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ANNEX TO CAB 164/1848)
ALLC CO-GRAINATING COMMITTEE
MOSTING: BUBLIN 11/12/1984

CAB 164/2291

396/2 PT39

2) Anc coordinating Committee Meeting: Dublin, B 1) AIIc Coordinatus Committee Heatus



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C M G Mallaby Esq CMG Cabinet Office FROM: T J B GEORGE, RID DATE: 9 DECEMBER 1987

CC. Mr Boyd

B H Dinwiddy Esq,

Cabinet Office

P N Bell Esq, NIO

Mr Dickinson, Dublin

ALIC COORDINATING COMMITTEE MEETING: DUBLIN, FRIDAY 11 DECEMBER 1987

briefs on the individual items which are on the Agenda plus some items which might come up under any other business. I have not suggested who should lead on what. But we can decide that when you have had a chance to look at the brief.

Mason

T T B CEOPCE

UNCLASSIFIED
FM DUBLIN
TO IMMEDIATE FCO
TELNO 502
OF 071640Z DECEMBER 87
AND TO IMMEDIATE NIO(B)

MR .C.L.G.MALLABY,

CABINET OFFICE.

COPENHAGEN TEL NO 1 TO DUBLIN: EXTRADITION AND ANGLO-IRISH RELATIONS: RADIO INTERVIEW

- 1. I WAS GRATEFUL FOR THE AUTHORITY IN YOUR TELEGRAM AND FOR THE GUIDANCE IN COPENHAGEN TELS 2 AND 3. FOLLOWING IS SUMMARY OF MY RADIO INTERVIEW ON 6 DECEMBER. TRANSCRIPT BY FAX TO RID AND NIO(B).
- 2. I WELCOMED IRISH RATIFICATION OF THE ECST.
- 3. I EXPLAINED BRITISH OBJECTIONS TO THE NEW SYSTEM:
 - A. IT WAS UNNECESSARY BECAUSE WARRANTS WERE ALREADY ISSUED ONLY WHEN THERE WAS AN INTENTION TO PROSECUTE BASED UPON A SUFFICIENCY OF EVIDENCE.
 - B. THE INTRODUCTION OF A NEW OBSTACLE TO EXTRADITION WAS BOUND TO RAISE PRACTICAL DIFFICULTIES.
 - C. THE FEAR OF JUSTICEABILITY.
 - D. PRESSED ON THE SUGGESTION THAT IT MADE US 'LEAST FAVOURED NATION' I EXPLAINED THAT THE NEW SYSTEM APPLIED TO US ALONE AND WAS THEREFORE DISCRIMINATORY AND THAT IT REPLACED A WORKABLE SYSTEM WITH ONE WHICH WE FEARED WAS UNWORKABLE. PLAINLY A STEP BACKWARDS.
- 4. I WELCOMED THE TAOISEACH'S UNDERTAKING GIVEN IN THE DAIL, STRENGTHENED AS THE BILL EVOLVED IN DEBATE AND REAFFIRMED TO THE PRIME MINISTER AT COPENHAGEN THAT IF THE SYSTEM DID NOT WORK HE WOULD REVIEW IT.
- 5. IN THE LIGHT OF THIS ASSURANCE AND ALTHOUGH THE PROCEDURES REMAINED UNATTRACTIVE WE WOULD DO OUR BEST TO MAKE THEM WORK. SUCK IT AND SEE.
- 6. PRESSED ABOUT THE PRIME MINISTER'S COMMENTS IN THE HOUSE LAST

PAGE 1 UNCLASSIFIED WEEK, I EXPLAINED THAT SHE ANSWERS PQS EVERY TUESDAY AND THURSDAY AS A MATTER OF ROUTINE AND COULD NOT FAIL TO GIVE HER REACTION ON A MATTER OF SUCH PUBLIC INTEREST. IT SHOULD NOT HAVE BEEN CONSTRUED IN IRELAND AS INTERVENTION IN THE DAIL DEBATE.

- 7. ASKED ABOUT MY OWN ROLE (CRITICISED IN OCTOBER BY THE GOVERNMENT SPOKESMAN AS 'OVER AND ABOVE THE NORMAL LEVEL'') I SAID THAT I HAD INDEED DISCUSSED THIS IMPORTANT QUESTION WITH SENIOR FIGURES IN ALL POLITICAL PARTIES. THIS WAS A NORMAL PART OF A DIPLOMAT'S JOB IN A DEMOCRATIC SOCIETY AND THE IRISH EMBASSY IN LONDON WERE CONSPICUOUSLY GOOD AT IT. BUT THIS WAS ALL ANCIENT HISTORY. IT HAD BEEN DESCRIBED TO ME AS 'CODOLOGY'. THE INCIDENT WAS CLOSED. IT HAD NOT AFFECTED MY RELATIONS WITH THE TAOISEACH.
- 8. ON THE BILATERAL AT COPENHAGEN I DREW ON THE JOINT PRESS STATEMENT TO SET OUT THE THREE SUBJECTS DISCUSSED:
 ANGLO-IRISH RELATIONS AND THE ANGLO-IRISH AGREEMENT, EXTRADITION, AND CROSS BORDER SECURITY. THE TWO PRINCIPALS HAD DESCRIBED THE MEETING AS ''FRANK AND FRIENDLY'' AND AS ''CONSTRUCTIVE''.
 PLAIN SPEAKING AS BETWEEN FRIENDS ON AN ISSUE OF THIS IMPORTANCE.
 NO ICE. NO ROW. A SHARED CONCERN TO GET THIS EMOTIVE ISSUE RIGHT.
- 9. I EXPRESSED CONFIDENCE IN THE FUTURE OF THE ANGLO-IRISH AGREEMENT, AND SUGGESTED THAT THE AGREEMENT HAD INDEED PROVIDED THE RELATIONSHIP OF CONFIDENCE WHICH ENABLED US TO WITHSTAND EVEN SHARP DISAGREEMENTS ON FUNDAMENTAL QUESTIONS.

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NORTHERN IRELAND ECD(E)

LIMITED LEGAL ADVISERS

RID

NAD

INFO SIR J FRETWELL PS/MRS CHALKER

PUSD PS/PUS

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S C D R E S E A R C H P L A N N E R S N T D MR BOYD MISS PESTELL CHIEF CLERK

ADDITIONAL 39

NORTHERN IRELAND

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PAGE 3 UNCLASSIFIED

List of Ministerial Meetings held within the framework of the Anglo-Irish Intergovernmental Council (Meetings of the Anglo-Irish Intergovernmental Conference are not listed)

4 November 1986

Meeting between the Under-Secretary of State at the Northern Ireland Office, Mr. Richard Needham, M.P., and the Minister for Health, Mr. Barry Desmond, T.D., Belfast.

29 July 1987

Meeting between the Minister for Transport and Tourism, Mr. John Wilson, T.D., and the Under-Secretary of State at the Northern Ireland Office, Mr. Peter Viggers, M.P., Dublin.

29 July 1987

Meeting between the Minister for Industry and Commerce, Mr. Albert Reynolds, T.D., and the Under-Secretary of State at the Northern Ireland Office, Mr. Peter Viggers, M.P., Dublin.

16 September 1987

Meeting between the Secretary of State for Energy, Mr. Cecil Parkinson, M.P., and the Minister for Energy and Communications, Mr. Ray Burke, T.D., London.

12 October 1987

Meeting between the Minister for Agriculture and Food, Mr. Michael O'Kennedy, T.D., and the Under-Secretary of State at the Northern Ireland Office, Lord Lyell, Dublin.

7 December 1987

Meeting between the Minister for Health, Mr. Ruairi O'Hanlon, T.D., and the Under-Secretary of State at the Northern Ireland Office, Mr. Richard Needham, M.P., Dublin.

Report to the AIIC Co-ordinating Committee of the Working Group on Education and Culture 11 December, 1987

The report presented to the last meeting of the Co-ordinating Committee on 4 July 1986 set out the background to the Working Group on Education and Culture. This report up-dates developments since that meeting.

The Working Group meets approximately every three months, rotating between Dublin, London and Belfast. Since the last meeting of the AIIC Co-ordinating Committee, there have been four meetings, two in Dublin and one each in Belfast and London. The following is a summary of developments over that period.

1. Cultural Exchanges

A three year programme of arts exchanges was agreed in June 1986 between the Arts Council of Great Britain and the Irish Arts Council and the Irish Cultural Relations Committee.

Activities supported under the programme have included Arts Festivals, theatre company visits, arts training etc. Possible future developments include literature programmes, university exchanges and co-operation in the area of film production.

2. European Studies Project *

This project aims to encourage children in designated schools in the three educational jurisdictions (Ireland, Northern Ireland and Britain) to appreciate their common European heritage through interdisciplinary studies. Since July 1986 the first phase of the project, covering 12-15 year-olds, has been put into operation. A director based in Northern Ireland, and three field officers (one in each jurisdiction) have been appointed and the necessary information technology equipment has been installed in the participating schools. A handbook for teachers has been prepared. The project itself commenced in the schools in September 1987. The proposed second phase of

the project would involve an extension to the 16-18 year age group. A pilot programme linking two schools in Northern Ireland with three schools in Belgium has just been completed. The programme included a one-week residential course at the Irish College in Louvain which was very successful.

There is already much support in principle from all three Education Departments for the second phase, and the Chairpersons of the Working Group have written to their respective Education Departments commending it. Budgetary restrictions have meant, however, that no firm commitments on financing may be forthcoming for some time. The project will need to seek finance from alternative sources such as the EC information technology programme.

It is hoped that the European Studies Project will in due course be fully integrated into the educational systems in the three jurisdictions by incorporation into examinations syllabi, probably in history and/or geography courses.

* As the European Studies Project arouses sensitivities in some sections of the community in Northern Ireland, it is desirable that the project should not be given publicity at this stage.

3. Youth Exchanges

Before the last Co-ordinating Committee meeting Anglo-Irish Encounter had completed a report on youth exchanges, recommending the establishment of a Central Youth Exchange Bureau on the Irish side. An interim bureau has now been established in Dublin with a mandate to report on the possibility of setting up a permanent structure in the near future.

[Note: since the last meeting of the Working Group financial difficulties on the Irish side, which had led to a 60% cut in the budget for British/Irish youth exchanges for 1988, have

been overcome with the allocation of £1m to youth services from the Irish National Lottery.]

The Working Group also noted that Anglo-Irish Encounter is planning a sixth form Conference in Wales next March on relations within these islands in the European context.

4. Mutual Recognition of Teaching Qualifications

Current difficulties with the recognition of Irish teachers in England and Wales continue to be monitored by the Working Group. Direct contacts continue between the Departments of Education with a view to finding a solution. (The next meeting is on 11 February).

5. Early Childhood Education

The three Education Departments have established three priority areas for future co-operation:- (a) the holding of a seminar on the education of 4-7 year-olds, (b) teaching of minority languages to young children and (c) special education. The seminar on the education of 4-7 year-olds will be held in London in March 1988 and will be attended by fifty educationalists. Co-operation in the other two areas remains at the level of discussion, but may in the future include exchange visits by teachers, with, in the case of minority language co-operation, possible funding by the EEC Minority Languages Bureau.

6. Other issues

The Working Group has also discussed a number of other issues. These include:

(a) the development of <u>Irish studies</u> in Britain, and the role of the British Association for Irish Studies. The Working Group supports in principle the work of the BAIS. [Note: The Irish Government provided a IR£10,000 start-up grant to the BAIS at the end of 1986].

AIIC Coordinating Committee Meeting, Dublin, Friday 11 December 1987

Introduction

- 1. The meeting will take place at 10.00am on Friday 11 December at the DFA. You have appointments with Mr Nally at 9.00am and Mr Dorr at 9.30am. I attach for reference:
- A a. the Agenda (agreed with the Irish side they no longer wish to discuss the Open University question)
- B b. a list of participants
- C c. a copy of the minutes of the last Coordinating Committee meeting on 4 July 1986

Agenda Items

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Irish Sailors and Soldiers Land Trust

D 2. Although the cheques are now ready to issue the Irish say they need to legislate before they can receive any money. This will take us into the New Year. We want to issue the cheques simultaneously and The British Legion are awaiting their slice.

Customs Problems - Duty Free Allowances

3. This is being included at the request of the Northern Ireland Office who took the lead in pressing for Community action after the Irish announcement. Both our Ambassador and the Northern Ireland Secretary have raised the matter with the Irish but we do not want to make a meal of it. The EC institutions are our principal avenue of redress. You could make the points referred to in the attached draft.

Matters of concern to the Irish Community in Britain

4. The Irish have indicated that they may wish to raise issues

affecting the nationals in the UK, but have yet to be specific. The likely candidates are the Prevention of Terrorism Act and British Nationality Act 1981. A defensive brief is attached.

Education and Cultural Sub-Committees

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(i) Report on the Sub-Committee activities

5. The Irish have produced a draft Report covering activities since July 1986. The Report has been discussed with the British side (British Council, Department of Education and Science and Department of Education Northern Ireland). The amended version put to the Irish is attached (and may have to be amended). You could invite the Irish side to speak on the contents and Mr George (who is co-chairman) to comment.

(ii) Mutual recognition of qualifications

6. This is being raised at the request of the Irish and is seen by them as a matter of some concern. They will be looking for progress at the next bilateral meeting. We can give nothing away at this stage. Brief attached.

Transport - Problems for Irish passengers at Heathrow

7. The Irish propose to describe briefly what they see as the problem and invite us to explain the current situation. There is no prospect of improvement this side of 1992, and the Irish seem to accept this. Brief attached.

Broadcasting Issues

- J 8. Three items will be raised under this umbrella title:
 - a. The Irish continue to press for improved transmission into the North. Things do not appear to have moved forward a great deal since the July 1986 meeting. We continue to impress on the Irish the technical problems involved. We could urge them to accept DTI's invitation for a discussion.
 - b. Pirate-radio stations operating in international waters of the North Sea are a problem for both sides. We want to halt the

servicing of these vessels at certain "home" ports in Europe: a parallel approach might be helpful.

c. Pirate-radio stations operating in the Republic have long been a bone of contention and it is gratifying that the Irish authorities appear to be taking the problem seriously. We could encourage them to press ahead with their legislation.

Anglo-Irish Exchange of Civil Servants

9. Since the signing of the memorandum in October 1984 only two UK Civil Servants have been placed in Ireland and four in the opposite direction. In spite of these teething troubles there are now signs of an improvement, mainly due to regular contacts between officials of both sides. There is little to say but look for a continuation of the improvement. (Brief attached).

A separate problem is the question of reciprocal training: the Irish appear keen but there is not much enthusiasm from the MPO (now the OMCS). Their caution arises mainly from concern at the lack of funds being available to the Irish to provide reciprocal courses. The situation appears to have improved somewhat: the Civil Service College are willing to discuss UK courses with the Irish, as a result of which ideas could emerge about courses in Dublin. We should open by offering the Civil Service College prospectus. (Brief attached).

Nuclear Radiation monitoring

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L 10. The representative from the Irish Department of Energy can be expected to air their usual preoccupations: Sellafield, Sizewell, etc. They have also proposed an agreement on nuclear safety - we await their response to a draft text submitted to them earlier this year. There have been informal exchanges between officials for some time, which we are confident will continue. The attached brief gives some points to make and background.

Any technical matters raised should be referred to the experts concerned (NB. Department of Energy are responsible for radioactive

discharges, while MAFF lead in Whitehall on monitoring the environment).

Cooperation in Combating Drug Abuse

- 11. The two Governments enjoy close cooperation in this field in fora outside the auspices of the AIIC. We asked for its inclusion in order to mention the contribution to the Community Action on Drugs from the AUS programme budget.
- N We could speak along the lines of the attached brief. This also provides an opportunity to refer to a possible reciprocal agreement on confiscating drug traffickers' assets.

List of Ministerial meetings since last meeting

12. Although this item has been retained on the insistence of the Irish, they have so far been unable to come up with a list. Should one be presented at the meeting you could thank them and say we will take away and study. We see little point in retaining this list in future meetings, although all contacts will continue to take place under the auspices of the AIIC.

Any other business

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- 13. Under this item and in the tête-a-tête and over lunch you could refer to:
 - a. progress on the Continental Shelf negotiations
- tier" ie. formal parliamentary body. This was foreshadowed in the Joint Studies of 1981 and mentioned in Article 12 of the Anglo-Irish Agreement. The Irish are more ready to push this along officially than we are. For us it is strictly a matter for Parliament. And the tenuousness of the Unionists reattachment to Westminster makes progress sensitive. The next step is likely to be a visit to Dublin under IPU auspices in return for a visit to London last spring.

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c. Anglo-Irish relations. You can refer to the recent ECST/extradition saga, and say that while we have severe doubts about the practicability of the Irish law we shall seek to operate it at least in the supply of certificates in extradition cases. We are glad of the Irish commitment to a review. A note on other Anglo-Irish issues is attached along with the European Council brief

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- d. Future of the AIIC. We should keep the Coordinating mechanism ticking over, and make greater efforts to note progress over the whole range of Anglo-Irish relations, without seeking to duplicate work done in the Conference (which takes place within the framework of the AIIC)
- e. Next meeting. This is your last meeting: the next meeting might be in about a year's time. Either your successor or Mr Boyd might be the British co-chairman

AGENDA Anglo-Irish Intergovernmental Council - Coordinating Committee Meeting: Dublin, 11 December Irish Sailors and Soldiers Land Trust 1. 2. Customs problems - Duty Free Allowances 3. Matters of concern to the Irish Community in Britain 4. Education and Cultural sub-Committees: Report of Committee activities (ii) Mutual recognition of qualifications 5. Transport - Problems for Irish passengers at Heathrow Broadcasting Issues: 6.

(i) RTE desire to increase transmission into Northern

the North Sea, who are using (and blocking) RTE wavelengths on

transmissions to London and the South-East

Nuclear Radiation monitoring

Anglo-Irish Exchange of Civil Servants

Cooperation in combating Drugs abuse

10. List of Ministerial meetings since last meeting

(ii) The problem of foreign pirate radio stations, based in

(iii) Pirate radio stations in the Republic transmitting

Ireland

7.

8.

9.

11. A.O.B.

into Northern Ireland

AIIC COORDINATING COMMITTEE MEETING: DUBLIN FRIDAY 11 DECEMBER

UK Delegation

Mr C L G Mallaby CMG - Cabinet Office

Mr T J B George - RID, FCO

Mr R B Spence - Central Secretariat, Belfast Rohhie

Mr A J Whysall - NIO(L) Man

Mr M Dickinson - Embassy, Dublin Mark
Mr R J Davies - RID, FCO
Roger

Irish Delegation

Mr D Gallagher - DFA

Miss A Anderson - DFA

Mr R Bassett - DFA

Ms M McLoughlin - DFA

Mr B McCarthy - Department of the Taoiseach

Mr M Grant - Department of Communications

Dr J Cunningham - Nuclear Energy Board



NEWS RELEASE



50 Queen Anne's Gate London SW1H 9AT Telephone 01-213 3030/4050/5050 (Night line 01-213 3000)

Contact No: 213 4050

9 December 1987

LORD COLVILLE'S REVIEW OF THE PREVENTION OF TERRORISM

(TEMPORARY PROVISIONS) ACT 1984: GOVERNMENT RESPONSE

Mr Douglas Hogg MP, Parliamentary Under-Secretary of State at the Home Office today announced the publication of Lord Colville's report of his review of the Prevention of Terrorism (Temporary Provisions) Act 1984.

In his report, Lord Colville accepts the continuing need for legislation against terrorism and that it should continue to apply to people reasonably suspected of involvement in terrorism and to people travelling through ports and airports in the United Kingdom. He therefore recommends that the central arrest and detention powers should remain. He further recommends that the exclusion power in Sections 4, 5 and 6 of the Act should not be retained.

The Government is now considering its response to the report's recommendations and will wish to take account of views expressed in Parliament and elsewhere. However, the Home Secretary announced in July that he had decided that it would not be wise to discontinue the exclusion power. The Government has considered Lord Colville's recommendations on exclusion and has noted that he accepts the view of senior police officers to whom he spoke, who consider the exclusion power to be of great value and who told him that they would be unable to provide the surveillance that would be required should the exclusion power no longer exist. The Government has concluded that the decision made in July, to retain the exclusion power, should be confirmed.

In a written answer to Mr Sydney Chapman MP, (Chipping Barnet) Mr Hogg said:

"Lord Colville's report of his review of the Prevention of Terrorism (Temporary Provisions) Act 1984 is published today. The Home Secretary is very grateful to Lord Colville for his wide ranging and detailed study. The Home Secretary informed the House on 23 July (Vol 120 Col 38) that he had decided that it would not be wise to discontinue the powers in Sections 4, 5 and 6 of the Act. The Government has considered the recommendations made by Lord Colville on the use of this power, and has concluded that the decision announced on 23 July should be confirmed. In considering its response to the report's other recommendations, the Government will wish to take full account of views which may be expressed in Parliament and elsewhere. Lord Colville's scrutiny of the operation of the Act in 1987 will be published in advance of the debates on the renewal of the Act".

NOTES TO EDITORS

1. The Home Secretary appointed Lord Colville in April this year to review the Prevention of Terrorism (Temporary Provisions) Act 1984, the terms of reference were:

"Accepting the continuing need for legislation against terrorism, to assess the operation of the Prevention of Terrorism (Temporary Provisions) Act 1984, with particular regard to the effectiveness of the legislation and its effect on the liberties of the subject, and to report".

The Report is published today and is available from HMSO, Cmnd 264, price £6.80p.

2. The Act contains powers of detention and exclusion, it proscribes the IRA and INLA, makes contributing to acts of terrorism and withholding information about acts of terrorism criminal offences, and gives the police powers to carry and security checks on travellers.

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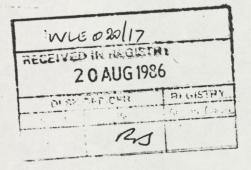
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18 August 1986



CABINET

OFFICIAL COMMITTEE ON ANGLO-IRISH RELATIONS

ANGLO-IRISH INTERCOVERNMENTAL COUNCIL (AIIC):
MEETING OF THE CO-ORD NATING COMMITTEE
IN LONDON ON 4 JULY 1986

Note by the Segretaries

1. The attached record of the meeting of the Co-ordinating Committee of the Anglo-Irish Intergovernmental Council held in London on 4 July 1986 is circulated for the information of members.

Signed D R C Christ

R N J Baker

Cabinet Office 18 August 1986

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RECORD OF MEETING OF THE ALIC CO-ORDINATING COMMITTEE, LONDON, FRIDAY, 4 JULY 1986

UK Side

Mr C L G Mallaby

Mr R Spence

Mr G E Clark

Mr D Hill

Mr G Green

Mr R Hathaway
Mr D R C Christophe
Mr R Baker

Irish Side

Mr E O Tuathail, DFA

Mr B Davenport, DFA

Mr B McCarthy, Taoiseach's Dept

HE Mr N Dorr

Dr J Cunningham, Nuclear

Energy Board

Mr M Grant, Department of Communications

1. Mr Mallaby welcomed the Irish side to London. He said it was important to keep the 'East/West' machinery of the AIIC in good working order. Mr O Tuathail endorsed this. The AIIC had an important rôle, irrespective of what was happening in the Intergovernmental Conference.

Exchanges of Civil Servants

Mr Mallaby said the exchange scheme, set up under a 1984 Memorandum of Understanding, was not yet working properly. Three Irish civil servants had come to the UK so far, but no-one from the UK had been to the Republic. Mr Green said that three main difficulties had emerged: lack of clarity in the rules to be applied, slow responses by negotiating departments, which had led to exchanges falling through, and different opinions on the duration of the exchanges. The momentum was lost if a department took a long time to finalise an exchange. The Irish side preferred head for head exchanges but this made problems for the UK side, who saw alternate single exchanges as more realistic. The Irish side also wanted exchanges to last for nine months or more and this gave the UK side problems sometimes. Shorter exchanges of 6 months or so were more easily arranged. Mr Green would be meeting officials from the Irish Department of Public Service in Dublin on 15 July: they would examine length of secondments, areas of work and what individuals could get out of their exchanges. Flexibility was the key.

3. Mr O Tuathail said the Irish Government wanted the scheme work. There had been some problems persuading people to go on exchanges, and misunderstandings about the scope of the scheme had hindered progress. He hoped the meeting on 15 July would mark a turn for the better. Mr Mallaby endorsed this. This subject should be on the agenda of the next Co-Ordinating Committee meeting, when progress could be reviewed.

Nuclear Radiation Monitoring

- 4. Mr O Tuathail said the Irish side were very concerned about radioactive discharges. Chernobyl had increased the public's worries. The matter was being urgently examined by the European Commission. Dr Cunningham said that nuclear installations had to be safe and seen to be so. The Irish had voiced their concern in the Community that nuclear radiation monitoring was a transfrontier issue which required urgent and extensive study and consultation, especially post-Chernobyl. Public concern in the Republic was high; nuclear radiation monitoring was expensive. International discussion already took place, but bilateral contacts were important too. The Intergovernmental Conference was discussing North/South monitoring but the problem affected the whole island of Ireland and was an East/West issue too. Mr Mallaby agreed. It was right for the AIIC to discuss it. Sellafield was a problem for the Irish side, but it had to be seen in perspective. The Chernobyl accident happened in a country where there was no public pressure for, and no public debate about, standards or safeguards. But it had altered public perceptions of nuclear safety here. He referred to the Prime Minister's letter of 6 March to the Taoiseach about Sellafield. It was important to keep matters in perspective. The leaks at Sellafield, unfortunate though they were, were minuscule compared with the Chernobyl disaster. Even so much investment was in train to improve safety standards there even further. The UK were ready to intensify bilateral contacts.
- 5. Mr Hathaway emphasized that the UK side were ready to share information on monitoring with the Irish including details of a new land monitoring programme. He referred to an annual MAFF report on monitoring the marine environment. A number of useful

meetings and informal contacts between UK and Irish officials already took place during the year: there could be more.

Mr O Tuathail said the Irish side welcomed this.

Anglo-Irish Ministerial Meetings

6. The meeting took note of a list of formal meetings between British and Irish Ministers since September 1985, under the auspices of the AIIC. One amendment was noted. Mr Clark and Mr Hill reminded the meeting that there was political benefit in publishing the list from time to time, and Mr Mallaby said this might be done on the occasion of the next Anglo-Irish Summit.

RTE Broadcasting

- 7. Mr Mallaby explained that the UK side were still examining the technical feasibility of the Irish proposal that the RTE signal be boosted so as to provide 10% more coverage by population in Northern Ireland. The mountainous terrain meant there was only one clear direction in which the signals could go but Newry lay in the path. Initial technical studies suggested a five-fold power increase would be needed from the Clermont Carn transmitter and that this would cause unacceptable interference with existing signals in Newry. Mr Grant recalled that the Irish side had thought the ideal compromise would have been a modest power increase from Clermont Carn, which was near the border, plus a low power transmitter in Belfast. (The site at Carnhill was too far from the border to be boosted usefully in this way.) Mr Mallaby explained the British objections to a Belfast transmitter. It was British broadcasting policy not to allow non-UK broadcasting stations to set up transmitters on UK soil. Even if it were not to install such a transmitter at present would outrage Unionist opinion. Moreover, as a likely target for terrorism, it would present the security forces with an additional major headache. Our resources for combatting terrorism were limited.
- 8. Mr Dorr said we should not overemphasize the nationalist element in all this. Greater RTE reception in the North would be of benefit to the community as a whole. Mr Mallaby explained that the initial technical study was aimed primarily at improving

reception for nationalists in the North, using demographic data. He noted the Irish suggestion that this should not be the only consideration in the technical studies. Mr Grant suggested that the engineers from both sides ought to get together to discuss possible solutions.

- 9. In further discussion it was noted that cable TV and Direct Broadcasting by Satellite offered possible long-term solutions to this problem, although they were doubtful starters at present.
- 10. Summing up, Mr Mallaby said the UK experts would be asked to complete their technical evaluations as soon as possible and produce a definitive report. They should take account of the Irish point about the whole Northern community benefitting from a stronger signal. They should seek to find a way round the problem of the signals at Newry and should arrange a discussion with Irish engineers before the production of a final report.

Education and Cultural Contacts

- 11. The Committee took note of a report on past and current activities by the Education and Cultural Working Group. Mr Clark summarised the Group's work. The main achievement had been to establish the Curriculum Development Project, which looked set for success. Anglo-Irish contacts across a whole range of educational and cultural topics had improved since 1984, and the Group's purview covered all age ranges in education. The new postgraduate scholarships scheme in scientific subjects was developing steadily, as funds allowed. Mr Dorr commented that the majority of scholarships were going to geologists. After discussion, Mr Mallaby suggested that the next Department of Education letter advertising the scheme should point this out.
- 12. Mr Clark described the work being done on youth exchanges including the recent Anglo-Irish Encounter seminar, and the recognition of professional qualifications. Mr Davenport said more youth exchanges were needed from the UK to the Republic.

 Mr Mallaby said the Group's work was going well and they had identified further areas for study. Increasing Anglo-Irish contacts of the kind promoted by the Working Group was the AIIC's

primary purpose.

Irish Sailors and Soldiers Land Trust (ISSLT)

13. Mr Clark explained that the ISSLT Bill would be taken in the 1986-87 Parliamentary Session. The UK side were discussing problems involving ex-service interests before completing work on the draft Bill. Sir Philip Woodfield would take over as Chairman on 1 September. The Irish side took note.

Drugs Abuse

14. Mr Mallaby said the UK side had considered whether the AIIC should examine the prevention of drugs abuse on a bilateral basis. On reflection they felt enough was already being done in the Pompidou Group. Duplication was unnecessary. The Committee noted with approval the contacts between UK and Irish officials on the subject.

Any Other Business

15. Mr Mallaby noted that many Anglo-Irish contacts took place which were unrecorded by the AIIC. The Committee should continue to seek new areas for discussion without duplicating existing work in other fora. Mr Davenport praised the work of Encounter and urged that the AIIC take sufficent notice of the activities of Encounter and the recommendations of its seminars. Summing up, Mr Mallaby said both sides would look again at the Joint Studies checklist with a view to finding new agenda items in the run-up to the next meeting. The Committee should meet again prior to the next Summit of Heads of Government, in order to produce a report on its activities.

Republic of Ireland Department, Foreign and Commonwealth Office 8 July 1986

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- Eiker Laises

IRISH SAILORS AND SOLDIERS LAND TRUST (ISSLT)

POINTS TO MAKE

- British legislation passed and in force. Agreement reached with Distributory Agency.

- We are now ready for initial surplus to be released. ISSLT want to make payments simultaneously to 3 recipients (HMG, Distributory Agency, ROI)
- Hope that this will not be delayed by Irish need to legislate

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BACKGROUND

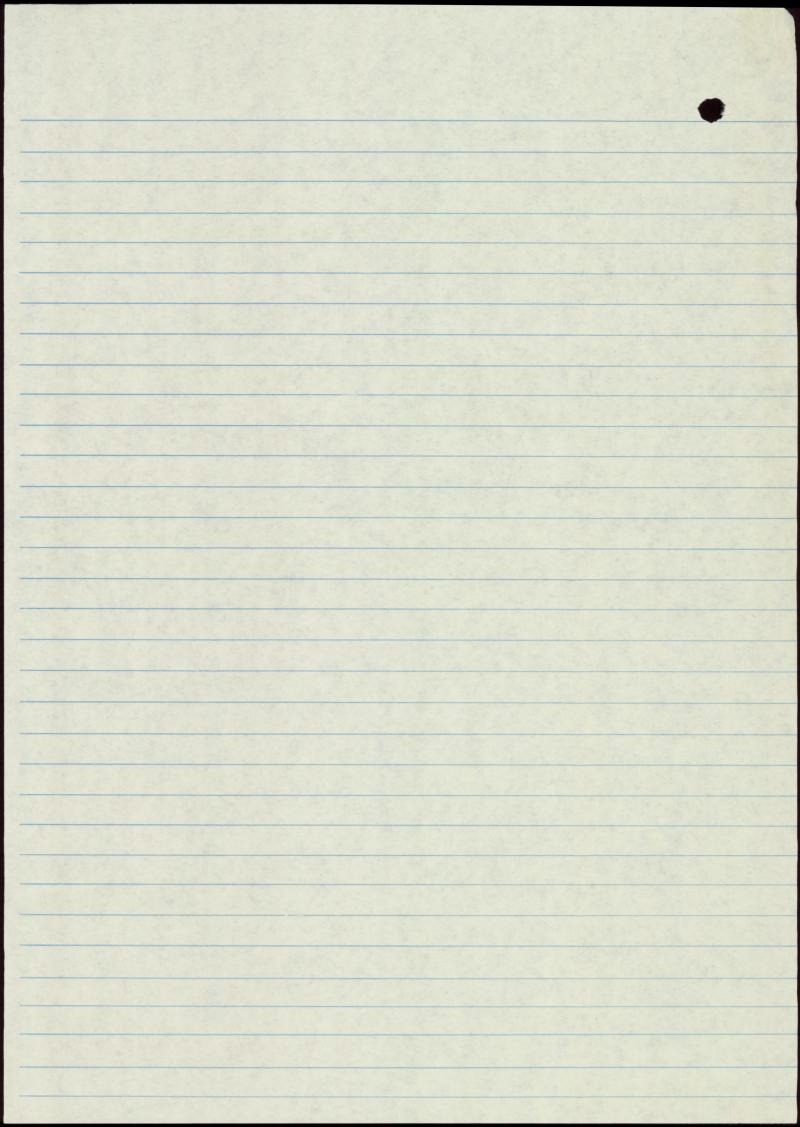
- 1. The Irish Sailors and Soldiers Land Trust (ISSLT) was established in 1922 to provide housing for Irish First World War veterans and their widows. Over the years the number of tenants has dwindled and many of the properties have been sold.
- 2. The Irish Sailors and Soldiers Land Trust Act 1987, which came into force on 4 November, provided for the release of surplus funds that have accumulated and for the eventual winding up of the Trust. The funds will be divided in the proportion of sixth-eight per cent for the UK and thirty-two per cent to the Republic of Ireland. Of the British share sixty per cent will go to the UK and Northern Ireland Consolidated Funds and forty per cent will go to a Distributory Agency, The Royal British Legion. The latter portion will be used to the benefit of ex-servicemen and their families in both parts of Ireland. The initial surplus to be released is £4.5 million (£1.836m for HMG, £1.224m for The Legion, £1.44m for the Republic of Ireland).
- 3. The Irish informed us recently that they will need to legislate before they can receive any money, and that such legislation will not be completed before the New Year. We may have to put on some pressure to accept a cheque before then so that the release of money to the Legion is not delayed. (If payments are not made

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simultaneously inconvenient problems of interest on part of them might arise).

4. The Irish have indicated that they will use their money for an appropriately "good" cause. One suggestion was that they would buy a new lifeboat.

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Why Sall is ANGLO-IRISH INTERGOVERNMENTAL COUNCIL: CO-ORDINATING COMMITTEE MEETING: 11 DECEMBER IRISH DUTY FREE ALLOWANCES Objective - To underline to the Irish Government our concern about their restriction of duty free allowances. Points to Make - We were surprised and concerned at the restriction of duty free allowances announced in your budget of 31 March. - In you view it clearly violates EC Directive 69/169 which established travellers' allowances. The fact that the Commission has opened 169 proceedings shows that they are of the same view. The European Parliament has condemned the restriction. - (We understand your concern about the economy of the border counties. But this is an unacceptable means of protection. It is a clear encouragement to smuggling, which is not in either of our interests. - We have taken a restrained approach on this issue as we do not want it to become a major irritant between us. bound Is after - But the restriction is having a marked effect on trade in the border region and is likely to cause serious financial difficulties for traders there. We are coming under increasing pressure in Parliament and from the local community. We urge you to remove the restriction at the earliest possible opportunity. RP1AGG, 1

BACKGROUND

- 1. On 31 March the Irish Finance Minister announced the withdrawal of duty-free allowances on goods bought by travellers out of Ireland for less than 48 hours. We considered this a violation of EC Directive 69/169 (as amended), which establishes travellers allowances, and so informed the Commission on 2 April. The Commission opened formal infraction proceedings against the Irish Government on 14 April by issuing a letter in accordance with Article 169 of the Treaty of Rome. We have been told in confidence that the Irish response was unsatisfactory and that the Commission have issued a Reasoned Opinion as to why the measure is illegal. The Irish Government have until mid-December to respond, after which the Commission must decide whether to take the matter to the European Court of Justice (almost certain in this case).
- 2. HM Ambassador, Dublin raised the matter formally with the Irish Finance Minister on 21 May. Mr MacSharry said he would take account of our concern, but claimed that the measure was essential to protect the economy of the border counties. The Secretary of State for Northern Ireland also raised the matter at the Anglo-Irish Intergovernmental Conference on 21 October.
- 3. We have no accurate reports of the effects of the Irish measure on the economy of the border towns. There have been some press stories and impressionistic reports from officials in the areas suggesting a marked reduction in trade. Newry appears to have been particularly affected. There have been protests from local traders but the overall response has been surprisingly muted.

They raide ain Our expert = TG MATTERS OF CONCERN TO THE IRISH COMMUNITY IN BRITAIN BRITISH NATIONALITY ACT 1981 POINTS TO MAKE If eligible Irish citizens do not register as British Citizens by 31 December 1987 they can still apply for naturalisation. fee for registration is £60 and for naturalisation £170 (£60 if married) Believe that there has been ample publicity of the change of rules ESSENTIAL BACKGROUND Under the Nationality Act 1981, Irish citizens eligible for British citizenship will generally lose their right to register with effect from 31 December 1987. Thereafter they may only become British citizens if they are naturalised. 2. There have been complaints from the Irish community, directed more against the Irish Embassy than against the Home Office, that this change has not been widely enough publicised. In July 1986 a free information leaflet was published by the 3. Home Office together with a poster advertising the leaflet. poster was widely distributed to advisory and community organisations around the country and so far some 270,000 copies of the English language version of the leaflet have been issued. In March and September of this year advertisements were placed in local and ethnic minority newspapers drawing attention to the deadline and to the leaflet. The Irish Embassy, after consultation with the Home Office, have produced their own fact sheet.

PREVENTION OF TERRORISM ACT

POINTS TO MAKE

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- Lord Colville's review of the PTA published on 7 December. Government's broad conclusions to be announced in February
- Nature of terrorist threat now demands more international approach. Lord Colville recommends this be reflected in PTA by no longer singling out terrorism relating to Northern Ireland. HO statement y der; At wind this rept for these

ESSENTIAL BACKGROUND

- Lord Colville's review of the PTA is due to be published on 7 December. The key recommendation of interest to the Irish is that the Act should now apply to all terrorists. (There will still be some areas in which the Irish are treated differently, partly because of the working of the Common Travel Area)
- 2. Lord Colville met with Irish officials while he was preparing his report.

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REPATRIATION OF IRISH CITIZENS BY CAMDEN COUNCIL

POINTS TO MAKE (DEFENSIVE)

Action taken entirely at initiative of the local authority. is for the authority to interpret its legal obligations

The Association of London Authorities is looking into the legality of the matter

ESSENTIAL BACKGROUND

- There have recently been reports in the press that homeless Irish citizens are being repatriated by Camden Council.
- According to the reports the Council has refused accommodation to some Irish people whom it considers to be voluntarily homeless and has given them travel vouchers to return to the Republic.
- The Council has claimed that the repatriations have been with the consent of those involved, but this is denied by at least one returnee.

I families so far



Mr Mallaby, Cabinet Office

AIIC COORDINATING COMMITTEE: IRISH PRISONERS

1. The DFA have warned us that they wish to raise the question of "Irish prisoners" at the AIIC Coordinating Committee on 11 December. The Embassy may call on the Home Office or myself on 10 December. They are likely to complain about the treatment of Martina Shanahan, one of the three persons arrested at the Northern Ireland Secretary's home. This follows an adjournment debate in the Dail on 8 December. We should be able to make points on several outstanding cases.

Line to Take

- (a) The <u>Birmingham Six</u> appeal ended on 9 December. The outcome will be announced later in December or more probably in the New Year. The Appeal Court has gone through the evidence with a fine tooth comb. Outcome a matter for them. Appreciate strong feelings (not only in the Republic) about the case. Essential that all should accept the outcome of the appeal.
- (b) (Defensive) The Home Secretary will be getting the police report about the <u>Woolwich/Guildford Four</u> before the end of the year, and will then decide on the question of an appeal.

CONFIDENTIAL

(c) Representations have been made to the Home Office about the case of Martina Shanahan. They are looking into the matter and will be replying as soon as possible to the Embassy. (If pressed) The prison authorities are doing their best to accommodate Shanahan's needs.

Background

- 2. The Birmingham Six appeal should finish this week, but the predicted end date has been deferred several times. The Christmas recess probably means that the outcome will not be announced until the New Year. Nothing should be read into the delay (although it is natural to speculate). Most Irishmen assume their innocence (and the innocence of the Guildford/Woolwich bombers).
- 3. The Home Secretary has commissioned the Avon and Somerset Constabulary to consider certain statements prepared by Cardinal Hume concerning the latter. Their report is expected soon.
- 4. Martina Shanahan and two men (Messrs McCann and Cullen) were arrested in the grounds of Mr King's house near Chippenham in September. They are being held on charges of conspiracy to murder. They are on remand at Chippenham and the men are being held at Bristol. Miss Shanahan however is being held at Risley in Lancashire, because there are currently no other suitable facilities for Category A female remand prisoners.
- 5. There are signs of another "no British justice for Irish people" saga building up. Specifically there has been some complaint about the facilities available to Shanahan, including over the lack of exercise. While she is being held in a high security prison, the authorities are being as flexible as possible over facilities, including (but not to be revealed) over the time allowed for visits by her family from Dublin, since they can only get over about once a week.

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Report to the AIIC Coordinating Committee of the Working

Group on Education and Culture

The report presented to the last meeting of the Coordinating Committee on 4 July 1986 set out the background to the Working Group on Education and Culture. This report up-dates developments since that meeting.

The Working Group meets approximately every three months, rotating between Dublin, London and Belfast. Since the last meeting of the AIIC Coordinating Committee, there have been four meetings, two in Dublin and one each in Belfast and London. The following is a summary of developments over that period.

1. Cultural Exchanges

A three year programme of arts exchanges was agreed in June 1986 between the Arts Council of Great Britain and the Irish Arts Council and the Irish Cultural Relations Committee. Activities supported under the programme have included Arts Festivals, theatre company visits, arts training etc.

Possible future development include literature programmes, university exchanges and co-operation in the area of film production.

2. European Studies Project

The sensitivity of this project at this stage means that it should not be given publicity.

This project aims to encourage children in designated schools in the three educational jurisdictions (Ireland, Northern Ireland and Britain) to appreciate their common European heritage through interdisciplinary studies. Since July 1986 the first phase of the project, covering 12-15 year olds, has been put into operation. A director based in Northern Ireland, and three field officers (one in each jurisdiction), have been appointed and the necessary information technology equipment has been installed in the

participating schools. A handbook for teachers has been prepared. The project itself commenced in the schools in September 1987.

The proposed second phase of the project would involve an extension to the 16-18 year age group. A pilot programme linking two schools in Northern Ireland with four schools in Belgium has just been completed. The programme included a one-week residential course at the Irish Institute for European Studies in Louvain which was very successful.

There is already support in principle from all three Education Departments for the second phase, and the Chairpersons of the Working Group have written to their respective Education Departments commending it. Budgetary restrictions have meant, however, that no firm commitments on financing may be forthcoming for some time. The Project will need to seek finance from alternative sources such as the EC information technology programme.

It is hoped that the European Studies Project will in due course be fully integrated into the educational systems in the thjree jurisdictions by incorporation into examination syllabi, probably via history and/or geography courses.

3. Youth Exchanges

Before the last Coordinating Committee meeting Anglo-Irish Encounter had completed a report on youth exchanges, recommending the establishment of a Central Youth Exchange Bureau on the Irish side. An interim bureau has now been established in Dublin with a mandate to report on the possibility of setting up a permanent structure in the near future.

(Note: since the last meeting of the Working Group financial difficulties on the Irish side, which had led to a 60% cut in the budget for British/Irish youth exchanges for 1988, have been overcome with the allocation of £Ilm to youth services from the Irish National Lottery.)

The Working Group also noted that Anglo-Irish Encounter is planning

a sixth form Conference in Wales next March on relations within these islands in the European context.

4. Mutual Recognition of Teaching Qualifications

This paragraph is misleading and the DES would prefer:

"Current difficulties with the recognition of Irish teachers in England and Wales continue to be monitored by the Working Group. Direct contacts continue between the Department of Education with a view to finding a solution." (The next meeting is on 11 February).

5. Early Childhood Education

The three Education Departments have established three priority areas for future co-operation: (a) the holding of a seminar on the education of 4-7 year olds, (b) teaching of minority languages to young children, and (c) special education. The seminar on the education of 4-7 year olds will be held in London in March 1988 and will be attended by fifty educationalists. Co-operation in the other two areas remains at the level of discussion, but may in the future include exchange visits by teachers, with, in the case of minority language co-operation, possible funding by the EEC Minority Languages Bureau.

6. Other issues

The Working Group has also discussed a number of other issues. These include:

(a) The development of <u>Irish studies</u> in Britain, and the role of the British Association for Irish Studies. The Working Group supports in principle the work of the BAIS.

(b) The <u>Dublin Millenium</u>: The Working Group has welcomed the proposed British financial contribution to the celebrations planned for 1988.

(c) The Australian Bicentennial: The Irish Committee and the

Northern Irish Regional Committee are co-operating closely in making preparations for celebration of the Bicentennial, including the possible linkage of schools in both parts of Ireland with schools in Australia through electronic mailing and exchanges of school documents.

The Working Group continues to serve a useful purpose as a framework for educational and cultural co-operation between the two countries. In addition to the issues already under discussion, the Working Group may in the future consider new areas of possible co-operation, such as extension of Open University courses to residents of the Republic, and the general question of mutual recognition of academic qualifications.

Department of Foreign Affairs, Dublin Foreign and Commonwealth Office, London

11 December 1987

MUTUAL RECOGNITION OF QUALIFICTIONS

POINTS TO MAKE (Defensive)

We sympathise, and recognise there is a problem but all overseas applications must comply with the current Regulations. Pleased to note that respective officials continue to meet to discuss the situation.

ESSENTIAL BACKGROUND

- 1. The non-recognition of Irish teaching qualifications for the purposes of teaching in maintained schools in England and Wales has been an on-going source of irritation to the Irish for some years, since the qualifications for teachers were reviewed in 1982. There is no apparent problem in Scotland.
- 2. In considering the acceptability of overseas teaching qualifications for teaching in maintained schools in England and Wales the comparability of the training involved with approved courses of initial teacher training here has to be assessed. Applications are considered under paragraph 2(b) of Schedule 5 to the Education (Teachers) Regulations 1982. An extract from the Schedule is attached.
- 3. It is open to any teacher trained in the Republic of Ireland to apply for qualified teacher status in England and Wales. Each application is considered on its merits. Details of an applicant's course of training are obtained so that the content can be compared with the content of an approved course of initial teacher training in England and Wales.
- 4. In the past, it has been found that applicants from the Republic of Ireland have not been successful in obtaining qualified teacher status. In general this has been because the minimum age of entry to courses is too low, the spread of subjects covered is too wide and not always directly related to teaching, and the amount of supervised teaching practice is less than required in England and

Wales.

5. In order to try and resolve these problems an exploratory meeting took place in March 1987 between representatives of the DES, HM Inspectorate and the Northern and Southern Irish Inspectorates. Whilst the meeting discussed routes which qualified teachers from the Republic of Ireland could take to gain Qualified Teacher Status in England and Wales no mutually acceptable solution was found.

6. Officials continue to meet to try and resolve this impasse. (The next meeting is on 11 February).

SCHEDULE 5

QUALIFIED TEACHERS

- 1.—(1) A person shall be qualified to be employed as a teacher at a school for the purpose of Regulation 13 (subject to paragraph (2) thereof) if eight
 - (a) the Secretary of State being satisfied that he is such a person as is mentioned in paragraph 2, on or after 8th April 1982 he has been notified in writing, by or on behalf of the Secretary of State, that he is a qualified teacher, or
 - (b) before that date he has been notified in writing, by or on behalf of the Secretary of State, that he is eligible for the status of, or has been accepted as, a qualified
- (2) Where a person is only such a person as is mentioned in paragraph 2 by reason of sub-paragraph (c) thereof, a notification for the purposes of sub-paragraph (1)(a) above shall so state and shall only be given if the Secretary of State is satisfied that, subject to such notification, he will be employed in employment to which Part III of these Regulations applies.
- 2. In this paragraph the expression "approved" means approved by the Secretary of State for the purposes of the sub-paragraph in which the expression occurs.

The persons referred to in paragraph 1(1)(a) are any of the following persons:—

- (a) a person who has successfully completed a course which-
 - (i) is for the degree of Bachelor of Education, the Certificate in Education, the Post-graduate Certificate in Education or a comparable academic award of, in each case, either a university in the United Kingdom or of the Council for National Academic Awards, and
 - (ii) is approved as a course for the initial training of teachers in schools;
- (b) a person who
 - (i) has successfully completed a course (whether within or outside the United Kingdom) approved as comparable to a course within sub-paragraph (a),
 - (ii) unless he so completed the course before 1st September 1984, has attained in mathematics and in English the standard required to attain in the subject in question either a grade C in the examinations for the General Certificate of Education at ordinary level or a grade 1 in the examinations for the Certificate of Secondary Education;
- (c) a person who-
 - (i) possesses a special qualification which is approved, and
 - (ii) unless that qualification was both acquired by him and approved before 1st September 1984, has attained in mathematics and in English the standard referred to in sub-paragraph (b)(ii);
- (d) a person who-
 - (i) before 1st April 1945 either was recognised, or eligible for recognition, by the Board of Education as an uncertificated teacher or was classified as a supplementary teacher, and
 - (ii) has completed 20 years' service as a teacher;
- (e) a person who-
 - (i) possesses a qualification approved in his case on the recommendation of a local education authority;
 - (ii) unless that qualification was both acquired by him and approved before 1st September 1984, has attained in mathematics and in English the standard referred to in sub-paragraph (b)(ii), and
 - (iii) has at least 10 years' (or such shorter period as may for special reasons be approved) service as a teacher or of other experience such as, in either case, may be so approved;

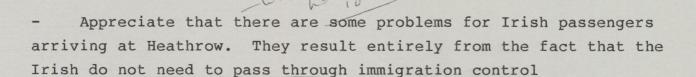






PROBLEMS FOR IRISH PASSENGERS AT HEATHROW

POINTS TO MAKE



- No discrimination against the Irish. Arrivals from the the Channel Islands treated in exactly the same way. (They also pass through a security check)
- British Airport Authority have examined the problem in detail but can find no easy solutions
- PTA essential weapon in war against terrorism. Regrettably, some inconvenience inevitable to bona fide travellers
- Hope that situation will improve post 1992 after changes in EC frontier control arrangements

ESSENTIAL BACKGROUND

- 1. For years Irish passengers arriving at Heathrow have been complaining about their reception arrangements. At the forefront of the campaign is the Irish Air Transport Users Committee, who are now advising Irish people to avoid the airport.
- 2. The main complaints from passengers arriving from the Republic are:
- a. That they are bussed from the aircraft to the terminal, which causes delay and inconvenience;
- b. that special Branch officers carrying out checks under the PTA are offensive and slow;

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- c. that all of this is yet more evidence of British discrimination against the Irish
- 3. The bussing is necessary because Irish passengers do have to pass through customs but, because of the Common Travel Area, do not need to pass through immigration control or carry passports. Because of the layout of the terminal, they cannot use the international piers without mingling with passengers arriving from outside the CTA and they cannot use the domestic piers where there are no customs facilities. They therefore have to be taken by bus to a point where they can join the stream of incoming passengers between immigration control and customs. Coincidentally, Special Branch use the debussing point to carry out a security check. Similar arrangements are made for passengers arriving from the Channel Islands. There is no comparable problem at Irish airports because there are so few international flights except to the United Kingdom.
- 4. The Police are trained to be polite and sensitive and are surprised at the incidence of complaints about their checks. There may be the occasional delay but these are kept to a minimum. (Personal experience suggests that there are no general delays, though individual may be stopped).
- 5. It has been suggested that procedures at Heathrow are brought into line with those of Gatwick, where passengers from the Republic pass through a cordoned off section of the main concourse. This arrangement would not be practicable at Heathrow and is anyway proving unsatisfactory; illegal immigrants from third countries have succeeded in gaining access to the UK by crossing the cordon.
- 6. The problem could only be resolved by structural alterations to the terminal buildings. BAA are reluctant to undertake such alterations in advance of new EC regulations due to take effect from 1992 which will change frontier control arrangements and may enable the Irish to arrive at a pier used by other EC passengers.
- 7. Officials from the Irish Embassy have visited Heathrow and have said that they accept the reasons for the problem. We understand

that the Irish Minister for Transport and Tourism, John Wilson, does not wish to stir this particular pot.

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Broadcasting Issues:

(i) RTE desire to increase transmission into Northern Ireland

LINE TO TAKE

We recognise the continued desire to increase transmission - but technical difficulties remain unresolved. Hopefully experts from both sides can meet soon to reach consensus.

Note discussions underway on "memorandum of understanding". This might enable the Irish to replan their broadcasting network in Band III (UHF). Early agreement would be welcome.

Transmission of Irish Language Programme in NI (If raised)

Decisions on programming entirely for British Broadcasting authorities. If Irish so wish we would happily inform the authorities of RTE's desire to discuss cooperation.

BACKGROUND

Early in 1986 the Irish expressed a desire to boost the RTE signal at the Clermont Carn transmitter so as to raise the population coverage in Northern Ireland by about 10%. The DTI studied the feasibility of this and reported to the Irish in July 1986 that there were technical constraints.

The British side have agreed to discuss with their Irish counterparts the technical issues involved. No meetings have yet taken place.

In addition the UK is currently discussing a "memorandum of understanding" (MOU) with the Irish that would permit the latter to replan their broadcasting network in Band III (VHF), provided the UK use of this band for its land mobile service can go ahead. If agreement can be reached the coverage penetration into Northern Ireland could be even greater than the proposal to increase power at UHF. The British side are anxious to secure agreement on the MOU.

The Irish are also anxious to increase the amount of Irish language programmes in Northern Ireland. This is a matter for discussion between RTE and the UK broadcasting authorities.

(ii) The problem of foreign pirate-radio stations, based in the North Sea, who are using (and blocking) RTE wavelengths on transmissions to London and the South-East

POINTS TO MAKE

We sympathise and recognise there is a problem - though we do not regard London and South East England as part of RTE's domestic service area.

Note there is a mutual desire to combat these unauthorised broadcasts being serviced out of bases in Europe.

Two Governments might make parallel representations to Governments of countries which supply the pirates.

BACKGROUND

Unauthorised broadcasts continue to be transmitted from vessels in international waters of the Southern North Sea. Powerful transmissions from these vessels in recent years have caused interference to safety of live radio services in the UK and North Sea as well as to authorised local broadcasting services on the UK mainland. It should be noted that terrestrial broadcasting originating from outside the UK is not protected by the UK administration, nor is the service area of RTE considered to include London and SE England.

British Government have repeatedly sought the help of neighbouring countries, both through international fora and bilaterally, to try to prevent the broadcasting vessels from being supplied from their "home"ports. The Dutch have cooperated but informal approaches to the French authorities have met with no success. Formal approach being considered.

(iii) <u>Pirate-radio stations in the Republic transmitting into</u> Northern Ireland

POINTS TO MAKE

We are concerned at the number of stations operating in the Republic. Glad that legislation is being prepared to counter this problem.

Also grateful of assurances that any offending stations would be investigated.

BACKGROUND

Numerous unlicensed broadcasting stations transmit into Northern Ireland and cause interference to not only authorised broadcasting stations but also to commercial users of radio and emergency services.

The Irish Government are aware of the problem. This was raised at a recent bilateral meeting where it was stated that the legislation in the Republic was in the process of being strengthened.

The Irish have also given assurances that if particular illicit schemes were causing difficulties they would be investigated and, if possible, appropriate action taken.

- We raise AIIC Coordinating Committee Meeting 11 December 1987 Anglo-Irish Exchange of Civil Servants POINTS TO MAKE

- Pleased to see increase in recent exchanges scope for Mark improvement. Note that officials intend meeting March next year. (untiline 515 below)
- Civil Service College very ready to consider nominations for their courses and have provided a booklet. (Lands
- The College would also welcome suggestions for specialised courses - tailor-made to their requirements.
- 4. Hopefully discussions about courses in the UK will provide an opportunity to increase our knowledge of what opportunities are available that would be of interest to our side.

ESSENTIAL BACKGROUND

- The Memorandum of Understanding between HMG and the Government of the Republic of Ireland, to promote and provide guidelines for exchanges of administrative or specialist Civil Servants between the two countries in the interest of improving mutual understanding, was signed on 19 October 1984. A copy is attached. It was hoped that there would be about three exchanges (each way) at one time.
- The Exchange scheme was discussed at the last Coordinating Committee meeting in July 1986 when it was agreed that the scheme was not working properly. Since then there have been several meetings between officials of the Office of the Minister for the Civil Service and Department of Finance which have led to an improvement in the arrangements. (Although the target of three exchanges in each direction is not being met).

3. Since July 1986 two UK Civil Servants have been attached to the ROI Civil Service:

Mr W Rennie, Principal Scientific Officer, Scottish Office to the Department of Agriculture, March to May 1987 and September to December 1987

Mr Edmond, Grade 7, DHSS to Department of Health, 11 May 1987, 1 year assignment

In return there has been one Irish placement:

Mr Wright, Assistant Agricultural Inspector, Department of Agriculture to National Institute of Agricultural Botany, Cambridge, March to July 1987 and October to December 1987

Another under consideration:

Miss Mary O'Donohue, Assistant Principal Officer, Department of the Environment to Department of Environment

- 4. Existing recruitment procedures, whereby prospective secondee's employing department and the potential receiving department negotiate arrangements, tend to be laborious. The Embassy's intervention may be required. The two parties are due to meet in March 1988 to review the existing arrangements.
- 5. On training for Civil Servants, the Civil Service College is prepared to consider nominations from the Irish Civil Service on existing fee-paying courses which are formally for British officials but which numerous overseas bodies have participated. Similarly the College is prepared to discuss any requirements for specialist tailor-made courses.
- 6. It is doubtful whether there is much scope for reciprocal training in Ireland, but would obviously like to know the possibilities.

MEMORANDUM OF UNDERSTANDING

Memorandum of Understanding between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Ireland to promote and provide guidelines for exchanges of Civil Servants between the two countries in the interests of improving mutual understanding

- 1. The purpose of this Memorandum of Understanding between the Governments of the United Kingdom of Great Britain and Northern Ireland and the Republic of Ireland is to establish a general framework between the Management and Personnel Office in London and the Department of the Public Service in Dublin (hereinafter referred to as "the Services") to promote and provide guidelines for exchanges of civil servants between the two countries in the interests of improving mutual understanding. Such exchanges were among the measures considered in the Joint Report which was approved by the Prime Minister and the Taoiseach in London in November 1981.
- 2. Those taking part in the exchange programme will have the opportunity of doing responsible work in the field of public administration, either in a specific post or on specific projects of value to the receiving Department. They will be integrated to the fullest extent possible in the work of the receiving Department.
- 3. Exchanges of officials with their directly equivalent post-holders in the other country will only be possible in exceptional circumstances. Both countries will therefore attempt to make suitable positions available to match the requirements and experience of participants in the programme. As far as possible, a numerical balance will be maintained between the participants involved from each of the two countries. About three exchanges (each way) at any one time are envisaged.

- 4. The programme will be open to British and Irish administrative or specialist civil servants of high potential. As a general rule, they should have several years' experience involving opportunities for taking responsible decisions. Younger civil servants should, where possible, take part in the scheme. The duration of the exchanges will normally be at least six months.
- 5. Officials will continue to be paid by their own Department and will receive allowances and travelling expenses between the two countries from that Department. The cost of working trips undertaken by officials on behalf of the Departments of the host country will be paid by the host country.
- 6. The Services will arrange for the relevant documentation, namely a full curriculum vitae of the participant and details of the work it is desired he/she should carry out, to be made available at least three months in advance of his/her arrival.
- 7. The Services will collaborate closely in preparing and putting into operation the individual exchange projects. They will make their good offices available for the settlement and clarification of specific personal and technical questions arising from the exchange programme.
- 8. The administration and coordination of the arrangements contained in this Memorandum of Understanding will be the responsibility of Senior Staff and Europe Division on behalf of the Management and Personnel Office in London and of the Management and Personnel Division on behalf of the Department of the Public Service in Dublin.

9. The foregoing record represents the understanding reached between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Ireland upon the matters referred to therein.

Signed in duplicate at Dublin on 19 October 1984

For the Government of the For the Government of the United Kingdom of Great Britain and Northern Ireland

Republic of Ireland

They ralde ANGLO/IRISH INTER-GOVERNMENTAL COUNCIL NUCLEAR RADIATION MONITORING Points to Make - Operators of nuclear sites are required as a condition of their authorisation to monitor the environmental impact of any discharges. The results of this work are assessed by the authorising government departments, who also do their own independent monitoring; and are published as reports. These show that even the most exposed groups receive less than the maximum recommended limits. - Discharges from Sellafield have been considerably reduced over inspected Sellafield in detail. Areas for further improvement

recent years and continuing investment will ensure more reductions in the future,. The Nuclear Installations Inspectorate (NII) has have been identified and BNFL are taking action. NII is satisfied that meanwhile operations can continue.

Defensive - if required

- BNFL's proposal to dispose of radioactive waste under the sea bed off Sellafield is at a very early stage. NIREX has the responsibility for finding a site and BNFL's proposal is intended to be included on the NIREX shortlist, If the intitial results are encouraging, NIREX would make further detailed investigations. Any such facility would be engineered to exteremely high standards. Matters of health and safety are of utmost importance to the British Government and only if it is satisfied on these will it allow a facility to be developed.
- Press reports on leukemia clusters in the area of nuclear installations have been linked, in theory, to radiation from nuclear sites including Sellafield. It is a statistical fact that

rare diseases, like all rare events, have an apparent tendency to cluster, and clusters of leukemias can be found in many places both close to and remote from nuclear installations. A great deal of work is being done to try and discover a common cause for the disease, but no causal connection has been demonstrated between leukemia and the very low levels of radiation associated with nuclear installations.

BACKGROUND

- The Irish Government, and in particular the Irish Minister for Energy, Mr Burke, have consistently criticised Sellafield and British nuclear policy in general. Mr Burke called on Mr Parkinson at his own request in September and at that meeting was invited to visit Sellafield to see conditions for himself. The invitation was later referred to obliqely in a public statement by Mr Parkinson when he himself was visiting Sellafield. This public reminder induced Mr Burke to issue an equally public refusal; he said he had better things to do than to visit Sellafield. Nevertheless, a party of opposition MPs from Ireland did visit at the beginning of October and were apparently impressed by what they saw. Their public statements were nevertheless critical. Their visit was preceded by a demonstration at Sellafield held by environmentalists to commemorate the 30th anniversary of the Windscale fire at the same site. A number of Irish politicians attended this demonstration. At the same time there was a small demonstration outside the British Embassy in Dublin.
- 2. The possibility of the construction of a new PWR nuclear power station at Trawsfynydd in addition to the ageing Magnox reactors presently operating there has also produced a complaint from Mr Burke. He was referring to a reported comment by Lord Marshall of the CEGB that this site had been selected for the next (post-Hinkley Point) PWR generator. The CEGB has since been at great pains to say that Trawsfynydd is simply one of six potential sites and no decision has yet been made.
- 3. At the September meeting with the Secreatary of State for Energy, Mr.Burke strongly objected to BNFL's proposals for geological investigation of the possible site for a deep repository for radioactive waste off-shore from Sellafield. However, plans are only at the conceptual stage and geological investigations are essential before engineering proposals are drawn up. BNFL are seeking to demonstrate that this option is a possibility that NIREX should investigate further. Any such repository beneath the sea bed would be fully engineered and would built and managed by NIREX.

Nuclear Energy Department

ANGLO/IRISH INTERGOVERNMENTAL COUNCIL

DRAFT NUCLEAR SAFETY AGREEMENT

I have

POINTS TO MAKE

- We are glad that Ireland is one of the countries which have approached us with the view to drawing up a bilateral agreement in the case of a nuclear accident. We look forward to a response from the Irish side to the draft text submitted to them earlier this year.

(If necessary)

- The United Kingdom has already reached agreement on similar terms with both Norway and Denmark and has started talking to the Soviet Union. An approach from the Netherlands Government is expected shortly.

BACKGROUND

- 1. The Irish Government first approached us with the proposal for a agreement on nuclear safety before the Chernobyl disaster. We put forward a draft based on an agreement we had signed with France in 1983. Talks with the Irish were so protracted that they were overtaken by the IAEA sponsored Convention on Early Notification in the Case of a Nuclear Accident which was signed in September 1986. Following this and following the agreements reached with Denmark and Norway, we submitted a revised text to the Irish in July this year which took into account post-Chernobyl developments.
- 2. We had expected the Irish to invite us to Dublin before now to finalise the text in which case agreement could well have been reached before the end of this year. However, in spite of our having responded to a reminder from the Irish in June, to date we have received no reply to our latest draft text. It is possible that Mr Burke has political reasons for delaying a response. But we have received no indication of the reason for this delay.

Nuclear Energy Department

ANGLO/IRISH INTER-GOVERNMENTAL COUNCIL

DISCUSSIONS BETWEEN BRITISH AND IRISH OFFICIALS

Points to Make

- We are pleased that the arrangements for contact between the Nuclear Installations Inspectorate and the Irish Nuclear Energy Board work so well.

- We hope that the regular flow of information provided by this link is of use.

If we proposed the Colomba Co

(14)

BACKGROUND

- 1. Well before the discussions of a nuclear emergency agreement were started, an informal arrangement had been reached between the Nuclear Installations Inspectorate and the Irish Nuclear Energy Protection Board covering a broad range of issues including exchange of information on the operation and function of establishments at a technical level.
- 2. The Irish had suggested that this arrangement be formalised within the terms of the proposed draft agreement on nuclear safety but we have indicated that we prefer it to remain a separate document. Reference to the existing arrangements would however be included in the formal bilateral agreement. This basis has proved acceptable to the Danes and the Norwegians.
- 3. This informal arrangement works very well and should form quite a powerful positive element in our contacts with the Irish on the subject of nuclear power.

Nuclear Energy Department

DRUGS ABUSE POINTS TO MAKE Glad to be able to ensure survival of Community Action on Drugs Fight against narcotics can only be won by international co-operation - Lee our ESSENTIAL BACKGROUND 1. £12,500 (£114,000) was contributed to Community Action on Drugs from the AUS programme budget. Community Action on Drugs is an umbrella organisation for parents action groups combatting drug abuse, mainly in poorer areas. The contribution was considered doubly worthwhile as well as CAD being a worthy cause in itself. There is a parallel organisation, Concerned Parents Against Drugs, which is dominated by the Provisional IRA.

AIIC Coordinating Committee, Dublin, 11 December

NARCOTICS (SUPPLEMENTARY BRIEF)

Confiscating the assets of drug trafficking

POINTS TO MAKE

1. Hope that Irish Government will shortly be able to begin negotiations for a reciprocal agreement for confiscation of assets of drug trafficking, finding a way round legal obstacle identified earlier.

BACKGROUND

- 2. For some time the Embassy have been seeking to negotiate a reciprocal agreement. The 1986 Drug Trafficking Offences Act allows us to extend its powers to other countries (to be designated by Order in Council). But this requires an agreement with the other state offering us roughly equivalent powers and opportunities to those we would provide. This would involve Irish legislation permitting seizure and confiscation of assets in a comparable way.
- 3. The Irish are interested in this and have drafted legislation which they intend to introduce once the Irish Supreme Court has ruled on a relevant case. The Irish Attorney-General is also looking for ways of proceeding in advance of the Supreme Court ruling. This might enable us to begin negotiations even before Irish legislation were introduced. This would be welcomed by the Home Office and enforcement agencies.

Republic of Ireland Department FCO

8 December 1987

DELIMITATION OF THE UNITED KINGDOM CONTINENTAL SHELF WITH THE IRISH REPUBLIC

BACKGROUND BRIEF

- In the 1970s efforts to reach a bilateral agreement with the Irish failed because we could not agree on the relevant rules of international law and in particular the effect of small offshore islands. The UK then accepted an Irish proposal to submit the matter to an ad hoc arbitration. Good progress was made on the draft arbitration agreement setting out the terms and modalities of the arbitration up to the Irish elections in early 1983. However, the Irish apparently for political reasons did not thereafter resume these discussions. The assertion of Danish and Icelandic claims in the Hatton/Rockall area in May 1985 revived Irish interest in the arbitration with the UK but they indicated they would like to simplify it. The Law Officers had meanwhile reviewed the legal basis of our policy regarding the delimitation of the continental shelf in the light of developments in international law since 1979. They concluded that the UK should adopt a step by step approach seeking a solution first with the Irish and then Denmark before moving on to Iceland and that as regards Ireland a negotiated settlement would be preferrable to an arbitration, the outcome of which they regarded as very unpredictable.
- 2. We therefore proposed to the Irish that we should make a further effort to arrive at a negotiated settlement. Detailed negotiations began in September last year. It was however agreed that neither side would reveal that the negotiations for a bilateral settlement were under way again. We have taken the line, if asked, that in the course of discussion of the terms of the arbitration agreement it has become clear to both parties that any narrowing of the scope of the matters on issue would be likely to lead to more speedy conclusion and to a reduction in the very considerable costs

involved in reaching that conclusion. We have said that discussions are continuing but pending the outcome of them we have declined to elaborate on the matters under discussion. So far we have succeeded in keeping the matter confidential between the UK and Irish Governments and the officials concerned.

- 3. Good progress has been made and we have already agreed:
- (a) the line in the Irish Sea,
- (b) the line in the South West (See Chart A),
- (c) in substance the inner line to the North West (as far as the doubly designated area).

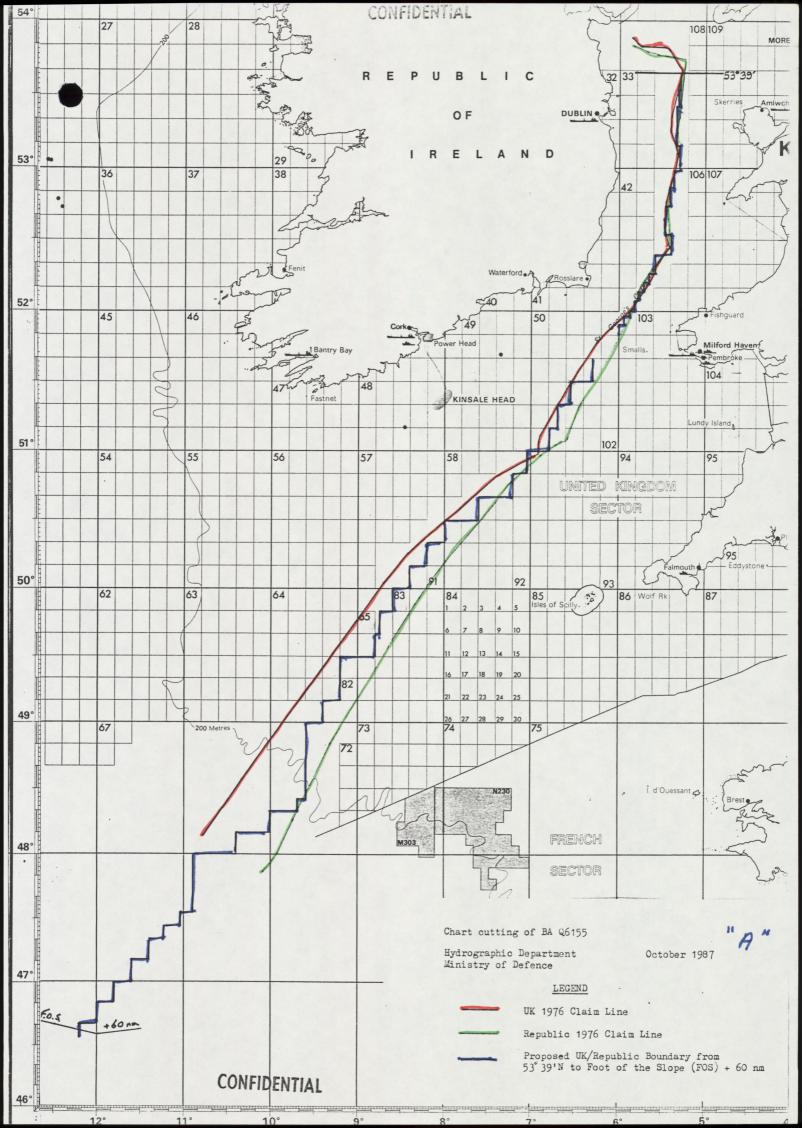
We have also agreed to step the lines: it helps to obfuscate the basis for determining them.

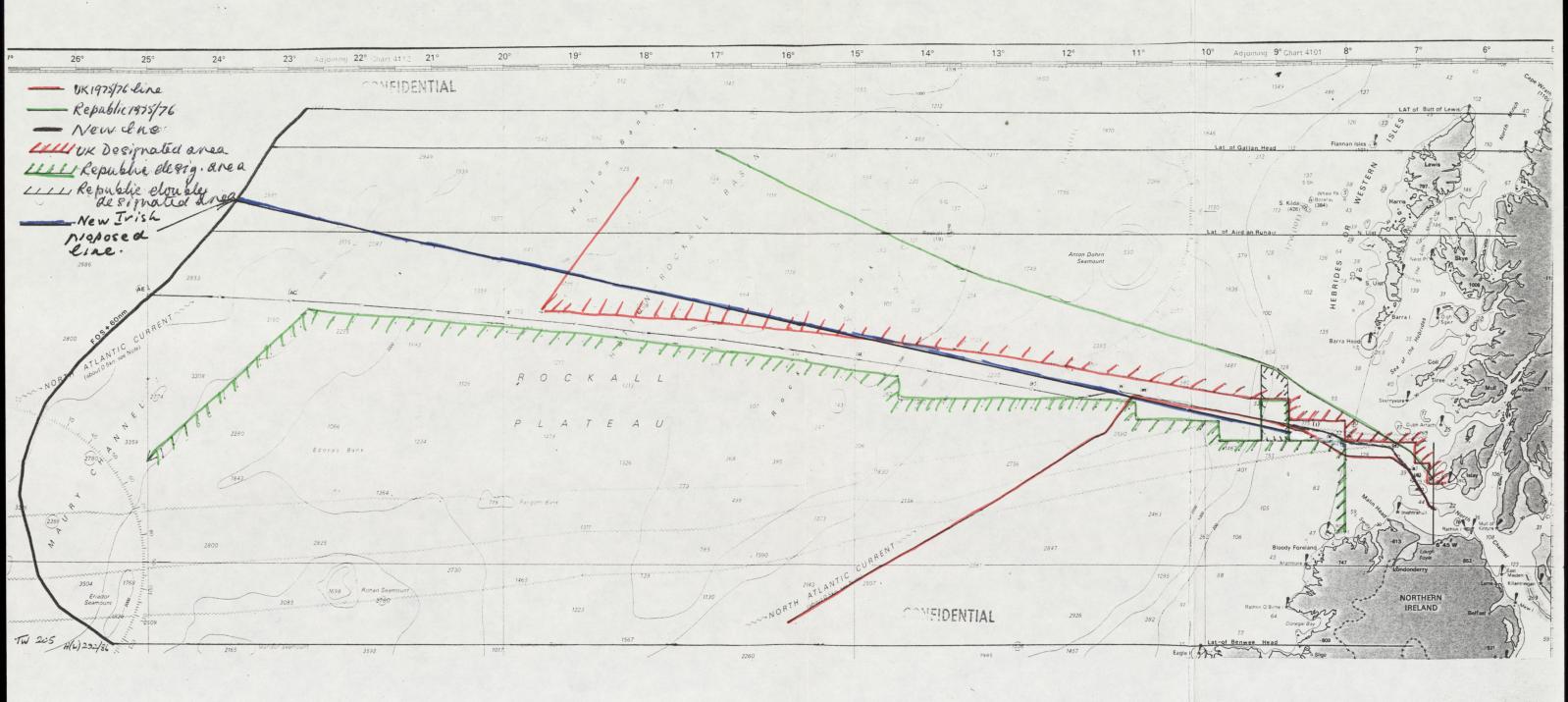
- November was very encouraging and we are now close to the basis of an agreement for the continuation of the line in the North West. (See Chart B). The Irish confirmed their willingness to accept a line which would leave us the doubly designated area in return by a comparable UK concession from our designated area further West. At our next meeting with the Irish in London on 16/17 December both sides will have prepared charts showing a possible stepped line on this basis and there is a a good chance that we can reach a substantial measure of agreement at that meeting with the discussion of the exact stepping to follow at a further meeting in January.
- 5. We have already started to discuss the wording of the agreement and to explore the arrangements for its signature. eg in the Spring, subject to the overall result being acceptable to OD and to all Irish Ministers concerned (who have not been consulted as fully nor in such detail as ours). On the Irish side debate in the Dail will

follow as close as possible to signature. Subject to the outcome there we would need to introduce primary legislation without undue delay to enable the agreement to enter into force. Any Bill should be quite short, but no bid has yet been made to QL.

Maritime, Aviation and Environment Department

4 December 1987





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AIIC Coordinating Committee, Dublin, 11 December 1987

ANGLO-IRISH RELATIONS (GENERAL BRIEF)

POINTS TO MAKE

Irish Ratification of ECST

1. Glad that Prime Minister and Taoiseach able to discuss frankly in Copenhagen. Agreed press statement came out well.

Security Cooperation

2. More than ever important, given scale of threat faced by North and South. Important not to relax; must assume large quantities of weapons supplied by Libya are still at large. Also continuing need for pre-emptive intelligence.

Birmingham Six (Subject to updating)

3. Judgement may be delayed until January even though trial likely to end this week. HMG well aware of scale of interest in Ireland. Home Secretary in particular has gone to considerable lengths to ensure Irish kept informed.

Stalker/Sampson (If raised)

4. Director of Public Prosecutions expected to report shortly. Northern Ireland Secretary will make statement as soon as possible thereafter. Not within power of Government to influence DPP decision.

Cultural relations

5. Keen to boost these. Pleased that British contribution to Dublin Millennium celebrations in 1988 will be substantial.

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BACKGROUND

1. The attached briefing provided for the Prime Minister's bilateral meeting with Mr Haughey in the margins of the European Council on 4 December sets out the position clearly. The agreed press statement satisfactorily recorded our concern, and the Irish commitment to a review of the procedures if difficulties arise.

SECURITY CO-OPERATION

2. In the week beginning 23 November the Irish mounted a major search for arms from previous Eksund shipments. Although none of the arms were found a number of Maze escapees were captured and the hunt for the maverick INLA kidnapper and terrorist Dessie O'Hare was finally successful. Security forces in Northern Ireland mounted operations on the Border in conjunction with those in the south. The houses of a number of Fianna Fail members, including the TD Neil Blaney, were searched.

BIRMINGHAM SIX

3. There has been intense interest in the <u>Birmingham Six</u> appeal in Ireland, fed by daily double page press reports. The hearing is likely to end on 9 December, although judgement is not now likely to be given until the middle of January. (NB. This is the most accurate forecast available as of 7 December). We are in a no-win situation: if the original verdict is upheld the Irish will consider it proves Irishmen do not get fair trials in the UK: if it is not they will argue the same point, on the basis that the original trial was shown to be unfair. Mr Hurd has seen several Irish delegations recently.

STALKER/SAMPSON

4. The Stalker/Sampson report is said (not for the first time) to be likely to emerge soon from the DPP. It deals with allegations that elements in the RUC conducted a shoot-to-kill campaign against terrorists in NI in 1982 and is bound to cause a furore. The long delay is already an embarrassment.



CULTURAL RELATIONS

5. In the New Year a DS6 is to be posted to Dublin, to a newly created Cultural/Chancery post. This represents part of a general effort to thicken up relations with matters not impinging on Northern Ireland. We are taking a close interest in the Dublin Millennium next year and the British Council are helping too. Have produced £25,000 from the FCO.

Republic of Ireland Department FCO

7 December 1987

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OF 050050Z DECEMBER 87
INFO IMMEDIATE FCO, NIO(L)

ANGLO-IRISH RELATIONS

1. THE PRIME MINISTER AND THE TAOISEACH HAD A 30-MINUTE BILATERAL IN COPENHAGEN THIS EVENING. THE FOLLOWING JOINT PRESS STATEMENT WAS ISSUED AFTER THE MEETING:

"THE TAOISEACH. AND THE PRIME MINISTER MET IN COPENHAGEN THIS EVENING TO DISCUSS CURRENT ISSUES IN ANGLO-IRISH RELATIONS.

THE PRIME MINISTER, WHILE WELCOMING IRISH RATIFICATION OF THE ECST, EXPRESSED CONCERN ABOUT RECENT CHANGES TO EXISTING EXTRADITION PROCEDURES BETWEEN THE UNITED KINGDOM AND THE REPUBLIC OF IRELAND. THE TAOISEACH OUTLINED THE ASSURANCES HE HAD GIVEN IN THE DAIL THAT IT WAS THE INTENTION OF THE IRISH GOVERNMENT TO MAKE THE NEW ARRANGEMENTS WORK SATISFACTORILY AND THAT, IF ANY DIFFICULTIES SHOULD ARISE, THE PROCEDURES WOULD BE FURTHER REVIEWED.

THE PRIME MINISTER AND THE TAOISEACH AGREED TO STRENGTHEN FURTHER THE COOPERATION BETWEEN THE TWO GOVERNMENTS AGAINST TERRORISM.

THEY ALSO HAD AN EXCHANGE OF VIEWS ON THE OPERATION OF THE ANGLO-IRISH AGREEMENT."

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NORTHERN IRELAND

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ADDITIONAL 39

NORTHERN IRELAND

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EUROPEAN COUNCIL (COPENHAGEN), 4-5 DECEMBER PRIME MINISTER'S BILATERAL MEETING WITH THE TAOISEACH.

September 1997 September 1997

Our Objectives

- a) To welcome Irish ratification of the European Convention on Suppression of Terrorism (ECST), but
- b) to stress our reservations about new Irish legislation on extradition; to emphasise that the practical process of extradition must not be impeded by the new legislation;
- c) to encourage the Irish to keep up the momentum on security co-operation; to express appreciation for recent Irish efforts on security (post Eksund search, capture of O'Hare) and their sympathy over Enniskillen.

Arguments

- a) Understand Irish political difficulties over extradition; but new Irish statutory "safeguards" bound to present yet further obstacles: fear they will inevitably prove justiciable; note Taoiseach's assurance that only Attorney's certificate (that a prosecution is intended) will be necessary.
- b) Attorney General will provide non-statutory certificates (but no more); no question of his submitting to scrutiny by Irish courts of his certificates. Grateful for promise and changes if procedures prove unsatisfactory;
- c) Eksund seizure and new level of threat to North and South shows vital importance of vigilance and co-operation; must be no

let-up, even after massive search in Republic ends.

d) shall maintain commitment to Anglo-Irish Agreement: little progress so far in efforts to engage unionists in constructive dialogue.

Tactical arguments

- a) The new extradition "safeguards" imposed unilaterally, despite known objections. The UK given "least favoured" treatment in Europe, with Irish AG questioning actions of our own AG;
- b) the massive arms search in the Republic has not yet produced any big finds; this demonstrates the need for unremitting co-operation (including over intelligence) and total commitment to combatting terrorism.

Mr Haughey's objectives

- a) To have an amicable meeting, demonstrating a satisfactory relationship;
- b) to convince us that his extradition legislation was politically necessary, in face of tough pressures and distrust of British justice; and to rebut British criticism of it;
- c) (probably) to get agreement to a review of emergency courts as part of the quid pro quo for ECST ratification;
- d) to claim credit for recent increase in anti-IRA security effort, including cross-border security co-operation.

Your response

- a) Accept political pressures intense; but must judge new extradition provisions by results. Need for genuine review if there are difficulties; grateful for assurances on this.
- b) Birmingham Six appeal ends very shortly. Appeal Court has

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clearly gone through the case with fine tooth comb: should accept the outcome. Home Secretary will be getting a report on the Woolwich/Guildford case soon; .

- c) satisfied no need for change in Diplock courts; rendered impracticable by extradition saga;
- d) sustaining new co-operation on security in longer term will be vital; again, judgment will have to be by results.

Press line

The following is a draft press release. It has not been put to the Irish.

["The Prime Minister and the Taoiseach had a useful and constructive discussion of current issues. They committed themselves to continuing cooperation within the framework of the Anglo-Irish Agreement. Following the outrage at Enniskillen and the seizure of the Eksund they reaffirmed the need to take all possible measures to ensure the defeat of terrorism. Both sides agreed that there should be no hiding place for terrorists. They accepted the requirement for effective extradition arrangements and the need to deal with any problems which may arise following the passage of legislation currently before the Irish parliament. The Prime Minister welcomed Irish ratification of ECST."]

Background

- 1. Following the Eksund arms seizure, the O'Grady kidnapping and Enniskillen, the Irish Government decided to allow ratification of the European Convention on the Suppression of Terrorism (ECST) to go ahead. But intense pressure from Mr Haughey's own backbenchers forced him to propose new statutory "safeguards" for extradition to the UK. Under these the Irish Attorney General would have to state that sufficient evidence existed and that a prosecution was intended in the United Kingdom. The Taoiseach has told the Ambassador that a certificate by the Attorney General in this country that a prosecution is intended would provide a sufficient basis for the necessary statement by the Irish Attorney General. (We do not believe that the Irish Courts would accept that as adequate grounds for the Irish Attorney to make his statment).
- 2. We had agreed such a certificate earlier, but on a non-statutory basis. Making it statutory means that Irish courts are bound to try to go behind the procedures, thus introducing prima facie by the back door. The Irish have acceded to the European Convention on Extradition and do not require other Council of Europe countries to support extradition requests with prima facie evidence. (We shall accede after the Criminal Justice Bill. Meanwhile the absence of prima facie in our arrangements for extradition with the Republic is exceptional). Extradition from the Republic may face serious difficulties. Mr Haughey has however promised a review and changes if our fears are realised.
- 3. These arrangements have to go through the Irish Parliament.

 Despite opposition criticism they are expected to pass the Dail on 3

 December. There has been a sharp Irish reaction to the Prime

 Minister's remarks in the House of Commons on 1 December. Mr

 Haughey has made it an issue of confidence and threatened an

 election if they are not passed. The President may however refer

 the Bill to the Supreme Court on Constitutional grounds (probably

 because of the powers which would be given the Irish Attorney

 General).
- 4. We expect that the hearing in the Court of Appeal of the

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Birmingham 6 case will end within a week, and that the judgment will be delayed (probably for a week, but possibly for longer). Most Irish people assume the innocence of the Six, and the appeal is being followed passionately in the Republic. We are in a "no-win" situation. Confirmation of the earlier sentence will produce outrage, a favourable verdict may be discounted.

5. Some positive points on general matters have been submitted separately.

Foreign and Commonwealth Office 2 December 1987

