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Special Meeting of the Intergovernmental Conference
London - Northern Ireland Office, 29 July, 1986.

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Present:

Co-Chairmen Minister Peter Barry and Secretary of State Tom King, . . .
Messrs. Donlon, O Tuathail and Sir Robert Andrew and Joint
Secretarites Mr. M. Lillis and Mr. M. Elliot.

The meeting began with a tete a tete between the Co-Chairmen
only. During the tete a tete there was agreement that there had
been differences of perception about the handling of the
Portadown events on 11/12 July but that these differences should
be put in the past and the work of the Conference go ahead. The
tete a tete lasted for about 15 minutes.

Meeting

After the Secretary of State had welcomed Minister Barry and
officials, Mr. Barry said that as a result of the tete a tete
Mr. King and he had agreed that while there had been differences
over the last month, these differences should now be put behind
them. The emphasis should be on going ahead with determination
to implement the Agreement. Mr. King said that the atmosphere
was now such as to make that possible. He mentioned that
Minister Scott would wish to say something about security and
suggested that first of all the meeting should get the Joint
Statement out of the way.

Joint Statement

There was a discussion of a draft joint statement limited to simply saying that the two sides had discussed the political and security situation. Then Mr. King himself suggested incorporating language from the longer draft by the Secretariat and the text was agreed without difficulty (text attached).

Marches

Mr. King: Do you want to begin by saying something about Portadown?

Mr. Barry: You know our views and proposals. We have responded to concerns and criticisms by nationalists that the Agreement is not producing for them. And we have tried to bring home to them that results will take time.

Mr. King: I am sensitive to that. But I feel that events this year turned out to our advantage. The Tunnel in 1985 in Portadown was the scene of a great pitched battle. This year the Orange leaders had presented a letter to the police at the entrance to the Tunnel and then walked away. The Orange leaders had asked the RUC to protect them from loyalist thugs. The Tunnel battle was now over. The Orange leaders understand that clearly. They are now taking stock of what is going on and a reassessment of OUP and DUP links is under way. I would like to see that you can understand that we are making progress. Already this year there have been 786 marches. The level of violence was not bad. Last year Garvaghy was offered to the Unionists for the whole parade. But that had been turned down. Things were very different from last year. Brid Rogers had admitted that. The local RUC (Whiteside) had been given help by

a leading local unionist. Then Eames and Moderator Thompson had got involved. This had led to the defeat of the DUP. I feel that this work will go on. Many moderate unionists are very concerned at the way their parades are being manipulated. Take the way Wright had pushed in - a raging biggot. There is no going back on our part, but I hope that you can see the difference between overall policy on marches and balance in regard to actual marches. As to August, Derry could be tricky and could lead to a problem. I hope that I can say that the Irish Government had made clear their concern about loyalist marches though not as regards actual territory, that is the policy aspect but not as regards routing. Derry in fact has now become an established procedure. It is not like the old days. The Belfast men who come in are carefully controlled.

Mr. Barry: You must not go back.

Mr. Scott: There was an element of face saving at Portadown.

Mr. King: I heard ^{Eamon?} Padraig O Malley on Down Town Radio say that the Orangemen had hurried through Garvaghy, without any display. O'Malley reports accurately.

Mr. Barry: There is the policy aspect of marches. What do you think of the Chief Constable's idea of transferring responsibility to an Independent Tribunal?

Mr. Scott: We see some problems here. For instance there is the time lag problem and also the need for the police to be able to override decisions in cases of law and order difficulties.

Mr. King: The Orange Order backed away from Paisley over Portadown. That is why Paisley failed to challenge the decision on the Tunnel this year.

Mr. Barry: But triumphalist marches must not be allowed.

Mr. King: Of course, marches are meant to be jolly occasions not pitched battles, but they have been taken over. There were of course other nasty places - for instance Ballinahinch at Hillcrest Drive. You helped us there.

Mr. Barry: After August is over, we should agree on how to handle marches policy. This should be on the lines of Hurd's statement last year to the effect that you should not march where you are not wanted.

Mr. Scott: I fully agree with you on that but the difficulty is to find the way.

Mr. Barry: We should look at the Tribunal idea.

Mr. Scott: Yes, but there is the law and order difficulty at the time of the march.

Mr. King: (laughing) Can you get nationalists to serve on it?

Mr. Donlon: There are two areas where definitions are needed:
- marching where you are not wanted;
- traditional parades.

Mr. Barry: 'Traditional' has to take into account the element of population changes.

Mr. King: We will be happy to sit down with you when the marching season is over and - there may be a number of nationalist marches in August which could cause difficulty - we will take note of your general concern and we will look at things then, such as the Tribunal idea. Incidentally I was not being facetious when I referred to difficulty in getting people to serve on such a Tribunal. That could be a real problem.

Mr. Barry: We should look at the policy issues in autumn.

Mr. King: Yes, we should look also at the political debate on this problem.

Mr. Barry:so that the rules are well understood in advance of the next marching season.

Mr. King: Rules...rather principles or objectives.

Mr. Barry: It will be necessary to be clear about laying down principles and about who takes the decisions.

Sir Robert Andrew: you must take into account the public order element.

Marches in August

Mr. King: We have learned some things. But we are not out of the marching season yet.

Mr. Barry: We are worried about the 9 August (Anniversary of Internment), the problem of the IRA moving in.

Mr. King: Yes, there is also the Galvin problem.

Cross-Border Security

Mr. Scott: Newry highlighted the problem in public perception. I should say here that we are grateful for Alan Dukes' statement about the Garda reinforcement on the border before the 12 July. The main work as regards cooperation is being done by the two police forces. But I have been looking at the situation on the ground so as to get an impression of what is going on and to collect facts. When I have done that I would like to have a

talk with Alan Dukes. We should then be able to reach an agreed appraisal in the short term and to look also at the longer term building blocks under Article 9 of the Agreement. There were problems at Clady. Firstly, in getting a reply from the Gardai and secondly the PVOP on your side is not a proper one. Things seem to be going well at the top but what I want to find out is - is it going well on the ground. There are also new developments in South Armagh. You will see the results there soon.

Mr. O Tuathail: There seems to be a problem of passing information. For instance our understanding is that the Gardai and RUC met locally yesterday to discuss the arrangements there, while the British PVCP is being reconstructed. The RUC officers (Critchley and Elliott) made no complaints about the present site and strength of the Garda/Army PVCP or its operation.

Mr. Scott: We tried for six weeks to get information from the Gardai. We have to close the Clady/Castlefin Road for three months - or even possibly close it permanently.

Mr. Lillis: There is a problem because of the lack of an RUC presence on your side of the border in areas such as Fermanagh and South Armagh. In Clady on your side there is the army only (though there was the RUC).

Mr. Scott: But the RUC station was blown up.

Mr. King: Can the Army on our side and the Gardai not talk to one another?

Mr. Donlon: That is difficult because of the principle that the army acts in support of the civil power.

Mr. King: But helicopters on both sides of the border have the right of pursuit.

Mr. Scott: Yes, there is the Mountbatten arrangement going back to 1979 and valid for a five kilometer area on both sides.

Mr. Donlon: That arrangement brought Jack Lynch down.

Mr. Scott: It is reciprocal on both sides.

Mr. Lillis: There have been very good examples of practical cooperation between the Gardai and the RUC, recently.

[The formal meeting then ended and the discussion continued before and through dinner]

Over dinner discussion

The following were the main points of substance:

Next meeting of the Conference

Mr. King expressed willingness to have the September meeting of the Conference at Parknasilla, Co. Kerry. He had stayed there before. The question of a suitable venue in Co. Cork was also mentioned.

Cross-border, Security Issues - Importance of Secretariat as Channel.

The discussion on security arose out of Mr. Scott's recent tour in border areas - a tour he will continue. He said that he was not yet able to draw conclusions and would not do so until after further investigation. His initial tour had however, led him to query the degree of the effectiveness of cross-border security cooperation at ground level. Both Governments wanted to defeat the IRA and effective cross-border security cooperation was an essential element in achieving this aim.

Mr. Scott asked about the signing by the Minister of Justice Mr. Dukes of the regulations for the carriage by container of explosive substances: there had been a delay. (The Irish side was completely unaware of this matter). The Irish side asked why Mr. Scott had not taken this matter up through the Secretariat from the beginning. There was a senior officer from the Department of Justice in the Secretariat and the Secretariat could ensure speedy high level action in Dublin on such matters.

Mr. Scott returned also to the Clady question. There had been a delay of some six weeks in getting a reply from the Gardai. Again the Irish side pointed out that the Secretariat should be used as a way of resolving any difficulties or delays of that sort, but that this should be done from an early stage. For instance, in Clady the British forces had closed two roads that morning and there was a sit-in on one road by the local population. Closure of roads appeared to local people as something very negative and as incompatible with the spirit of the Anglo-Irish Agreement. Mr. Scott referred to the operational nature of some RUC decisions. We replied that while this was so, the closing of a cross-border road clearly had a political dimension and the Secretariat should have been informed of the proposal from the outset and notified immediately any problems (e.g. delays) developed.

Mr. Scott referred also to difficulties in obtaining up to date photographs of suspects believed to be in the South and to the obtaining of statements from ordinary witnesses in the South. He was continuing enquiries about this type of difficulty experienced by the RUC in regard to cross-border cooperation and would raise the matter with us when his survey was completed. Mr. King supported the idea that the Secretariat should be the central body for coordinating between Belfast and Dublin. He made the point that the Secretariat needed to be kept continuously informed so that it could act to forestall possible breakdowns in communications or problems between individual agencies or bodies. This was noted.

Visit of Mr. Scott to Dublin next Wednesday

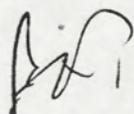
Mr. Scott is to contact Minister Dukes direct about this. (It came out later that Mr. Scott is to speak at Clongowes Wood at the Social Studies Conference meeting there on Wednesday next).

Army observation posts in South Armagh

There was a brief further discussion of the new army observation posts in South Armagh being constructed on high ground close to the border. We referred to the negative public relations aspects of such an oppressive military presence and to the security risks when such installations are along the border. Mr. Scott said that we would see the justification for these posts when the scheme was completed.

Taoiseach's letter to Mr. King

Minister Barry handed Mr. King the Taoiseach's letter inviting him to lunch in Dublin.



E. O Tuathail
31 July 1986

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JOINT STATEMENT

ANGLO-IRISH INTERGOVERNMENTAL CONFERENCE

Special Meeting - 29th July 1986

A special meeting of the Conference, chaired by Mr Peter Barry TD, Minister for Foreign Affairs and by Mr Tom King MP, Secretary of State for Northern Ireland, was held in London on 29 July 1986 at the request of the Irish side.

The Conference considered a number of recent sectarian outrages and other acts of terrorism. They called on everybody North and South to stand firmly against those who carry out such attacks and to co-operate fully with the security forces in their efforts to seek out those responsible. They agreed that every effort would be made to enhance effective co-operation between the security forces of the two Governments in order to defeat terrorism in all its forms.

At this eighth meeting of the Conference the Joint Chairmen reviewed the progress to date of the Conference and its working groups. They agreed that the next meeting would be held in September, and that it would consider legal matters including the administration of justice, cross-border security co-operation, relations between the security forces in Northern Ireland and the community, and economic and social issues.