



An Chartlann Náisiúnta National Archives

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1. This note reviews the implementation of the Agreement and reactions to it in the six months since its signature (on 15 November) and ratification (on 29 November).

Overall Assessment

2. The institutional structures (Intergovernmental Conference and Joint Secretariat) for operating the Agreement have been established. The Conference has taken up all the major agenda items referred to in the Agreement, but has paid most attention to security and matters. The position under the relevant Articles of the Agreement is covered in a separate note. The Conference has held four, regular meetings and one special meeting. Annex I gives details of the Conference meetings held to date. The Joint Secretariat at Maryfield, Belfast, has established a regular pattern of work in servicing the Conference on a continuing basis. Frequent meetings at official level have been organised at the Secretariat. The location of Ministerial meetings still gives rise to difficulties, because of British sensitivity to unionist reactions and two of the five meetings to date have had to be held in London rather than Belfast.

Political Reaction in Northern Ireland

(a) Nationalists

3. The majority of nationalists in the North continue generally to see the Agreement in a positive way. Confidence in the Agreement has been established in the last six months especially by:

- the symbolic importance of an Irish Government presence through the Conference and its Secretariat in Belfast;
 - the fact that the Irish Government is seen to be putting forward views and proposals of interest to nationalists in the meetings of the Conference;
 - the discomfort of Unionists at the Agreement;
 - the even-handed approach by the RUC to carrying out their duties in situations such as the Apprentice Boys' illegal march on Easter Monday in Portadown;
 - the acceptance and progressive implementation of the principle that the point of contact between civilians and the security forces should be the police (and not the army or especially not the UDR);
 - incidents where the authorities have taken disciplinary action against members of the security forces (e.g. the Kildress Inn shooting following which the UDR members involved were withdrawn from active duty);
 - the signal given by the British Government that the systematic use of supergrasses may be phased out.
4. The Agreement has given effective support to constitutional nationalism. In the by-elections of 23 January, there was a swing of 25% from Sinn Féin and of 20% to the SDLP candidates in the four contested seats as compared with 1983. They have won a Council seat in the by-election of 21 May from SF in Magherafelt but suffered a marginal decline in their percentage of the vote in Fermanagh in a council by-election on the same day.
5. However, as time passes, SDLP supporters are becoming impatient with the lack of progress of the Conference in achieving results for them. Nationalists are anxious about the British Government appearing too sensitive to unionist concerns.

● They are fearful of the consequences that any serious British backing away from the Agreement might have on the future of constitutional nationalism.

6. One of the objectives of nationalist paramilitary action is to undermine nationalists' confidence in the Agreement. Sinn Féin can be expected to try to take advantage of any situation (e.g. serious sectarian conflict or nationalist-security force conflict) in which they can pose as protectors of the nationalist community.

(b) Unionists

7. Unionists are generally opposed to the Agreement, special prominence being given to the argument that the unionist parties were not consulted. However, the OUP/DUP had decided on a programme of opposition to whatever the outcome of the Anglo-Irish talks might have, even before the Agreement was signed. This programme was launched on 15 November and was based on the premise, very widely held among unionists, that only the unionist majority can validate any Government action concerning Northern Ireland.
8. The anti-Agreement programme has constituted the central initiative in Northern Ireland politics although it has not had the full support of the parties and public support has not lived up to expectations. In the by-elections following their resignations of their Westminster seats, Unionists lost a seat to Seamus Mallon and their total vote was 80,000 short of the 500,000 they expected. The suspension of Assembly business other than anti-Agreement discussion led to the Alliance party leaving the Assembly in December 1985. After months of disruption of Council business, Belfast City Council voted to return to normal business on 6 May. The requisite majority was provided by

● defection of 5 Unionists including the Lord Mayor. The boycott of Westminster has not been fully maintained. Even Molyneaux broke it to vote on the banning of plastic bullets on 8/5/1986. The loyalist Day of Protest of 3 March brought the paramilitaries into prominence and degenerated into violence. Since then there appears to have been a pulling back by more moderate unionists from mass protest action which would have a paramilitary presence. The current programme of opposition (the 12 point plan of 23 April) includes a continued boycott of Westminster, disruption of the business of Councils and other public bodies, non-payment of rates and PR campaigns and protest on the days of Intergovernmental Conference meetings. There are still broad hints from the DUP in particular, that if the peaceful campaign fails "other methods" will be used. However, the continuing strike on the model of the 1974 Workers's Strike that brought down Sunningdale which was proposed in March last, has not materialised and seems unlikely.

9. At her meeting with the OUP and DUP leaders on 25 February, Mrs. Thatcher showed the type of package on offer to unionists, namely devolution discussions in a Round Table Conference, British/Unionist consultations on the future of the N.I. Assembly and consultations on arrangements for handling N.I. business at Westminster. Consideration would be given at a later stage as to what that meant for the work of the Intergovernmental Conference.

10. The Unionist leaders were unable to get support in N.I. for this package. Subsequent unionist insistence on the requirement to abandon or suspend the A-I Agreement pending discussions (with variations such as the "non operation of the Agreement" and closure of the Secretariat at Maryfield) was the principal cause of the failure of subsequent efforts to resume talks or "talks about talks". Other factors were the existence of hard-line

ings (with paramilitary connections) in varying degrees in both parties, internal leadership contests and policy differences (e.g. on devolution/integration in the OUP)

11. The Agreement is - as the recent Methodist Church document says - proving to be a catalyst in Protestant attitudes but cohesive positive policies, as opposed to the present policy of protest, have yet to emerge. The two unionist parties can agree only on their opposition to the Agreement and so far efforts have been generally concentrated on finding ways around it. There is some indication that the British may dissolve the Assembly prematurely. In any case dissolution is due on 20 October (the Secretary of State may vary this by two months either way). This may provide a stimulus to unionists to take a more positive approach.

Security Situation

12. The security situation has been characterised by:

- IRA attacks against RUC /Army bases (resumed earlier this month after a lull of almost two months) and against UDR or ex-UDR members;
- loyalist violence and intimidation directed against the RUC since the Day of Protest on 5 March (since then 59 RUC members have been forced out of their homes and there have been reports of 355 cases of intimidation);
- sporadic loyalist rioting, with paramilitary involvement in many instances (as in East Belfast), in other cases probably spontaneous;
- sectarian killings especially of Catholics.
- the level of most serious violence, i.e. murders, is 14 civilian and 11 RUC/Army/UDR so far this year, which compares with 15 civilian and 22 RUC/Army/UDR murders for the first 6 months of 1985. The level of deaths is much less than for corresponding periods following Sunningdale (99 + 28 in the South) and the Convention of 1975 (129).

A notable feature of the last six months has been extent to which the RUC has stood its ground in the face of pressure from both communities and the general professionalism of the force. The marching season ahead may be expected to place further strains on the RUC in particular. The Chief Constable has publicly promised to continue his policy of preventing provocation by parades using routes through nationalist areas. This summer may not be as bad in security terms as has been feared.

British Policy

13. British Government attitudes (which vary between London and Belfast) to the implementation phase of the Agreement contain the following elements:

- Mrs. Thatcher's strong personal commitment to standing by the Agreement;
- a perception that nationalists may have gained to such an extent by the mere existence of the Agreement itself that there is no need to make further concessions to them at this stage;
- an unwillingness to indicate in public that any specific changes of benefit to the nationalist community derive from the Agreement;
- impatience that nationalists do not show more 'reasonableness' as regards devolution (e.g. on power-sharing), and unconditional support for the RUC;
- a desire to throw life lines to the unionists so as to bring them into devolution discussions and other consultations preferably before the marching season.

14. It is probable that the overall British view is one of relative satisfaction. They have avoided any major confrontation with Unionists. Nationalist support for Sinn Féin/Paramilitaries has diminished. They have gained

advantages from the Agreement in the areas of cross-border security cooperation and extradition (signature of the European Convention on the Suppression of Terrorism) without yet having made any new concessions to us which can be shown to come directly from the Conference (e.g. Mixed Courts, Three Judge Courts or in the area of relations between the security forces and nationalists). They have stalled in other areas in the Agreement (e.g. the International financial support and Anglo-Irish parliamentary Body) where British priorities were different from ours.

15. However, it will for us to show the British Government that this situation is not in their longer term interest. Firstly, failure to make progress over time under the Agreement would intensify nationalist alienation and spread disillusionment among nationalists with constitutional means of achieving their objectives. Secondly, Unionists have so long a tradition of successful opposition that any impression of success in relation to the suspension of the Agreement or delaying its implementation will lead them to continue concentrating their efforts on getting rid of the Agreement rather than on political progress. Thirdly, the attitudes to violence are much less clearly defined on the unionist side than on the nationalist side and any success in relation to the Agreement may be claimed as stemming from violence or the threat of violence, thereby encouraging further violence to achieve political aims.
16. We do not have any information on what the British might offer unionists on better arrangements for dealing with Northern Ireland business in Westminster. Unionists are opposed to the present system where Orders in Council (secondary legislation which requires the approval of but cannot be amended by the Parliament) is extensively used for Northern Ireland. They have sought a Grand Committee for Northern Ireland on the lines of the Scottish one

which reviews all special legislation for Scotland, and has a considerable impact on it. A Northern Ireland Grand Committee would tend to be dominated by Northern Ireland Unionist MPs. They would have a far more effective voice than they have at present in the Northern Ireland Standing Committee which can meet very infrequently and debate, without voting only topics approved by the whole House.

Anglo-Irish Section,
22 May 1986.

1157P

Meeting of the Anglo-Irish Intergovernmental Conference

<u>DATE</u>		<u>PARTICIPANTS</u>
11.12.1985	Irish Side:	Mr. Peter Barry, T.D. Mr. Michael Noonan, T.D. Mr. Liam Kavanagh, T.D. Mr. L. Wren, Commissioner of the Garda Siochana.
	British Side:	Mr. Tom King, M.P. Dr. Rhodes Boyson. Mr. Nicholas Scott, M.P. Sir J. Hermon, Chief Constable of the R.U.C.
30.12.1985	Irish Side:	Mr. Peter Barry, T.D.
	British Side:	Mr. Tom King, M.P.
10.1.1986	Irish Side:	Mr. Peter Barry, T.D. Mr. Michael Noonan, T.D.
	British Side:	Mr. Tom King, M.P. Mr. Nicholas Scott, M.P.
13.2.1986	Irish Side:	Mr. Michael Noonan, T.D. Mr. John Rogers, S.C.
	British Side:	Mr. Tom King, M.P. Sir Michael Havers, M.P. Sir Patrick Mayhew, M.P. Mr. Nicholas Scott, M.P.
11.3.1986	Irish Side:	Mr. Peter Barry, T.D. Mr. Alan Dukes, T.D. Mr. L. Wren, Commissioner of the Garda Siochana.

DATE

PARTICIPANTS

11.3.1986

British Side: Mr. Tom King, M.P.
Mr. Nicholas Scott, M.P.
Sir J. Hermon, Chief Constable
of the R.U.C.

9.5.1986

Irish Side: Mr. Peter Barry, T.D.
Mr. Alan Dukes, T.D.
Mr. John Rogers, S.C.

British Side: Mr. Tom King, M.P.
Sir Michael Havers, M.P.
Sir Patrick Mayhew, M.P.
Mr. Nicholas Scott, M.P.