

COVERING CONFIDENTIAL

FROM: C D KYLE  
20 MAY 1994

313/94  
mm 647/5  
ASST  
SEC 20 MAY 1994  
CENT SEC

CDK/15308/94

cc PS/Sir John Wheeler (B&L) B  
PS/Michael Ancram (B&L) B  
PS/PUS (B&L) B  
PS/Mr Fell B  
Mr Thomas B  
Mr Legge B  
Mr Williams B  
Mr Steele B  
Mr Bell B  
Mr Lyon B  
Mr Watkins B  
Mr Wood (B&L) B  
Mr Daniell B  
Mr Perry B  
Mrs Collins B  
Mr Brooker B  
Mr Dodds B  
Mr Marsh B  
Mr Rickard B  
Mr Maxwell B  
Mr Bramley B  
Mrs Brown B  
Mr Maccabe B  
Mr Rodell B  
Mr Maitland B  
Mr Archer, RID B  
HMA, Dublin B  
Miss Neville-Jones, Cab Office  
Mr David Gould, Cab Office  
Mr Jonathan Powell, Washington  
Chief Constable, RUCHQ

PS/SECRETARY OF STATE (B&L) - B

JOINT PLENARY RECORD OF THE INTERGOVERNMENTAL CONFERENCE HELD IN  
LONDON ON 10 MARCH 1994 - IC(94)2

I attach the final version of the Joint Plenary record of the  
Intergovernmental Conference held in London on 10 March 1994. The

[Signed]

C D KYLE

COVERING CONFIDENTIAL

CONFIDENTIAL

313/94  
IC(94)2

ANGLO-IRISH INTERGOVERNMENTAL CONFERENCE  
JOINT RECORD OF PLENARY SESSION  
LONDON 10 MARCH 1994

PRESENT:

British Side

Sir Patrick Mayhew  
Sir John Wheeler  
Michael Ancram

Irish Side

Mr Spring  
Mrs Geoghegan-Quinn

Officials

PUS  
Mr Fell  
Mr Thomas  
Mr Legge  
Ambassador Blatherwick  
Mr Bell  
Mr Daniell  
Chief Constable

Mr Dorr  
Mr Dalton  
Mr S O hUiginn  
Ambassador Small  
Mr C O hUiginn  
Mr Donoghue  
Deputy Garda Commissioner  
Mr Finlay  
Mr Hennessy  
Mr O'Brien  
Mr Hughes

Anglo-Irish Secretariat

Mr Kyle  
Mr Barbour

Mr O'Donovan  
Mr Mellett  
Mr Farrell

POLITICAL SITUATION

1. The British side noted the useful interim report prepared by the Liaison Group and suggested that by the next IGC, there should be a more substantive paper fleshing out the two Governments' joint understanding of what might form an acceptable package across all three Strands of the Talks process. The Irish side said that it was also keen to see the Liaison Group work move ahead and that it was becoming more obvious that the two Governments had to work for shared understanding of what might form a possible solution. The Liaison group had begun to do this by outlining broad areas of agreement anchored in the Joint Declaration.

CONFIDENTIAL

- 1 -

/103

313/94

CONFIDENTIAL

2. Both sides agreed to amend the word "parameters" in the last of paragraph 6 of the Liaison paper replacing it by "requirement". The Liaison report was endorsed with a request that the Group report back to the next IGC having tackled the issues of substance outlined in the interim report.

3. The British side said there appeared to be a difference between what the UUP were saying in public and in private. They were still on board but only just. Both Governments noted that there was little prospect of a return to round table discussions at the moment, and so the task now was to prepare the ground so as to allow that to happen at a later date.

4. The British side said that without the Talks process the two Governments would have no strategy to follow. In this connection both the British and Irish Governments had quite rightly sought to emphasise why the Declaration removed any grounds for continuing violence. However, the Secretary of State's credibility with the Unionists had been damaged during this period with a perception that the two Governments had been "greening" the Joint Declaration. The British side suggested if there was any way that this Unionist perception could be mitigated then that would be helpful.

5. The Irish side said that it was important to remain balanced and that the difficulty with Unionists was that they had failed to appreciate just what there was for them in the Joint Declaration: because Sinn Féin had been interested in it, the Unionists were suspicious. The Irish side remained open to suggestions of any way in which the Irish Government could address Unionists on this issue - either privately or publicly.

#### IDENTITY ISSUES

6. The British side noted that officials had held meetings to address a number of specific aspects with regard to the subject of identity issues and that a full report would be made in due course to a future Conference. Both sides noted that the forthcoming Order

CONFIDENTIAL

- 2 -

/103

313/94  
7 n

C O N F I D E N T I A L

permit street names in languages other than English would enable district councils to erect Irish language street names, if they so wished. The Irish side expressed some dismay that the decision in any case was to be taken by the local district council and hoped that Belfast City Council would understand the importance that the Irish language had to the minority community's identity. Whilst welcoming the forthcoming changes to the Jurors' Oath, they hoped that the position with regard to the Oaths of Allegiance for Queen's Counsel and Judges would be brought into line with that for England and Wales. The Irish side noted that officials would continue to discuss these matters and hoped that developments could be reviewed at a future date.

IRISH MONITORING SURVEY IN NORTH AND WEST BELFAST

7. The British side expressed surprise that the findings of the Irish monitoring survey in North and West Belfast had been tabled for discussion at Conference before they had been considered at official level.

8. The Irish side said that detailed discussion could take place at official level but they had wanted to report the main findings of the survey. Relations with the security forces continued to be a very sensitive matter and it was important that both sides worked closely together in order to eliminate harassment wherever it took place. Whilst the survey (taken during January and February) had shown some improvement in relations between the security forces and the community, it was believed that there was continuing 'harassment' of a low level nature involving repeated stopping, searching and questioning of young working class males in particular. The role of the civil representatives was very helpful but it was important to bear in mind that Sinn Féin would attempt to make capital out of any incident that occurred. The Irish side then drew the Conference's attention to the case of the Rooney brothers and the allegations of consistent harassment by the security forces against them.

9. The Irish side hoped that they could share the findings of their survey with the British side and work together to improve

C O N F I D E N T I A L

- 3 -

/103

313/94

C O N F I D E N T I A L

relations wherever possible. The British side stressed that proper contact was high on the training agenda of the security forces and hoped that officials would be able to see the findings of the Irish side's survey as soon as possible.

10. The British side reported that complaints of a non-criminal nature against members of the security forces had continued to decline by some 25% on the previous figures which was translated into 210 complaints per year against the background of 140,000 military patrols throughout Northern Ireland. There was also evidence to indicate that incidents involving the security forces were sometimes engineered. It was also the case that there would inevitably be a high security presence on the ground if there was known to be a threat against either the security forces or the Catholic community by loyalist terrorist groups. Unfortunately this was sometimes interpreted as harassment instead of crime prevention.

11. The Irish side stressed the importance of having a complaints system that was seen to be working and noted that there had been a desire among people in West Belfast to see army patrols accompanied by the RUC and for the police to become more greatly involved in dealing with ordinary crime. It was noted that certain senior police officers in North and West Belfast were particularly willing to seek to defuse problems whenever they arose.

**ACCOMPANIMENT**

12. The British side reported that the overall level of accompaniment had risen slightly to 71% for the period April to September 1993 and was pleased to note that this was the highest figure reached since records had begun in 1990. The Irish side said that they were pleased with the increase in accompanied patrols and hoped that levels would continue to improve towards the goal agreed at Hillsborough.

C O N F I D E N T I A L

- 4 -

/103

313/94

C O N F I D E N T I A L

AL FORCE

The British side reported receipt of the Interdepartmental Working Group's report on the use of "lethal force" by the Army and the Police. Once the report had been digested it was intended to consult with Irish colleagues with a view to receiving suggestions and comments, including on the question of an intermediate offence. The Irish side undertook to give the matter urgent thought once the report was received.

CROSS BORDER ROADS

14. The British side held firm to its view that the balance of advantage lay against taking the proposed study in the re-opening of cross border roads any further. Progress was unlikely to be made as long as levels of violence continued. Nonetheless the British side were pleased to be able to report that it was intended to revoke the Closure Order on Border Crossing Point 166 near Wattlebridge PB.

15. The Irish side said they wished to discuss reports concerning discrimination by the RUC with regard to the granting of concession gates on the border to unionist but not to nationalist farmers. This had led to law-abiding nationalist farmers becoming particularly agrieved when they saw favoured treatment being given to one part of the community and not to the other. Whilst there was no objection to flexible arrangements to assist local farmers they had to be applied evenhandedly.

16. The British side said that they knew that the Irish side were concerned about one particular case involving a Mr Murray who had refused proposals put to him by the RUC. This was a matter which was dealt with at the local sub-division level and there was certainly no question of discrimination on the part of the RUC. Indeed, 4 out of the 9 locked gate concessions in Fermanagh had been given to Roman Catholic farmers and in Rosslea one of the 4 locked gate concessions was to a Catholic farmer who controlled a by-pass route around the Annagmartin Patrol Base.

C O N F I D E N T I A L

- 5 -

/103

313/94  
CONFIDENTIAL

PROVISIONAL FINDINGS OF THE BOUNDARY COMMISSION

7. The Irish side stated that they were continuing to receive representations concerning the provisional findings of the Boundary Commission and whilst they did not wish to repeat the previous arguments put to the British side, they did wish to emphasise the concern with which Irish Ministers viewed the matter and about the confidence of the nationalist community in the political process itself. Whilst understanding the independence of the Commission, the Irish side pointed out that Northern Ireland was in a quite different situation from Great Britain or the Republic of Ireland in that it did not have a healthy functioning democracy reflecting a wide diversity of political views and that there were no swings at elections in Northern Ireland similar to those in Britain and in the Republic.

18. By way of response, the British side noted that a well understood formula of appeal existed and that the inquiry procedures were now under way and would take some time. The British side stressed that it was most important to ensure that there was no hint of Government influence in the findings of the Commission and that at the end of the day, it was a matter for Parliament to accept the final report or not.

SHANNON-ERNE WATERWAY

19. Both sides hoped that agreement could be reached in the very near future with regard to the outstanding issues relating to the waterway and that they would be resolved before the next Intergovernmental Conference.

BROADCASTING

20. The Irish side reported that the Minister of State from the Department of Arts, Culture and the Gaeltacht has written to the Secretary of State for National Heritage about their broadcasting

CONFIDENTIAL

- 6 -

/103

313/94

C O N F I D E N T I A L

proposals and that it was hoped to receive a response in the near future.

THE NEW BRITISH DEPUTY JOINT SECRETARY

21. Both sides noted the appointment of Mr Terry Smyth as the new British Deputy Joint Secretary.

- Mr. Williams - B
- Mr. Thomas - B
- Mr. Bell - B
- Mr. Blackwell - B
- Mr. Stacey - B
- Mr. Hildrew - B
- Mr. Ryan - B
- Mr. Whitham - B
- Mr. Duggan - B
- Mr. Paddy - B
- Mr. Hinch - B
- Mr. Smith - B
- Mr. McCarthy - B
- Mr. Maxwell - B
- Mrs. Brown - B
- Mr. Daniell - B
- Dr. Power - B
- Mr. Canavan - B
- Mr. Bramley - B
- Mr. Rickard - B
- Mr. Brooker - B
- Mrs. Collins - B
- Mr. Wainland - B
- Mr. Pope - B
- Mr. Redell - B
- Ms. A. Johnston - B
- Ms. Kenny - B
- Mr. Morrow - B
- Mr. Archer - B
- Mr. McKerrill - B
- Mr. J. Powell, Washington

AMENDMENT TO NOTE OF A DELEGATION MEETING HELD AT THE ANGLO-IRISH SECRETARIAT: 19 MAY 1994

I refer to the record of a delegation meeting held at Maryfield on 19 May. I should be grateful if copy addresses would amend the second sentence in paragraph 3 to reflect Mr Williams' advising the list of officials accompanying the Secretary of State as PDS. Mr Bell, Mr Thomas, Mr Daniell, the Ambassador, Mr Stephens (not Mr Stacey as recorded) and himself. Apologies for any confusion caused.

C O N F I D E N T I A L