

E.R.

IN CONFIDENCE

## INTER-PARTY CONSULTATIONS

Council of Ireland

1 HMG reaffirms the position stated in the White Paper that it favours, and will facilitate, the formation of a Council of Ireland. It is prepared to agree to the following propositions which will have to be discussed with the Government of the Republic as part of the agenda of a meeting as envisaged in paragraph 112 of the White Paper, which also included the question of the acceptance of the status of Northern Ireland;

- (a) There is a general wish that a Council of Ireland should be confined to the North and South of Ireland. This is acceptable to HMG as regards devolved subjects, though arrangements will be necessary to safeguard HMG's interests in the area of finance and other reserved subjects;
- (b) As to structure, the Council should consist not only of representatives of the Government of the Republic and of the Northern Ireland Executive but also, on a separate advisory and consultative level, of representatives from the parties in the Dail and the Northern Ireland Assembly. The Council should have its own secretariat;
- (c) The Council should have some executive and harmonisation functions as well as a consultative role;
- (d) The Council at government level should operate on the basis of unanimity;
- (e) The Council should be able to play a useful role in relation to certain subjects reserved for the time being to the United Kingdom Government and on which HMG would need to be represented. How this might be done needs to be agreed between the three governments concerned. Among the matters to be examined should be the concept of a common law enforcement area, the question of extradition

processes and what role it might play in the law and order field.

Tripartite Conference

2 HMG proposes to invite the Government of the Republic and the leaders of all the political parties elected to the Northern Ireland Assembly to send representatives to preliminary consultations on these matters in England early next month. This preliminary conference would prepare the way for the formal appointment of a Northern Ireland Executive. HMG would thereafter issue invitations to a Tripartite Conference of representatives of the British Government, the Government of the Republic and the Northern Ireland Executive, to be held within one month of the formation of the Executive.

Law and Order

3 HMG has made clear that the RUC will continue to provide the police service for Northern Ireland. The Government has also stated that its aim is to achieve the ending of politically motivated violence from whatever source; to ensure that there is effective policing throughout Northern Ireland so that the Army can be progressively withdrawn from its present role; and to bring about a situation in which public support for the police and identification with it are essential parts of effective policing. No single set of proposals is likely to achieve these aims overnight - time will be necessary. The full cooperation of the Government of the Republic is essential in this task. HMG sees the possibilities for advances in the whole law and order field by arrangements made under paragraph 1 (e) above.

Detention

4 HMG reaffirm that they will bring detention for all sections of the community to an end as soon as the security situation permits and as part of their wish to bring about a lasting peace. The political progress made in recent weeks, and the desire of the overwhelming majority of people in Northern Ireland for peace, bring hope that, once the new Northern Ireland institutions have been



established, the men of violence will be increasingly isolated and rejected and the security position further improved.

5 The Government wishes to see progress not only in the security situation but also in parallel with it a progressive reduction in the number of persons detained. As an earnest of this, the Secretary of State hopes to be able to bring into use his statutory powers of selective release. It is his intention, if the security situation permits, to do so in time for a number of detainees to be released before Christmas. Those released <sup>may</sup> ~~will~~ be required to give a suitable undertaking about their future conduct.

6 Continued progress will obviously depend upon further improvement in the situation generally. In the meantime, the procedures for review provided by the Northern Ireland (Emergency Provisions) Act 1973 have already led to some releases. These reviews will continue. Further efforts will continue to be made to bring persons suspected of terrorist offences before the courts.

7 It is the Secretary of State's intention to consider compassionate cases on a wider basis than hitherto, and to work towards a more generous granting of temporary release for compassionate reasons.

8 Other preparatory measures being considered include the recruitment of more social workers to help with the administration of all these arrangements and the introduction of various training schemes.

Economic and Social Programme

9 HMG has taken note of the economic and social aims agreed by delegations. While the Government's position must be reserved as to the financial or other support it would be prepared to give to any particular element of the programme, it is the firm intention of HMG to afford significant assistance to Northern Ireland in its economic and social rehabilitation.

Timing

10 The aim would be to hold the preliminary consultations on a Council of Ireland in the first week of December. The necessary steps would then be taken to request Parliament at Westminster to approve the order for the devolution of powers to the Northern Ireland Executive and Assembly during December and for this to take effect as soon as possible thereafter. The Tripartite Conference would then take place within one month of the devolution of powers.