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cc: PS/SofS (L&B)-M
PS/Ministers (L&B)-M
PS/PUS (L&B)-M
PS/Mr Bell (L&B)-M
Mr Marshall
Mr Blelloch -M
Mr Angel
Mr Wyatt -M
Mr Buxton -M
Mr Burns
Mr Harrington
Mr Chesterton
Mr Blatherwick -M
Mr Gilliland -M
Mr Doyne-Ditmas -M
Miss Christopherson
Miss Davies -M
HM Ambassador, Dublin
PS/Sir Robert Armstrong

NOTE OF A MEETING BETWEEN THE SECRETARY OF STATE FOR NORTHERN IRELAND AND THE TAOISEACH, BARRETSTOWN CASTLE, CO KILDARE, 27 OCTOBER 1981

PLENARY MEETING

Present:

Secretary of State
Mr Woodfield
Mr Bell
Sir Leonard Figg
Mr Marshall
Mr Boys Smith

Dr Garret FitzGerald TD,
Taoiseach
Mr Michael O'Leary TD,
Tanaiste
Professor James Dooge,
Minister for Foreign Affairs
Mr D Nally
Mr S Donlon
Mr E Kennedy
Mr D Nelligan
Mr M Lillis
Mr F Murray
Mr M Burke
Ms M Hennessy

Publication of the Joint Studies

The Taoiseach said he was concerned that publication only of the summary of the Joint Studies would expose both Governments to the charge that they were not revealing the full extent of the exercise on which they had been engaged. He accepted that the texts of the reports would have to be reviewed to ensure that they were suitable for publication and that much of the security report might have to be omitted before it could be made public. But he was inclined to

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think that publication of the documents was in principle desirable. He was personally committed to unionists in Northern Ireland not to be secretive about the studies, although he accepted that it would be right to acknowledge that part of the security report had been omitted. He feared that his predecessor, who knew what work was in hand, would ask about the reports and that he would be obliged to acknowledge their existence. This would be very unsatisfactory for both Governments. The Tanaiste also believed that publication would help the Irish Government in its efforts to obtain agreement to the changes it had proposed to the Constitution.

The Secretary of State said that the Taoiseach's points were noted and would be reported to the Prime Minister. A decision would have to be reached at the Summit meeting on 6 November. He appreciated the need to avoid undue secrecy and knew that officials were examining the documents against the possibility that they might be published. But publication would not of itself remove the risk that firm unionists would accuse the two Governments of failing to reveal everything.

Anglo-Irish Co-operation Council or Standing Conference

The Taoiseach hoped that at the Summit meeting on 6 November a decision could be taken to establish an Anglo-Irish Council. The practical effects might not be large, but it would give a constructive framework within which relations might be conducted. It would also show to unionists that the joint studies had been about practical matters and not about the constitution of Northern Ireland.

A crucial element in this institution would in the Taoiseach's view be the Parliamentary one. In that lay the possibility of bringing Northern Ireland politicians into the exercise, as he believed was important. But there were at present practical difficulties. There was no basis on which politicians from the North could be selected in any large numbers in a way which fairly reflected the interests of the minority. The Convention had been dissolved; the MEPs,

although more representative, numbered only three; and the Westminster MPs were not fully representative of the minority. He wondered if it would be possible to draw on the Northern Ireland MPs and MEPs, or perhaps only on the MEPs, for the time being, involving in due course the members of an eventual assembly. This scheme would make possible the early establishment of the Parliamentary dimension of a Council and its later extension to incorporate full representation from Northern Ireland. This would have the additional advantage of giving an incentive to people to set up and seek election to an assembly, which would become a route to the Council. He doubted if unionist politicians would boycott the Council because to do so would leave the field to the SDLP. He was not wedded to any particular formula. This was something which could be left open in the communique issued after the Summit.

The Secretary of State noted the Taoiseach's views. The Co-operation Council or Standing Conference, or whatever it was called, needed careful handling; this applied particularly to the Parliamentary dimension. The impact of an announcement about a Standing Conference could be judged only in the wider context of the general announcement emerging from the Summit. If the flavour was wrong the Conference proposal could be undermined. He thought the idea of drawing on the MEPs, with or without the MPs, and involving members of an assembly as and when it might come into existence was something which could be considered further. But if only the MEPs were involved, at least in the initial stages, there was a risk that unionists would reject the whole proposal.

The following further points were noted in discussion:

(i) Mr Bell drew attention to the need to show how the Standing Conference would bear on affairs in Northern Ireland. Unionists would ask what it was for and only they could decide whether to participate.

(ii) The difficulty in achieving adequate representation for the minority in Northern Ireland underlined in the view of the Irish Government the need for proportional representation. They were concerned that even with 17 Northern Ireland MPs after the next general election the minority would still be under-represented, but appreciated that the introduction of proportional representation for Westminster elections raised very fundamental questions.

All Ireland Court and Security

The Taoiseach hoped that the possibility of establishing an All Ireland Court could be examined by the two Governments. It was a complex question to which a good deal more thought would have to be given.

The Secretary of State agreed that the establishment of a court required examination and noted that the Taoiseach was willing for the two Attorneys General to look into it. The matter could not be settled on 6 November. He pointed out how sensitive was the question of cross border co-operation on security. He stressed the value of emphasising how extensive that co-operation was and of showing how it could be strengthened by promoting closer links between the UK and the Republic. This would be helpful to the position of the UK Government when it was criticised, as no doubt it would be by some strong unionists, about the nature of the talks with the Taoiseach. He realised that cross border co-operation was a complex matter, as the Taoiseach and Professor Dooge pointed out, and that by its very nature the co-operation could not always be spoken about. He appreciated too the Taoiseach's prompt intervention to deny recent inaccurate reports in the Irish Press about the Dunne kidnapping. But this kind of co-operation was nonetheless very significant for opinion in the North.

The Guarantee

The Taoiseach, referring to the tete a tete he had had with the Secretary of State, proposed that officials of both Governments might examine possible formulations of the Guarantee in preparation for the Summit meeting. He emphasised the importance of a reformulation in positive terms which indicated the UK Government's readiness, in the sense agreed at Sunningdale, to support any wish expressed by the people of Northern Ireland for unity with the Republic. The UK Government had in recent years phrased the Guarantee in more negative terms, referring only to the fact that Northern Ireland would not cease to be part of the UK without the consent of the people. By not drawing out the positive element in the Sunningdale formulation the UK was seen by people in the Republic to be more committed to the union than he believed it was. He would like to convey the idea that it was not for Great Britain's sake, but for the sake of Northern Ireland only, that Northern Ireland remained part of the UK.

The Taoiseach knew that a fine judgment had to be made about the risk of a unionist reaction to any such positive formulation. But it would help change the approach of people in the Republic if it was understood that the UK Government was not committed for its own sake to the union. He realised that the development of Anglo-Irish relations was very significant, and was to be encouraged, but it was not perceived in the Republic as having any important direct bearing on Northern Ireland. It would not therefore do much of itself to encourage a change of attitudes in the Republic. By changing these attitudes an atmosphere could be created which in its turn might help encourage a broader-minded approach by unionists in the North. He also believed that a re-formulation of the Guarantee in the sense he suggested would help the SDLP maintain its position against extremists; this was important.

The Tanaiste referred to the "unmovable rock" of unionist leadership, and urged the Secretary of State to remind unionists of the way in which circumstances were changing. For his part he would like the UK to go further and to accept a continuing responsibility for advancing the process of reconciliation in Ireland. He wanted the UK Government to be seen both to be supporting the integration of Northern Ireland with the Republic and to be committed to the process of achieving it. He hoped this could be mentioned in the communique to be issued after the Summit.

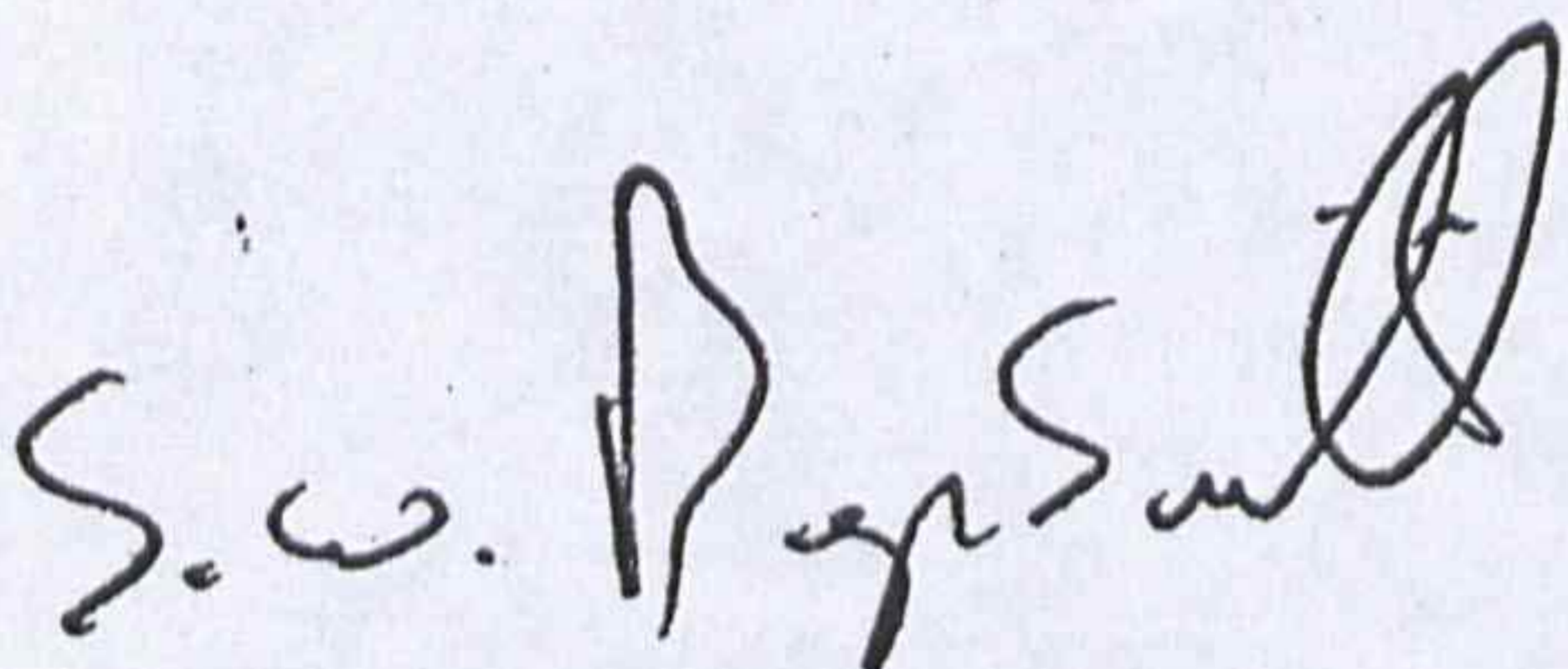
The Secretary of State noted the views of the Taoiseach and the Tanaiste and agreed that officials should examine the formulation of the Guarantee. It was important, however, not to see the Guarantee in isolation. Much would depend for example on what was said after the Summit about security co-operation. Although he thought that the conclusions likely to emerge from the Summit, such as the inter-Government Committee and more economic co-operation, would be entirely acceptable in Great Britain, there would be widespread suspicion in Northern Ireland. He believed that the formulation the Tanaiste proposed went too far and that it would be counter-productive. He believed that unionist opinion was shifting but he did not want it to be pushed so hard as to provoke a reaction on which extremists could build. He understood the Taoiseach's desire to strengthen the position of the SDLP, and was keen himself that they should resume their position on the political stage. But their views on Irish unity were pretty radical and could not be readily accommodated without provoking a brisk unionist response. He admired and respected what the Taoiseach was proposing to do to change the Constitution of the Republic and appreciated the Taoiseach's motive in wishing to remove barriers to greater understanding between North and South. But it was for that very reason that he did not want to provide the grounds on which the existing barriers could be strengthened. He believed that by concentrating on new and existing links between the two countries and between North and South the border might come to be seen as less significant, and that this was the way to proceed.

Economic Affairs

The Secretary of State expressed interest in the establishment of a gas pipeline between the Republic and Northern Ireland. He pointed out that the price charged for the gas would determine whether the scheme could proceed.

The Secretary of State drew the Taoiseach's attention to the difficulties caused in Northern Ireland by the illicit importation of subsidised bread from the Republic. In 1979 there had been a rationalisation of the bread industry in Northern Ireland and one bakery had been closed. The remaining business was enough for the surviving bakers but their position was now being undermined by the sale in Northern Ireland of bread from the Republic on which the subsidy for domestic consumption had been paid. The matter was arousing considerable concern in the North. The Secretary of State suggested that officials from the two countries should examine the matter. Dr Paisley was amongst those taking an interest in the question, and it could additionally be helpful to be able to tell him, if he challenged the Secretary of State's visit to the Taoiseach, that bread was one of the subjects which had been discussed.

The Taoiseach noted what the Secretary of State said, although he was not aware of the problem. He was advised by an official present that the matter was sub judice in the Republic and that it might therefore be difficult for it to be discussed by officials, but it was clear to nobody in what way it could be sub judice. The Taoiseach agreed that it should be examined further.



S W BOYS SMITH
29 October 1981