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*Mr. G. Conroy
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20 January, 1987

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ANGLO-IRISH SECTION	
Time 16.00	Date 23/1

Mr. Eamonn O Tuathail,
Assistant Secretary,
Anglo-Irish Division,
Department of Foreign Affairs.

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*cc T. Conroy
Tánaiste
Minister for Justice
Attorney General
Secretary
Mr. Nally
Mr. Ward
Mr. Matthews (DOJ)
Mr. P. P. P.
A-I Section Amb. London*

Dear Eamonn,

The presence in the Secretariat on 15 January last, for the meeting on RUC/UDR accompaniment, of Brian Blackwell of the Law and Order Division of the NIO, provided the opportunity for a brief exchange of views on the subject of border incursions. Elliott and Hewitt of the Secretariat were also present on the British side. You will recall that a more formal exchange had been planned; the British side indicated that they were not fully prepared and would prefer an informal word after which they would submit a paper which could form the basis of a more substantive discussion. Lillis and myself were present from the Irish side.

In the event the discussion was more substantive than planned.

Drawing on examples from recent years, we reminded the other side of the degree of seriousness with which incursions were regarded in the South and their capacity for generating political controversy in a manner inimical to the interests of both Governments. We drew attention to the high number of cases raised with them in 1986. More than half of these incidents had been admitted by the British side and, in most of these cases, the explanation offered was that the incursion had occurred through map reading or navigational errors. In other words, the bulk of incursions were straightforward accidents and did not arise in the "heat" of specific security incidents. In the light of this, we suggested that there was scope for improvements in the training and preparation of those involved in security duties close to the border.

The British side, in reply, reiterated their view that incursions were always regrettable and in no case excusable. They appreciated fully the political sensitivity of the issue. They said that while the training and induction of troops on border duty was very rigorous, it was kept under continuous

review, and any suggestions we might make for further improvement would be considered positively. They pointed out that the importance of not violating the border was stressed in the course of training and that deliberate violations were treated as a serious disciplinary offence. They suggested that, compared to the Garda and Army personnel operating on our side of the border, the units operating on their side were unfamiliar with the terrain and rotations were frequent. Incursions were relatively more frequent during the initial stage of a unit's tour of duty. They argued that, however regrettable it might be, their best efforts might not be sufficient to reduce significantly the occurrence of incursions, given the nature of the terrorist threat, the intensive security operation required to meet it, and the lack of clear physical delineation along a lengthy border.

The British side mentioned that they were toying with two ideas which might have an impact on the number of incursions, but which they were not putting forward for formal consideration at this time. The first idea was that provision be made for more extensive communication between the Army on their side of the border and the Garda on our side. At present, communication between the Army and the Garda is understood to be permissible only in clearly defined emergency circumstances, the RUC being the primary and almost invariable channel for communication. The British believe that provision for more frequent contact involving the Army would be helpful in two ways:- first it would facilitate a more speedy reaction to cross-border security incidents; second, it might help reduce the number of incursions, because the army would be able to keep the Garda informed of their movements close to the border, thereby enabling the Garda to pre-empt incursions. As the implications of this idea lie primarily in the field of cross-border security, we suggested that it might more appropriately be raised in one of the fora dealing with those issues.

The second idea under consideration on the British side was the possibility of physically delineating the border along its full length. They cited, as an example, the frontier between East and West Germany which is delineated by posts set in the ground at regular intervals of 5 metres or so. We responded in very strong terms to this idea, arguing that it was unthinkable that it should ever be put forward seriously, and that if it emerged publicly, in any form, the impact on Anglo-Irish relations would be disastrous. The British took these points on board.

The British, in the very frank atmosphere of an "off-the-record" exchange, said that soldiers new to the Northern Ireland situation found it very difficult to reconcile our commitment to cross-border security co-operation with a meticulous insistence that they never infringe the border. Indeed the only way of effectively securing observance was making infringement a matter of discipline. It was suggested that we prepare a short paper which might be shown to those who brief these soldiers with a view to ensuring that those briefing soldiers on this point

grasped as far as could be arranged the full political dimension of our concern and the point also that careful observance of this rule contributed to better co-operation. We said we would have a go at drafting something.

The British side said that the seriousness of the issue warranted a more detailed exchange in due course. It was agreed, in the meantime, that both sides would endeavour to produce proposals to reduce the extent of the problem.

The following day, the British side passed to us a paper setting out their perspective on the problem, copy of which has already been sent to you.

Yours sincerely,

A handwritten signature in dark ink, appearing to be the initials 'NR' in a cursive style.

Noel Ryan