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Meeting between the Minister for Foreign Affairs Mr Peter Barry TD
and the Northern Ireland Secretary, Mr Douglas Hurd
at NIO London 30th May 1985

When the Minister arrived at NIO at 5.30 p.m. he was taken for a private meeting with the Northern Ireland Secretary which lasted until 6.40 p.m. While this private part of the meeting was taking place officials on both sides met informally in the room of Robert Andrew, Permanent Under Secretary at NIO and had some preliminary informal discussion on a possible press statement; the meeting between officials from NIO and the Department of Justice which was to take place the following day on the issue of fertiliser explosives; and the question of paramilitary finances.

Officials were summoned by Ministers about 6.40 p.m. and the meeting between the two sides continued in plenary session until about 7.30 p.m.

Those present were Irish side Minister for Foreign Affairs, Messrs Ward, Donlon, Lillis and Dorr; British side Secretary of State Hurd and Messrs Andrew, Brennan, Stephens

The meeting first looked at the draft press statement (copy attached). In the discussions between officials the NIO side had explained their interest in having a reference to discussions on security cooperation as a peg on which they could hang PQs due in Westminster in the next week or two (written questions 3rd June oral questions 13th June). The Irish side had raised questions about this departure from the practice of a completely bland communique and had suggested that if a specific reference were made to security cooperation it would also be necessary from our viewpoint to add in a reference to "political and economic" matters and to "the current Anglo-Irish talks". The issue as presented to Ministers by Andrew at the beginning of the full meeting was whether an expanded final sentence of this kind should be in the statement or not.

Secretary of State (NIS) My instinct would be to leave out the sentence but with an understanding that either side could draw on it if necessary later in dealing with questions.

Minister for Foreign Affairs (MFA) That would be a sure receipt for each side to give a different slant to the talks after the meeting.

Hurd I don't want any briefings today but I do have to deal with Parliamentary Questions - written questions on 3rd June and oral questions on 13th June. I have a number of questions down from Ken Maginnis about the Killeen affair.

Andrew We could leave it out if it were recognised that it could be used or drawn on in answers to Parliamentary Questions.

Hurd I don't mind having it in but that will only produce more press queries.

MFA If we go beyond the existing practice about saying nothing of substance about these meetings that will be recognised and that will be commented on. I know you want to present the discussions to some extent as focussing on security. You know in turn that that creates problems for us. I don't think it has been the practice in Parliamentary

Questions in the House of Commons to answer direct questions about our meetings. If you were to do so I would then get a whole lot of questions in the Dail which I would have to answer and then it becomes a table tennis match between us.

Andrew I can see its quite possible to take a non-committal attitude with the press but that can hardly be done in regard to PQs?

Donlon Our Minister has to face specific questions in regard to Kiltyclougher etc.

MFA It has been my standard practice to say "these matters are confidential".

Hurd All right we can minimise the problem by dropping the sentence.

Brennan You could avoid saying that these things were discussed at this meeting.

Hurd No that's all right - I am not saying the negative - that it was not discussed.

Northern Ireland local elections

MFA Have you any further thinking on the results of these elections?

Hurd Although the total Sinn Fein vote is not a dramatic breakthrough for them the change does present a considerable management problem. There are now 59 Sinn Fein Councillors instead of two or three. According to your analysis Sinn Fein will use this opportunity to create maximum trouble. I am being pressed by the Unionist to proscribe Sinn Fein. I am resisting that pressure because I believe that would only make things worse. We will however maintain the policy of not seeing Sinn Fein Councillors (on delegations etc) and I am grateful for your account of your experience in this regard.

MFA The Taoiseach has instructed us not to meet cross-border delegations which have Sinn Fein members.

Hurd This is helpful.

Fertilizer/Explosives

MFA We were discussing (in the private session) the question of North/South meetings on explosives. Are these technical or are they broader in character?

Ward They can be developed. We have agreed on some studies building on our earlier work. The results would be expected within the next month. There is a meeting of the group tomorrow. This will compare notes and they can see any point where there should be further research along specified lines. What we are looking for is some form of adulteration of fertilizer which will be chemically effective and commercially feasible. We should soon know whether this will be possible or not.

Stephens The group is about on course to meet again towards the end of June.

Hurd This is a very useful exercise. Action on the whole area of home-made explosives is very useful and worth looking at. If the research does not produce results we will be left with some unpalatable courses to consider. On the other hand to continue as we are is also unpalatable.

Paramilitary Finances

On another subject - the same group is exchanging some views on paramilitary funds. This is useful also.

Stephens Yes, we are at the stage of a "first reading". The situation is not quite the same in North and South - for instance the drinking clubs as a source of revenue are not paralleled in the South but there is enough interest in exchanging views to make it worth keeping up the discussions. What is happening in regard to Swiss funds shows the usefulness of these exchanges.

MFA In the South we have nearly stopped bank robberies and some other sources so they are not getting much at present in the South.

Ward What there is by way of protection rackets in the South is at a much lower level than in the North.

Stephens This is an area where the Protestants are experts too!

MFA According to rumour the extremists on both sides in Northern Ireland divide up various areas such as the building trades between them - the Provos take the plasterers and some other groups and the other side take certain other [branches].

Border Security

Hurd (to Minister) Peter you said we could use this group for other purposes. We are anxious to find a way to discuss security cooperation on the border. Perhaps it might be this group or some other - this could be assessed.

Stephens Of course it cannot be a substitute for police to police contact. It would be a kind of pump priming but it should not be dismissed for all that. The question of course might be whether it should be the same or different people who take part (in the group).

Hurd Are there any other points you want to raise?

Kinsale Gas

MFA I want to talk about Kinsale Gas.

Hurd Speak your mind!

MFA Yes, indeed I will; and I may say that I said even stronger things in the privacy of my own room. We felt that there had been in effect a formal contract between the two Governments. You felt that you could not go ahead because of the high level of oil prices on the spot market in Rotterdam. This was due to the miners strike in this country which forced various people in the market for fuel to buy on the spot market. The price has now come down. I think it is 27p per therm (?). You said 26p was all you were willing to pay. The maintenance of the Kinsale gas deal would be a sign of Dublin/London cooperation and it would bring benefit to the Northern Ireland economy.

Hurd That could be. The decision was taken some days before I arrived in my present job. I have looked into it. I was told that it was justified. I am now advised that there would be no economic justification for returning to the agreement. I can see the political advantages you mention but it is really too late - too much water has flowed under the bridge to go back now even if the economics were right and I am advised that they are not right. This is sad in a sense. The political advantages would have been substantial if the economics were right.

MFA The gap is shorter than before - there is a 1p difference in price now.

Andrew The figures can be argued. The problem is not only the price of gas but the limited scale of the market. Because the price of coal has come down the oil differential is not so significant. But oil can go back up again in price. But in any case we have passed the point of no return and the equipment is now being dismantled.

MFA The original agreement allowed for rise and fall in the price of oil. The price has never got outside the band established by the upper and lower limits; and it is now at the bottom of the band.

Andrew We concluded again recently on looking at the issue that it was not a viable proposition.

Lillis Would it help to give you a different view of the economic viability of the project if we were give you a copy of our calculations? These came to 27 or 28p per therm. You could envisage about 30p per therm. Of course your arithmetic may be different from ours.

Hurd Do that - we would like to have it...

Andrew (interrupting Hurd somewhat) I am afraid however we must not hold out any hope.

Hurd (picking up Andrew's cue) I am afraid the tide has flowed (i.e. it is too late).

MFA This would have been a very visible area of North/South cooperation. It would have benefited nationalists and unionists. It looked forward for ten years. The price is at the bottom level of what we calculated in the range.

Hurd Let us have the calculations and we will show it to the experts but I cannot offer any real hope.

Prisons

MFA What you have been doing in this area and the fact that neither of us has been making any public show of it, has been very good indeed. Could I ask you now to take a further step - to look at indeterminate sentences?

Hurd I always thought of what you say as a good case if it could be quietly done. I do look then to a time when it is likely that I could give release dates to four more soon. There are the two Neesons - both in their 20s serving about 9 years for murder. They are in the official IRA compound in the Maze Prison; the third is a loyalist and the fourth is a non-political murder - a man who killed his wife. I suppose of these the first two are the ones you would be mainly interested in. I hope if their conduct is good that they can have a release state in about a years time.

If I can go on quietly on these lines I will do so. There is a risk that someone will go back to terrorism and discredit the whole effort. But that hasn't happened yet.

MFA Even if it does happen in one case I would ask you not to go back on what you are doing. I must say however that I don't believe it will happen.

Brennan If it did it would at least be necessary to mark time.

Hurd It would be an opportunity at least to discuss the issue.

Andrew There is of course a period of one year to prepare and rehabilitate people after notification of release date. So the number actually released so far is quite small but it is building up. There will be 10 (?) soon.

Lackey Bridge

Hurd As I understand it you have suggested and the Taoiseach also that if we let the bridge open vehicles you will be willing to take security measures on your side to avert the dangers which the RUC fear from the opening of the bridge. But the Gardai/RUC have not been able to meet to discuss the operational aspects of this. We cannot just let it subside. On both sides the issue needs to be properly examined in detail. Should it be done by the group (i.e. the meetings between NIO and officials and Department of Justice referred to earlier). (Note Hurd seemed tentative on this point about the group).

MFA There is of course a British Army post 200 yards to the north of the bridge. The position is that we have said we will cooperate on whatever is necessary.

Hurd Yes, but what is really needed is detail of what would require to be done.

Ward We are somewhat puzzled about this. This falls into the area of cooperation between border Chief Superintendents and cooperation should be very good.

Stephens It does need a little oil on the wheels. It would be better not to delay it by trying to deal with it in the group - we could take it up direct with the Department of Justice.

Ward There is no need even for that. There must be a break-down in communications somewhere. The background to this is that there was contact between the NIO and the Department of Foreign Affairs who in turn asked us in the Department of Justice. We said that our side will be ready to respond to any reasonable demand. I have no information on why the thing has failed to come together. For our part we are ready to set up a meeting with opposite numbers from the Northern Ireland side - even tomorrow.

Donlon (to Hurd) Are you now saying the bridge will be opened?

Hurd If it can be clear that you would do what is necessary on your side [i.e. to ensure against the security problem which will be created (according to Hurd by the opening of the bridge)].

MFA I am now conveying that to you. So did the Taoiseach.

Andrew Yes, but that is agreement in principle. What is needed is to work it out.

Hurd The position is that the bridge was closed only for security reasons. If the two security forces can now agree on ways to deal with the problem the bridge could be reopened. What is the hiccup?

Ward It is not really a hiccup. We ask the Gardai - can you provide security? There was however no understanding that you were willing to open the bridge subject to such cooperation. In fact the discussion could be arranged as soon as tomorrow afternoon.

Brennan Each side should ask its people to meet and report back in say one month or two weeks.

Hurd I would like to see this work but I would need an assurance that the security arrangements would work. There is a need to discuss this but apparently the discussion was aborted. The reason for that is not clear.

Stephens Yes, I agree with Tony Brennan's approach but I think the time (for a report on the issue from both sides) should be as low as two weeks.

Kiltyclougher

MFA This is the only border crossing in Leitrim. Within the past couple of years two men were drowned there. You are considering a new footbridge. What stage have you reached?

Hurd It is being built at present - off the site.

MFA Is there any way in which it could grow from being a small bridge - could it be expanded (i.e. to take vehicles). It is a very long way around otherwise, five miles or more.

Hurd The bridge is being built at present. We would need in any case to be in touch with you to get cooperation in putting it in place. If the security situation in the area improves I could look again the point you raise about a bridge for vehicles. I think we need to proceed on this kind of matter in stages.

Stephens The contractor is actually going to put the bridge in place from the southern side.

Electricity Inter-connector

MFA Given the IRA's new attitude (i.e. Sinn Fein's professed willingness to participate in democratic politics) could the inter-connector not be rejoined?

Hurd You better explain that point.

MFA There is an inter-connector which has been blown up many times in the past. It is not of direct importance at the moment since each side has enough electricity without it. But you could call the bluff of Sinn Fein who try to present themselves as democrats (i.e. by restoring the inter-connector and seeing if it is blown up again). The inter-connector could be important in the future.

Hurd Yes, I am interested. You would favour this? We have been giving some thought also on our side to this issue.

Andrew We have been thinking of the security aspects and we could also look at the economic aspects. This could be very important.

Parades and Marches

(Note Until this point the Minister for Foreign Affairs, with Hurd's acquiescence, had been raising each of the issues in turn. At this point Hurd began to raise issues from his side).

This question has been very much on the minds of the RUC. A report by Hermon drew attention to it as a problem of police resources. I could hope to make some headway through using that point. I could use the point with the Unionist community that this takes up a great deal of police time. There is of course the wider political argument that such parades are provocative to the minority - though there are some also which work the other way around - and there has been some deterioration in their character in recent years.

It is a difficult issue to deal with because it is difficult for central authority to gainsay the judgement of the man on the spot. In the case of Portadown the local man took his decision and it is difficult to gainsay this from RUC headquarters. Recently, again this was the case of Cookstown.

Stephens Last week-end there was a flute band - and these bands are often abused so as to mount a very sectarian parade. Indeed they have been a growing nuisance for some years - this flute band had demanded the right to parade on the "traditional" route. In fact the route had only been used for a year or two. It would take them a through Catholic housing estate. The local RUC on balance decided to let them parade. RUC headquarters said no. Apart from some squawks there was no real comeback. This is a useful earnest of senior RUC thinking.

Hurd Senior police officers are irked by the amount of time spent on this kind of thing. But they believe it is better to try to establish the position on the ground on a case by case basis. I agree with this. This case by case approach is a better pattern.

MFA I am not sure what exactly happens. You mean the Chief Superintendent on the ground decides?

Hurd Not quite. He negotiates with the organisations in question. If a difficulty arises he refers the matter upwards with his recommendation. There is now a feeling in the upper reaches of the RUC that it is possible gradually to get to grips with the problem.

MFA The problem in Portadown is that the local RUC agreed but on the day the parade was blocked (this was a reference to a Catholic parade).

Hurd I have heard what you have to say on this point - indeed you are not the only ones who have said it.

(Note At this point I understood Hurd to be saying that he would try to take aboard the Minister's concerns).

Stephens There is an increasing feeling on the part of the "silent majority" that "we have had enough". It is something like the growth of football violence. I think what was done at Cookstown will in fact get wide approval in the community.

MFA Are you going to redefine "traditional"?

Hurd No each case has to be examined on its merits. The problem is the accretions. Extreme loyalist groups come from outside and latch on to the locals' parades. So it is partly a question of route and partly a question of people.

There is no new proclaimed policy but the RUC are taking a stricter view.

MFA The problem is that the so-called traditional parades go as to 90% through nationalist areas. The aim is to show who is boss.

Donlon This issue has a long history. A recent thesis by a US student covered the period 1870-1874 and that bears out the point. The real trouble is that the minority can tell in advance what particular police officers will decide. The particular officer (in the Cookstown case?) was expected to ban the parade as he did at very short notice. He had been doing this kind of thing for 14 years wherever he was stationed and this was known.

Sequestration of Funds Act

Hurd Could I ask in regard to the sequestration of funds? Your legislation on this ran out last week?

MFA Yes, but he has lodged a constitutional claim. It will run for six months from this.

Ward The position is that it has not lapsed. The question only arises when there is a new case and then it could be brought into effect by order.

Hurd Ah good! I had not fully understood that. What are the omens?

Ward They are thought to be good. Our side of course is looking for as much evidence as possible and they are therefore hoping that the Swiss will be helpful to us.

Hurd - which they are not?

Ward We had a quick phone call yesterday from our man who had been out there and who went into the Swiss Foreign Office with our Ambassador Berne. He had then gone on to Rome. In his call he said briefly that things had gone well.

Lillis We had a report also from our Ambassador in Berne. He said that they had been quite helpful.

MFA Did you not (find the Swiss helpful)? I am intrigued at that.

Hurd No, I didn't mean that I only remarked about it and asked your experience.

Lillis I think the Swiss have been coming under pressure on this kind of issue because of the increasing inter-Governmental cooperation on terrorism between neighbouring countries in their area.

At this point the meeting drew to a close as the Minister had to get back to the Embassy and prepare to leave for Australia. Mr Hurd in saying goodbye escorted the Minister down to his car. It was 7.35 p.m.

ND

30 May 1985
London