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Mr Brennan - M  
Mr Burns - M  
Mr Buxton  
Mr Doyne-Ditmas  
Mr Merifield  
Mr Coulson  
Mr Lyon - M

1. PS/MR SCOTT (B&L) - M
2. PS/SECRETARY OF STATE

2. A1/S

#### SECURITY CO-OPERATION WITH THE IRISH REPUBLIC

When Mr Prior saw the Chief Constable and the GOC on 22 May, he asked them, in consultation with myself, to consider what practical proposals could be developed for improving co-operation in the border areas which were likely to improve security and to have some attractions for the Irish authorities. He said that he hoped that it would be possible to consider what practical liaison structures could be developed involving officers from both Northern Ireland and the Republic and what arrangements might be developed for crossing the border in hot pursuit.

2. This report represents the agreed views of the three of us; in particular, the proposals on operational matters stem from work put in hand by the Chief Constable and the GOC.
3. In carrying out this task, we have paid particular attention to two of Mr Prior's points which seem to us to govern the whole exercise; that the proposals for co-operation should;
  - a. improve overall security - this means, as we see it, that the proposals should be capable of being presented in Northern Ireland as a set of commonsense measures in the interests of all law-abiding people; they must not be seen as, or linked with, ideas that are taken to imply the acceptance of "joint sovereignty". If they are, they may well precipitate public disorder in the north on a scale that will outweigh - indeed make it impossible to achieve - any real improvement in border security;

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b. have attractions for the Irish - this means that the proposals should not involve immediate demands on the Irish that we believe from our experience will be impossible for them to accept and will jeopardise the whole exercise because of the political opposition in the Republic that they would create. For example, it would seem unrealistic to suggest that there should at once be direct security co-operation between the armies of the United Kingdom and the Republic.

4. In this context, the history of security co-operation presents contrasting problems. (A brief summary of the fate of the main recommendations for joint action by the two parties is at Annex A). On the one hand, there has been agreement in principle over the years to the most substantial and wide-ranging co-operative measures; if fully implemented, there would in a real sense be no problem for us to wrestle with today. However, a package consisting primarily of measures already recommended (especially measures with impose burdens chiefly on the Garda and Irish Government) will lack attraction. But it is essentially the same medicine that is needed. In an ideal security situation, the border between North and South should present no greater problem to operations than an inter-divisional boundary.

5. That may seem an impossible objective today. Indeed to ask it of the Irish would be to frighten them away from any more effective co-operation. But we believe it necessary to keep the ideal in mind, while pursuing more limited, realistic aims. Equally, we need to set our proposals in a new framework, to avoid confronting the Irish too baldly with tasks that should have been accomplished some time ago.

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6. An ideal system would be likely to incorporate such features as the establishment of a designated area of operation and of joint border posts manned by the security forces from both sides. Such a scheme would have to be introduced on a progressive basis; initially the border posts, and the joint committee structure controlling them would be responsible only for the co-ordination of the work of the respective forces. But they could work towards a system of joint operations in a series of steps; a possible progression is outlined at Annex B. The final stage would amount to "joint authority" over an area of operations. The concept of joint patrolling - still a long way off - suggests the need for closer harmonisation between the two jurisdictions. The fact that joint parols were concentrating on terrorist crime, where the law is not too different in the two jurisdictions, would facilitate the operations of the Joint Force. However, it would be helpful to work towards the establishment of a common code for terrorist crime in both jurisdictions. Ultimately there might be one jurisdiction for this type of crime, covering both parts of the island, and with its own set of jointly manned courts. But this would all be for the future, and it would not be necessary for the establishment of the force.'

7. For the immediate future, our proposals fall under two main heads:

i. Political Direction

It is necessary to have a structure that both preserves the sovereignty of both countries and allows for the appropriate political oversight. One way forward would be:

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a. to set up an inter-governmental security Commission to keep under review security matters of mutual concern to Northern Ireland and the Republic;

b. the Secretary of State and the Minister of Justice would be the joint Chairmen of the Commission. It would be small in number. Half would be nominated by the Secretary of State; half by the Minister of Justice. The members would include the Chief Constable of the RUC, the Commissioner of the Garda, and the Permanent Secretaries of the NIO and Department of Justice. Indeed, these might be the only full official members immediately; but we might suggest that others should be invited to attend as necessary, including the GOC and the Chief of Staff of the Irish Army. Other members invited to attend could include on our side, the Chairman of the Police Authority and the Chairman of the Police Complaints Board. This would allow us in due course to put pressure on the Republic to establish similar institutions. The Commission would have a small joint secretariat provided by the NIO and the Ministry of Justice. Alternatively, if Chairmanship of the Commission by Ministers was felt to be too politically contentious, the joint Chairmen could be the two Permanent Secretaries reporting to their Ministers;

c. the Commission would have regular meetings every three months, and special meetings would be convened when necessary, eg in the aftermath of a particularly serious incident with implications for both countries. The meetings would receive regular progress reports from the two chief Police Officers on their co-operative activities and could oversee

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a continuing programme of work. Joint study could also be commissioned from groups of officials, for instance on improved control of explosive substances and on the strengthening and harmonisation of anti-terrorist legislation.

8. An inter-governmental security Commission would focus continuing attention at the highest level on the improvement of security co-operation between Northern Ireland and the Republic. Yet there would be no derogation of sovereignty on the part of the United Kingdom or the Republic. The RUC and the Garda would remain independent forces; the Chief Constable and the Commissioner would maintain their links with the Secretary of State and the Minister of Justice respectively. At the apex of security co-operation there would nevertheless be a body representing the full political authority of the governments of the United Kingdom and the Republic. The Commission could become a forum among other things for the airing of nationalist minority views on security issues, with perhaps some general 'ombudsman' role (not cutting across existing complaints machinery). The activities of the security forces in dealing with crime, particularly terrorist crime, would consequently be more easily seen as legitimate by all sides. In this way, the terrorist might be truly distanced from the community.

ii. Programme of Work

The programme of work, that would be undertaken for the Commission by the Chief Constable and Commissioner of the Garda, or by groups of officials (consulting together where necessary), would include such subjects as:

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- a. the establishment of liaison structures at all relevant levels;
  - b. arrangements for the exchange and use of intelligence;
  - c. communication arrangements;
  - d. technical co-operation, eg in training, in the joint evaluation and joint use of equipment, forensic matters, control of explosives;
  - e. exchange of personnel between police forces, armies and relevant parts of civil services;
  - f. legal matters; including the oversight and review of arrangements between Northern Ireland and the Republic for extradition and extra territorial jurisdiction.
9. Looked at from the viewpoint of the police, what is needed is a comprehensive harmonisation of police systems and procedures, aimed at practical improvements in cross-border co-ordination and co-operation. A joint Police Working Party would need to be set up to implement (in effect) the outstanding recommendations from earlier initiatives and to identify other initiatives which would enhance co-operation and sharpen the thrust against terrorism. The main areas for RUC/Garda study would be:
- i. SB and CID co-operation: The main aim is the formalising of relationships in respect of intelligence and crime matters at the operational level. SB and CID proposals may be summarised briefly

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as:

- a. Liaison at Headquarters between Special Branches should be upgraded to Deputy Chief Constable or SACC 'C' & 'E' on the RUC side and Deputy or Assistant Commissioner on the Garda side. These officers could work towards widening and formalising the existing liaison and co-operation in the intelligence community, North and South.
- b. Regular meetings between territorially linked SB officers, North and South be directed, and these should have a broad agenda for intelligence exchange.
- c. Matching surveillance capacity should be provided with the necessary sophisticated technical back-up, to cover the cross-border travels of terrorist leaders, organisers and arms and explosives movement. The standard of Garda covert surveillance falls short.
- d. Protocol should be relaxed to allow direct contact between regional offices as distinct from Headquarters to Headquarters. Co-operation would benefit directly.
- e. Monthly Regional Conferences of CID/SB and Garda detectives should be introduced.
- f. CID/SB officer (Chief Inspector/Inspector) should be designated as Regional Liaison Officer, with a similar appointment in the Garda Siochana.

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- ii. Communications: The communications used by Garda surveillance operators is insecure outside the Dublin area. With the known technical expertise of PIRA in the area of radio scanning, the insecurity of Garda communications in border areas renders covert surveillance ineffectual. The acquisition of secure radio equipment by the Garda would facilitate the mounting of joint operations. Most of the cross-border communications links agreed at Baldonnell have been implemented.

There are occasions when it would be advantageous for there to be direct cross-border tactical radio communications between the British Army and the Irish Army. However, the legal standing of the Irish Army does not at present allow them to act independently of the Garda when deployed in support of the Civil Power. If there was agreed 'Army to Army' radio communications then more extensive radio links could be developed. Present communications between armies is indirect via the RUC-Garda X-Ray link.

- iii. Cross-border co-operation and Co-ordination of Operational Resources;

The RUC would consider the number of Garda/Irish Army on the ground as insufficient to meet the current situation. Specialist squads, formerly in evidence, are seldom to be seen. It would be most helpful to the RUC if the Garda could increase their capacity in certain aspects, viz:

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- a. Increased patrol capacity to give more effective cover on the almost 300 vehicular cross-border routes in existence. Northern forces expend tremendous time and energy in trying to control such routes - an impossible job to do wholly effectively - and are always at high risk in doing so.
- b. Re-introduction of Task Force personnel to the border by the Garda. There are large groups of 'on the run' terrorists based at various locations across the border. In the absence of surveillance and supervision, these people can come and go with ease. Garda presence is inadequate and lacking in dedication to dealing with the groups. A dedicated force would contribute immensely to curtailing movement by terrorists, within the Republic of Ireland, and in Northern Ireland by making the RUC aware of their activities. It would help greatly if the control of movement across the border was a matter for decision between the two police forces, under the aegis of the Commission. An agreed, co-ordinated and jointly implemented scheme of closures, PVCs, VCPs, mobile patrols and covert patrols could greatly increase the difficulty terrorists face in seeking to take advantage of the presence of the border.
- c. Access for the RUC and Garda to a similar range of resources in order that a joint and balanced approach can be made. Uniform resources need to be available for searches for command wires, detonation points, sniper positions, etc on the border and explosives 'manufacturing' points etc, elsewhere.

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10. The present arrangements permit hot pursuit by aircraft in very limited circumstances. If the proposals on communications, operational co-ordination and the posting of dedicated Garda units to the border are implemented there may be less need for classic hot pursuit arrangements. Equally, the atmosphere might eventually be conducive to a less restrictive agreement on the subject.

11. In proposing the involvement of elements of SB and CID on both sides we might usefully draw an analogy with the Regional Crime Squads that operate in Great Britain. In these units, officers are seconded by neighbouring police forces to work together in dealing with the types of crime which span force boundaries, under the command of an officer responsible to a committee of Chief Constables of the participating forces. In our case, joint SB and CID planning could be developed on those lines, backed up on either side by the RUC's HQ Mobile Support Units and the Garda's Task Force.

12. We believe that co-operation on the above lines would improve security in Northern Ireland; pave the way to even closer links with the security forces of the Republic; and should, if carefully and properly represented by the two Governments, win general support in both countries.

*J. B. Bourn*

J B BOURN

DUS(B)

23 October 1984

SECRET  
-10-



SECRET

ANNEX A

HISTORY OF PREVIOUS RECOMMENDATIONS FOR CROSS-BORDER  
SECURITY CO-OPERATION

Section 1: The Baldonnell Agreement 1974

At Baldonnell on 18 September 1974 it was agreed that technical discussions should be held without delay between the RUC and the Garda Siochana at appropriate levels, and assisted if necessary by experts, with a view to improving co-operation in the prevention of terrorist activities, particularly in Border areas. It was agreed that those discussions should consider in particular:-

- (a) the establishment of quick and secure communications between both forces enabling the rapid and accurate transmission of information about border incidents;
- (b) the exchange of information, especially on explosives and ideas for better control;
- (c) advance planning to prevent terrorist outrages and traffic in explosives;
- (d) detection of sources of supply of illicit arms, ammunition and explosives.

The establishment of Panels to examine ways of improving co-operation revealed the requirement for a Joint Consultative Committee which was formed and which met roughly quarterly from November 1974 until October 1982.

To give effect to this agreement the Chief Constable of the RUC and the Commissioner of the Garda set up four Joint Panels to consider the problems and to make recommendations on these matters.

- (a) Panel A - Charged with considering ways of establishing quick and secure communications between the RUC and the Garda.
- (b) Panel B - Charged with considering the exchange of information of ballistics and explosives and of boosting information on terrorist plans and techniques.

\*\*18 September 1974 - Mr M Rees MP and Mr J Cooney TD (unreferenced NIO document refers)

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- (c) Panel C- Charged with arranging for advanced planning to prevent outrages and smuggling explosives. Also to consider establishing channels for regular consultation between the RUC and the Garda on operational matters.
- (d) Panel D - Charged with detecting sources of supply of illegal arms, ammunition, explosives and detonators and means of marking, tracing and rendering substances harmless by means of additives. Additionally, to consider harmonising control and legislation of explosives of all kinds.

Follow-up to the Baldonnel Agreement

PANEL 'A' - Communications

<u>Recommendations</u>	<u>Progress</u>	<u>Remarks</u>
(a) An extension of the existing radio telephone links between RUC and Garda stations, Known as X-Ray.	Operational	-
(b) The installation of portable radios in police patrol vehicles on both sides of the Border working on the X-Ray net.	Operational	<ol style="list-style-type: none"><li>1. The Garda did not equip their vehicles on the same scale as the RUC and some Garda patrols do not have X-Ray capability. They overcome this by relaying messages over their own operational channels from their station</li><li>2. British Army have X-Ray R/T in Ops Room, mobile patrols, helicopters and patrol boats in Carlingford but the Garda do not respond when called on this means.</li><li>3. Irish Army do not have X-Ray.</li></ol>
(c) Improving the standard of radio telephone (RT) communications.	Guidelines established.	Identification codes for key locations are now localised due to the security risk. There is no exchange with the Garda.

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Recommendations

Progress

Remarks

(d) Installation of direct telephone links between RUC and Garda stations. The existing public lines are insecure and delays of up to two hours can occur.

Private wire telephone circuits between RUC and Garda Stations have been provided.

With the recent introduction of automatic exchanges in border areas of the Republic of Ireland the telephone contact problem has been resolved. Automatic dialling codes will be included in the Communications Manual.

(e) Installation of secure speech equipment for telephone communication between stations on both sides of the Border.

Thirteen Goliath sets have been supplied to Garda.

Additional equipment - Telex links between RUC and Garda Special Branch at Headquarter level have been secured using 'Aroflex' off-line encryption equipment.

PANELS 'B' AND 'D' - Explosives, Arms and Ammunition

Recommendations

Progress

Remarks

(a) Polysaccharides or other suitable substances should be used as additives to ammonium nitrate based fertiliser to make extraction of ammonium nitrate more difficult.

Research has been carried out both North and South.

Separation process is still relatively simple after leaving the material for a period of time or soaking it.

The use of additives of other types has not produced any encouraging results to date and research is now concentrating on finding an alternative to the high ammonium nitrate compound fertilizers, which would be acceptable to the farming community and industry.

(b) a uniform system of marking detonators to be adopted by the use in both countries of the machine currently in use in Northern Ireland.

Similar system is now used in The Republic of Ireland.

In the case of larger users in the Republic ie mines, only SELECTIVE marking takes place. Detonators marked for use in the Republic of Ireland have been used in Northern Ireland.  
1983: 55 recovered  
1984: (end June)  
19 recovered.

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Recommendations

Progress

Remarks

- |  |   |   |
|--|---|---|
| (c) Garda Technical Bureau facilities be brought up to a standard comparable with DRC.                 | The Garda are still largely dependent on the Weapons and Explosives Research Centre (formerly DRC).             | The RUC has made most progress in this field.   |
| (d) Appointment of a Garda Inspector of Explosives as distinct from the State Inspector of Explosives. | A Garda Inspector and Detective Sergeant attached to Special Branch have special responsibility for explosives. | Need for change is not envisaged due to the excellent working relationship with these officers. |
| (e) Meetings between members of the Panel and Technical members to be held.                            | Formal meetings replaced by informal meeting.   | Informal meetings thought to be more beneficial.  |

PANEL 'C' - Advance Planning, Intelligence, Joint Operations

- |  |  |   |
|--|--|---|
| (a) A Joint Co-Ordinating Committee should meet monthly.   | Monthly meetings were held until October 1982. Since then the Garda have refused to meet RUC officers. | -   |
| (b) Police on both sides should meet to discuss day-to-day operations.   | Meetings held informally to discuss day-to-day operations.   | -   |
| (c) Use of standard maps by the Security Forces on both sides of the Border.   | Such maps were never used.   | -   |
| (d) All Special Branch officers should have telephones in their homes.   | It is believed that all Border Garda SB have telephones installed in their homes.                      | RUC SB officers have telephones in their homes. |
| (e) Legislation should be introduced to provide for the engraving of registration numbers on windcreens and windows of vehicles. | Not introduced. There are reservations about the value of this proposal.                               | -   |

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<u>Recommendations</u>	<u>Progress</u>	<u>Remarks</u>
(f) Formal monthly meetings to be held at Divisional level with District/Sub Divisional Commanders attended by SB and CID.	No formal meetings ever held at this level.	-
(g) Strict supervision of storage and use of legal explosives and chemicals.	-	Quantities of commercial explosives recovered and used in terrorist incident have been traced to users in the Republic of Ireland. 1983: 121.622 kg 1984: 44.22 kg (end June)
(h) Dossiers including photographs etc of suspects should be held at police stations.	Implemented by RUC but not by Garda.	-
(i) Planning of combined operations at local level.	Combined operations are planned at local level.	Implementation of such operations is curtailed by:- 1. Lack of Garda manpower. 2. Lack of Garda expertise and equipment. 3. Financial restraints on Garda.  Garda require 48 hours notice of planned operations but when incidents occur at the Border, they may be the first to arrive at the scene as the reaction time of the RUC is prolonged by the inherent security risk.
(j) Action to deal with terrorist use of motor vehicles:-  1. Exchange of information on suspicious cars.  2. Circulation of stolen vehicles as soon as reported.	Information on suspicious cars, owned or likely to be used by terrorists is exchanged. Stolen vehicle lists are kept and selective searches at checkpoints carried out.	-

SECRET  
-5-



SECRET

Recommendations

Progress

Remarks

3. Selective searches at checkpoints.
4. Smuggling techniques to be circulated.
- (k) Hijacking of trains - RT Communications are now installed in all Northern Ireland Rail trains but CIE.
- (l) Strengthening of escort of legal explosives to be sufficient to prevent interference.

Present arrangements satisfactory. - There is no history of explosives under escort being taken by terrorists and the Garda appear to be content with the level of their escorts.

These 1976 and 1978 proposals were reiterated to the Garda Commissioner at a meeting held with the Chief Constable in June 1979.

As a direct result of the murders of Lord Mountbatten, members of his family and friends in the Republic of Ireland and of 22 British soldiers at Warrenpoint in August 1979, the Prime Minister and The Irish Minister met in London on 5 September 1979 to discuss what measures could be implemented to improve Cross-Border security. An outcome of this meeting was the setting up of a Northern Ireland Office Working Party which published its report on 12 September 1979.

The Working Party found that the continuing effectiveness of the Provisional IRA in Northern Ireland rested to a significant degree on their access to the Irish Republic across the Border. A substantial improvement in the capability of the security forces to curtail the activities of the IRA in the Border area was considered crucial to the eventual successful outcome of the counter-terrorist campaign currently being conducted in the north by the RAF and the Army and in the Republic by the Garda Síochána and the Irish Army.

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Section 2: Working Party on Cross Border Security

In June 1976 the Chief Constable of the Royal Ulster Constabulary made the following proposals to the Garda Commissioner to improve Garda effectiveness and to match the capability of the RUC in its drive against terrorism:-

- (a) the creation of a Garda anti-terrorist crime squad, dedicated to action against the terrorists in the Border area; and
- (b) a unit capable of carrying out high quality, continuous surveillance of suspect terrorists.

At a further meeting in 1978 the Chief Constable suggested additional measures to the Garda Commissioner:-

- (a) a uniformed Garda patrol unit allocated fully to anti-terrorist patrols in Border areas, linking with the RUC in co-ordinated patrolling; and
- (b) a Garda unit to collate criminal intelligence on terrorists.

These 1976 and 1978 proposals were reiterated to the Garda Commissioner at a meeting held with the Chief Constable in June 1979.

As a direct result of the murders of Lord Mountbatten, members of his family and friends in the Republic of Ireland and of 18 British soldiers at Warrenpoint in August 1979, the Prime Minister and The Taoisheach met in London on 5 September 1979 to establish what measures could be implemented to improve Cross-Border security. An outcome of this meeting was the setting up of a Northern Ireland Office Working Party which published its report on 13 September 1979.

The Working Party found that the continuing effectiveness of the Provisional IRA in Northern Ireland rested to a significant degree on their access to the Irish Republic across the Border. A substantial improvement in the capability of the security forces to curtail the activities of PIRA in the Border areas was considered crucial to the eventual successful outcome of the counter-terrorist campaign currently being conducted in the North by the RUC and the Army and in the Republic by the Garda supported by the Irish Army.

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Following the 1979 proposals a Garda anti-terrorist task force was established and operated effectively in the Border area until late 1982. Its area of responsibility has been substantially widened since then and its effectiveness diluted.

A summary of the 1979 Working Party recommendations, which subsumed the Chief Constable's proposals is as follows:-

Follow up to the 1979 Working Party on Cross Border Security

<u>Recommendations</u>	<u>Progress</u>	<u>Remarks</u>
(a) The formation of:		
(i) a Garda anti-terrorist crime squad;	(i) an anti-terrorist crime squad exists.	(i) Its area of responsibility is now so wide that it cannot be effective against terrorists in Border areas.
(ii) a unit for the continuous surveillance mostly of terrorist suspects;	(ii) Unit active in Dublin.	(ii) Hampered by insufficient manpower and inadequate equipment when operating in Border areas.
(iii) an anti-terrorist uniform patrol linking with the RUC in co-ordinated patrolling;	(iii) Some personnel absorbed at station level and not replaced.	(iii) -
(iv) unit to collate criminal intelligence on terrorists.	(iv) Garda now have a collation system.	(iv) Based on RUC system.
(b) Reciprocal arrangements for assisting in the questioning of a terrorist suspect to allow a successful prosecution under the Criminal Jurisdiction legislation in the courts of the country where suspect was apprehended.	No formal implementation to date.	-
(c) Attachment of a Garda Liaison Officer at RUC Headquarters and vice versa.	Not implemented.	-

SECRET  
-8-



SECRET

Recommendations

Progress

Remarks

(d) Helicopter surveillance overflights to a depth of 10 - 15km.

Implemented subject to directive of 27 February 1980 - Procedures and Conditions of Flight.

(e) Direct British Army communications with the Garda dn Irish Army to avoid when necessary firing at each other and in other emergencies.

X-Ray R/T exists between British Army and Garda.

The Garda do not respond when called by this means.

The Irish Army were allocated X-Ray call signs for their helicopters but it is believed that they do not possess X-Ray equipment.

SECRET  
-9-



SECRET

Section 3: Discussions between the Secretary of State for  
Northern Ireland and the Irish Minister for Justice - 10  
January 1984

<u>Recommendations</u>	<u>Progress</u>	<u>Remarks</u>
(a) Regular meetings of Police Superintendents in Border areas.	Implemented	-
(b) Nomination of a Headquarters Liaison Officer.	Implemented	-
(c) Periodic meetings of border, Chief Superintendents responsible for the border area.	None arranged as yet.	-
(d) Review of anti-terrorist legislation and the possibility of exercising greater control over the distribution and dissemination of material of a subversive nature through newspapers and broadcasting media.	Under consideration.	-
(e) Use of alternative acceptable fertilisers to be considered.	Being researched.	-

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ANNEX B

POSSIBLE PROGRESSIVE DEVELOPMENT OF JOINT OPERATIONS IN  
DESIGNATED BORDER AREAS

As mutual confidence grows it is envisaged that gradually the 'UK' teams in Joint Border Posts would assume more and more responsibility within the Border Area. Activity would progress through a spectrum running - Solely Passive - Largely Passive - Increasingly Active - Generally Active as follows:-

- a. 1st Step. The co-ordination of the activities of its own Force with that of the other Force.
- b. 2nd Step. The direction of the activities of its own Force in its own area.
- c. 3rd Step. The allocation and direction of additional Forces of its own in its own area.
- d. 4th Step. The preparation, planning and production of a joint plan with the opposite number.
- e. 5th Step. The allocation of joint resources to a joint plan.
- f. 6th Step. The direction of a joint plan.
- g. 7th Step. The first and occasional use of Police/Military Liaison Officers of the other Force on patrol in the designated area of operation.
- h. 8th Step. The regular use of Police/Military LOs on patrol with the other Force in the designated area of operation.
- i. 9th Step. Joint patrols from RUC/Garda begin in the designated area of operation.

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