

NATIONAL ARCHIVES

IRELAND



Reference Code:	2010/53/872
Creation Date(s):	[March] 1980
Extent and medium:	11 pages
Creator(s):	Department of the Taoiseach
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SECRET

Meeting Between Secretary, Department of Foreign Affairs
and Permanent Under-Secretary, Northern Ireland Office

1. Present were:

Mr. Kenneth Stowe,	Northern Ireland Office
Ambassador Haydon	
Mr. James Hannigan	Northern Ireland Office
Mr. Justin Staples	
Mr. Peter Johnstone	
Mr. Rodger Smith	Private Secretary to Mr. Stowe
Mr. A O'Rourke	Secretary, Department of Foreign Affairs
Mr. D. Wally	Deputy Secretary, Department of the
<i>Mr. W. KIRWAN</i>	<i>Taoiseach</i>
Mr. David Neligan	<i>Assistant Secretary, Dept of the</i>
Mr. P. J. Colwell	<i>Taoiseach</i>
Mr. H. Swift	
Mr. S. O hUiginn	

After luncheon in Iveagh House, the meeting was held in the Secretary's waiting room.

2. Substantive discussion began with an analysis by Mr. Stowe of the current state of play at the Atkins' Conference. He remarked on the decision of the participants, not prompted by the NIO, to keep their discussions secret and said it was even more remarkable that this decision had been adhered to, with both positive and negative consequences. The Conference was, he said, categorised by frankness based on the secrecy which had been maintained. At each of the 19 sessions to date, 10 minutes had sufficed to agree on the press presentation. Although there had been hiccups on the "no comment rule", it had been substantially respected, that this secrecy placed considerable constraints on what Atkins could say in the

Commons and also on what Stowe could say to us but they were anxious that we should be broadly aware of how things were going.

3. Credibility: The British Government had had considerable difficulty to persuade the participants that they were serious and that they would not have a solution "on ice", in effect that the Conference was not a device to cloak the imposition of a solution at a later stage. It was their impression that the problem of credibility was being overcome but the Conference as such continued to suffer from the absence of the OUP. Although this absence was no doubt due to an original miscalculation by Molyneaux it would be facile to assume that the OUP would now correct this miscalculation. On the contrary Molyneaux's position was hardening rather than the contrary. This in turn implies a procedural problem for the Government because it will be necessary to involve the OUP in the next stage. To attempt to do so purely on the floor of the Commons would be crude. A period of direct consultation with the OUP would therefore be necessary and this would be paralleled by direct consultation with the other parties also.
4. Timing: The Secretary of State hopes to conclude the first round by Easter. Credibility requires a foreseeable end to the Conference. Any parallel with the relatively open-ended Rhodesian Conference was facile because that Conference had to move through successive stages. Neither Nkomo nor Mugabe was missing, in contrast with the Atkins' Conference.
5. Mr. Stowe said that taking account of the difficulty of the problems it was impossible to compel the participants to agree. They aimed rather at maintaining momentum and saw a need to show significant progress by Easter. They were conscious of the frailty of the enterprise ("a thinly protected vessel") but were encouraged by the recent Marplan poll demonstrating the popularity of the idea of the conference. Their own experience confirmed the results of the poll. The conference was both necessary and acceptable.

of the British Government paper

6. On substance, all the participants agree on the seven principles in paragraphs 4 and 5 as the basis for the conference and recognize that any results, whether minimal or substantive, must be compatible with these principles. The DUP recognize that a normal system of alternation of Government and opposition is not possible and that therefore other arrangements must be acceptable in order to secure British Government approval.
7. Stowe said that Humphrey Atkins had recently told a Guardian columnist (apparently the basis of the recent Peter Jenkins article) that the principles had stood up to considerable *pressure* weight and his expectations had been exceeded.
8. Mr. O'Rourke noted Mr. Stowe's optimism and the Easter target and referred to our desire for direct consultation at about that stage. Stowe responded by saying that Easter would not necessarily mean the end of the conference: a temporary suspension might be considered. In any event, there would be a need to consult the OUP and in order to make this acceptable it would be necessary to arrange parallel bilateral consultations with each of the other parties.
9. Mr. Nally asked about the second level conference. Stowe said that there would be concurrent reporting of its results to the Cabinet. *He also said* ~~Stowe~~ replied that the different agenda were full of theological pitfalls and that it had been necessary to move very carefully in order not to offend against the DUP interpretation of the Irish dimension. He referred here to paragraphs 144 and 145 of the Convention Report and said they had deliberately used this presentation of the DUP attitude in order to define mandates. However, this piece of drafting expertise had not been spotted by the DUP and although they now regret having said no they cannot go back.
10. He said that the talks with the SDLP covered the fundamental aspects of the relationship between Northern Ireland and Westminster, that the Secretary of State would be reporting to the Cabinet and that the content was very interesting.

11. Ambassador Haydon asked how we assessed the credibility of the conference. Mr. O'Rourke referred to what the Taoiseach had said at the Ard Fheis to the effect that the conference could not represent a full solution. Of course whatever progress could be made would be welcome. Mr. Neligan added that we accept the serious nature of the endeavour but that while we shared British hopes, our standpoint was somewhat sceptical. He noted that, while we had received a generally positive impression of progress in the conference from participants with whom we had been in touch, we were aware that in some cases there was a personal element involved which conduced to a more optimistic attitude than might be justified. What participants did appreciate was that the conference - in both its parts - afforded a direct means of informing the British Cabinet about policies held. The conference represented a useful information process though not necessarily a formation one. He wondered whether the transmission of information would necessarily lead to agreement. Of course, it was useful that the conference continues but it was hard to be optimistic about the outcome.
12. Mr. Stowe agreed that it would be naive to anticipate agreement. However, they intend to carry on with conviction and there was a fundamental desire on the part of those around the table to make progress and make it work. He regretted that it would be a breach of faith on his part to go further but said that the participants recognize the need to make concessions and that each is committed to a forward position. After three of the seventeen conference sessions there had been a fundamental change to a commitment to proceed and a walk-out was now unlikely.
13. Mr. Nally recalled that the Taoiseach had said on 7 December that the British Government Paper was inadequate. There was a danger that a limited solution would merely cause further bitterness in due course. The Taoiseach therefore attached priority to the fundamentals of the 1975 Policy Statement. Of course certain improvements that might result from the conference would be welcomed but while we were in no way dismissive, we were not convinced that the conference could lead to an adequate solution. Mr. O'Rourke summarized by referring to our goodwill from an attitude of cool scepticism.

14. Mr. Swift enquired how it would be possible to reconcile direct bilateral consultation with the OUP with the policy sacrifices being expected from the conference participants. He also wondered in what form the acceptance of the seven principles by the participants had been expressed. Stowe responded by repeating his reference to the shift to commitment which the conference had experienced after three sessions, with monologues being replaced by conversation. Of course, an IRA "spectacular" might put enormous pressure on Paisley to break off anything which could be represented as explicit negotiations with Hume. Similar pressures applied to Hume. However, in both their cases such dangers were more than outweighed by the apparent advantages of the conference.
15. The proceedings of the conference would ultimately go to Westminster and this would require consultations with the OUP MP's. It would be undesirable to go direct to the House of Commons but the core-body of material agreed by the conference would not be subject to OUP renegotiation.
16. Mr. O hUigin said that the credibility of the conference depended not only upon intentions but also upon the possibility of success. The participants were inhibited from making explicit concessions at this stage because they needed to sum up and present the results to their constituencies within the traditional parameters of those constituencies' attitudes. The SDLP has been unable to participate on the basis of the first statement by the British Government. What can the Secretary of State do when the incompatibility around that statement again becomes explicit? Stowe replied that this was obscure and that they could not see that far forward. The Secretary of State had helped the SDLP with the idea of a progressive approach which encompassed "not only what is in the paper but also the wider issues as well" including those covered by the secondary talks. This approach had got them very far forward.
17. Mr. Kirwan referred to the need for a critical minimum of success in the talks ~~and said that the SDLP could not be satisfied for example by the material at present in the parallel~~ *he recalled that it was only following agreement on the parallel talks that the SDLP had agreed to participate in the Conference. Our judgement was that they attributed greater importance to the parallel talks. There was apparently some satisfaction on their part with the way the talks were going, as*

talks. Our judgement that the British Paper was "inadequate" was prior to an agreement on the secondary talks. Mr. Hannigan said that the importance of the parallel conference should not be exaggerated. The content to date consisted of two papers on security and one on the economy.

18. Mr. O hUiginn raised the question of the gradual transfer of responsibility mentioned in the White Paper. He enquired whether the responsibilities subsequently to be transferred could go beyond those covered by the White Paper. In reply Stowe said that while responsibility for the RUC was excluded from the main conference it could be included elsewhere. Hannigan added that the secondary discussions had not yet got to the stage of seriously considering what procedure might follow. Stowe said that the Secretary of State would be reporting on the main conference but work in the second level conference was very preliminary.
19. Mr. Nally said that the nearer the conference gets to success the greater the risk of ^{underpinning} violence ~~will be~~ and therefore the greater the need for underpinning in the parallel discussions. Stowe agreed and said that the participants recognize the danger of what he called the Faulkner Syndrome. Hume recognizes this for Paisley and Paisley, of course, is aware of this danger. This had been quite explicit. There had also been explicit recognition of the need for acceptability. Stowe quoted Paisley's view as "nobody moves from here unless we are certain that the people are going along with it".
20. Mr. O'Rourke referred to weighted majorities which had been mentioned in the Guardian article of 21 February. Stowe stated that the British Government had no plan in reserve. They had no particular preference for weighted majority. Weighted majority is a "nuclear deterrent" construction and is not what they intended in paragraph 5. Hannigan said that was a very sensitive area closely related to the importance of the secondary talks and to the need to synchronize and bring progress at the secondary talks abreast of the main conference. Stowe spelled out this idea by saying that as the political leaders

distanced themselves from their supporters there would be a need for ^{time} them to enable them to explain what they were doing. While the Government was determined, it would not be precipitate so long as privacy is sustained in order to permit the participants to sell progress to their respective constituencies. But privacy also tended to increase the gap between leaders and constituencies.

21. Mr. Neligan enquired whether the Secretary of State envisaged a report to Parliament at the end of the first stage or the introduction of legislation. Stowe said that he was only guessing but did not anticipate legislation at this early stage. He said there would not even necessarily be a White Paper.
22. In reply to a question from Mr. Nally, Stowe said that there was great confusion and perplexity in and about developments in the SDLP (?).
23. The discussion then moved on to the presentation of the views of the Irish Government. Mr. O'Rourke recalled the change of Taoiseach and set out the presentation of the Taoiseach's policy, as had been done at the Ard Fheis emphasising the role of the sovereign governments. Stowe said that they had not yet had time to fully consider the Taoiseach's Ard Fheis address and that therefore their reactions were highly qualified. He said that on Monday they had had to engage in fast foot-work to prevent the conference falling apart because of the imminent danger that the DUP would walk out. The reiteration of Atkins' statement in Parliament on 2 September had saved the day. The British Government was in no doubt that there would remain an intractable long term problem and that there was a divergence of emphasis on the sequence of events to be followed to make the problem less intractable. The "inadequacy" to which the Taoiseach referred on 7 December was what had enabled the conference to take place at all. It was necessary to have a process with "progressivity". To spell out all the subsequent stages would render the first stage impossible. Hume was playing an effective role in diminishing fear which was the object also of British Government policy.

24. The two Governments had common worries, for example, the cost factor to which the Taoiseach had referred. Northern Ireland was now costing the British Exchequer £2,000m per annum gross, of which £1,000m was subvention. This could give rise to a "little Britain" reaction and part of the purpose of paragraph 5 was to use the pressure of the financial argument. They had difficulty in getting their needs past the treasury. The cost of 12,000 - 13,000 soldiers was enormous. The economic reality of Northern Ireland was a high and rising proportion of the work force engaged in agriculture with a mere 18% in industry and declining.
25. The Atkins Initiative was a carefully considered decision which represented a departure from the Conservative Party Manifesto and they remained committed to that decision.
26. Mr. Hannigan referred to the Taoiseach's statement in the Dail on 20 February and remarked that they observed the silences as well as the utterances. There was general agreement on the economic analysis. Economic problems were merely aggravated by the troubles and would have to be dealt with by whatever Government held future responsibility. He said they were gratified that certain things had been cleared out of the way by the Taoiseach and that it was now for those directly involved to press ahead.

Security

27. Mr. Stowe spoke of the relationship between Ministers and security questions. The atmosphere after Warrenpoint had been highly emotional. Since 5 October there had been increasingly effective work-a-day "humdrum" co-operation which was very much to be applauded. They had understood the Taoiseach's references to security and were saying the same thing in the North. In the face of intemperate "obscene" calls for punitive reaction, the Secretary of State had been able to leave it to the Chief Constable and the GOC to deal with their professional jobs. The progress since 5 October had been very encouraging and "the Republic had made an enormous contribution ... by the effective contribution the Garda has made by the prosecution of certain criminals".

28. Mr. Colwell said that co-operation was improving as it always improved with practice. He referred to the problems posed by different structures but said that these were being worked out. The Taoiseach had clearly indicated that the policy of co-operation would continue. Mr. Hannigan said that Mrs. Thatcher was aware of that and that it would be less than courteous on their side to fail to acknowledge what has been achieved. There was a good start on which future co-operation could continue to develop.
29. Mr. Stowe referred to difficulties raised by the Minister for Justice on 5 October concerning RUC presence close to the border. He said that while the Culvert bomb was still a powerful inhibition, careful covert patrolling by both the police and the British Army along the border was on the increase. They had not succeeded in resolving the subjects of our concern but substantial progress was being made.
30. Mr. Colwell said it was vital that covert operations should not cross the border. He also renewed the assurances to the British Government that security co-operation would be fully maintained. Mr. Swift referred to the change in tone in British press coverage, which he presumed reflected press beliefs. Mr. Stowe replied by saying that the open and strident competition between the RUC and British Army last year, which had been a considerable element in briefings hostile to us, had been quite improper. There was now a properly integrated direction of security policy, including public relations aspects.

Meetings

31. // Mr. Nally referred to the desire to organise a meeting towards the end of April between the Prime Minister and the Taoiseach. He also said that no date had yet been fixed for the Minister for Foreign Affairs to meet Mr. Atkins. Mr. Neligan referred to our desire to have a meeting of the Steering Group in early March. Stowe said that they agreed in principle to the political meetings but had nothing yet on dates.

Long Kesh

32. Mr. O'Rourke spoke of our desire to see this propaganda weapon removed. Hannigan said that it was common ground that nothing resembling special category status could be restored. Although the problems in Long Kesh were self-inflicted, it was a common humanitarian concern. The problem was not static. Strictly off the record, the Secretary of State would address himself again to the problem very shortly. Of course, the idea of a British initiative or even of limited progress was quite distinct from any hope of bringing the protest to an end. They hoped for no more than to manage the situation resulting from the protest as humanely as possible. However, it was a "make or break issue" for the Provisionals and one could not anticipate their ending the protest. Rather, the danger was of some escalation. The Government needed to make it clear that this would not be in the interest of the Provisionals but they were not prepared to concede on matters of principle, if only because of the implications of such a concession on the whole basis of terrorism North and South and the increased violence which would result. Some examples were given of attempts to make progress on chairs and transistor radios.

33. Mr. O'Rourke enquired whether the protest had now spread to Armagh. Mr. Hannigan said the position was unclear, as was the precise motivation. After an initial stage, the general level of "dirtiness" had declined but 5 prisoners are approaching the H-Block situation. Deliberately no punishment had been imposed. The Cardinal has visited them and is keeping an eye on the position. Father Murray had become concerned because he was barred from the wing in question although he was allowed to receive the protesting prisoners in his room.

The British authorities had no idea why the protest had broken out now nor how long it would carry on. They know of no reason for the protest and were deliberately avoiding provocation of any sort. They were leaving it to the prisoners to make up their own minds on when they would come off the protest.

Interconnector

35. Two pylons on the Northern side would be re-established the

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following week. Progress would necessarily become public, because of the need to seek way-leaves but they were now determined to reconnect again and again if necessary.

Criminal Law

36. Mr. Colwell said we had drawn no conclusions. The problems were enormous and it was necessary to weigh the benefit of any change against the cost. Experience had shown that legal modifications were not necessarily beneficial. Mr. Stowe agreed and said that both sides must be careful not to set off a chain reaction on either side of the border as a result of exaggerated demands.