) and this Embassy and New York.

None of these ideas is particularly original; nor would any one of them have any overwhelming effect on the problem. But, taken together, they could make a significant difference to our efforts. If you were able to agree to them at least in principle, then those who deal with the subject here could be in touch with your staff with a view to putting them into practice as soon as possible.



11. I should welcome your views on all this. I hope that these impressions tally generally with yours. I am sending a copy of this letter to the Foreign and Commonwealth Secretary.

It was so nice that both of you could come to Washington - at the start of a most useful visit -

Yours ever

Antony

Antony Acland



THE MACBRIDE PRINCIPLES: THE BRITISH GOVERNMENT'S VIEW

1. The Prime Minister, Mrs Margaret Thatcher and the British Government are totally committed to eliminating religious discrimination in Northern Ireland, and to ensuring full equality of opportunity in employment for both Catholics and Protestants.

2. That is why the British Government:

- launched a major consultative exercise on fair employment in September 1986;
- on the basis of that exercise, published a new Guide to Effective Employment Practice in September 1987;
- has already implemented tough sanctions to ensure equal opportunity, notably by allowing Government contracts (which in 1986 represented 11% of total contracts in Northern Ireland) and grants (which in 1986 totalled \$4 million) to go only to employers who adhere to a Declaration of Fair Employment Practice; and
- is committed to early legislation further to guarantee fair employment in Northern Ireland.

3. The British Government shares the underlying philosophy of the MacBride Principles: the promotion of fair employment for all in Northern Ireland.

4. But the British Government believes that the campaign to force US companies to sign the MacBride Principles under the threat of sanctions is based on a grave misunderstanding of its effects in Northern Ireland. The thrust of the campaign



is negative, focusing on removing rather than encouraging investment. The best way to create fair employment in Northern Ireland is to create new jobs, not to destroy existing ones.

[Supplementary points for use as appropriate:]

5. Thus, in the British Government's view:

- the MacBride Principles have been superseded by the Government's programme of affirmative action tailored to Northern Ireland's needs, which will secure fair employment without destroying jobs.
- one of the MacBride Principles (2 - security for minority employees travelling to, and at, work) is not within companies' power to provide, at least until the security situation improves; and three others - 1, 7 and 8 - recommend reverse discrimination, notably in training and recruitment, in favour of the minority, and are at best divisive and at worst illegal: none of these is compatible with fair employment;
- the overall effect of the MacBride campaign will be to discourage US companies' from operating in Northern Ireland, and to erect barriers to new investment there, and thus damage the Northern Ireland economy; and
- threats of disinvestment, and stockholder resolutions are quite the wrong way, in the fragile economic circumstances of Northern Ireland, to create fair job opportunities for all.

6. The only political party in Northern Ireland to support the MacBride Principles is Sinn Féin, the political wing of the Libyan-financed Marxist terrorist IRA. The IRA's registered



agents in the United States - NORAIID - are leading protagonists in the MacBride campaign in North America.

i. Any analogy between the MacBride and Sullivan Principles is both false and offensive: in South Africa, discrimination is official government policy; in Northern Ireland, discrimination is totally illegal.