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PRIME MINISTER'S OFFICE 10 DOWNING STREET

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From the Private Secretary

PRIS/ LONDON SW1A 2AA
 30 JUN 1986

27 June 1986

L.M. Barberfield

Dear Sir,

NI 10 BELFAST

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PRIME MINISTER'S MEETING WITH THE TAOISEACH
ON 27 JUNE 1986

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 30 JUN 1986
 STORING IN ANNEX

The Prime Minister had a brief meeting with the Taoiseach in the margins of the European Council in The Hague on 27 June. The Taoiseach was accompanied by Mr. Nally.

The Taoiseach said that the Irish Government was by and large well content with the working of the Anglo-Irish Agreement. But attempts were constantly made to suggest that the British and Irish Governments had different interpretations of it. The time might come when it would be helpful for him and the Prime Minister to issue a joint statement reaffirming exactly what the Agreement did and did not provide for. It was clearly not the time to consider such a statement now. He was thinking in terms of the autumn. The Prime Minister said that she was always hesitant about trying to interpret Agreements. Her instinct was against the Taoiseach's suggestion.

The Prime Minister said that the Unionist reaction to the Anglo-Irish Agreement was still bad. Every overture which the Government had made to the Unionists had been rebuffed or met with insistence that the Agreement should be suspended. The approach of the marching season was likely to make matters more difficult. At the same time the SDLP had not been as forthcoming as she had hoped. It was far from clear, for instance, whether they were ready to participate in elections to a new Assembly and subsequently in the Assembly itself. The Agreement had created enormous difficulties for HMG in Northern Ireland, but we had remained true to it. The Taoiseach said that he was in no doubt that there had been a significant shift in Unionist opinion although the Unionist leadership remained as strident as ever. People were not turning up in large numbers to demonstrations and were sick of violence. There was no wish for UDI but growing unhappiness with the general situation. The benefits of improved security cooperation had not been fully appreciated by the Unionists. The Taoiseach continued that he had received a number of requests from Unionists for meetings but had not accepted these for fear that the results would be misrepresented as had happened in the case of Mr. Robinson. He wanted the Prime Minister to know that the Irish Government was very grateful for the firm manner in which the United Kingdom had

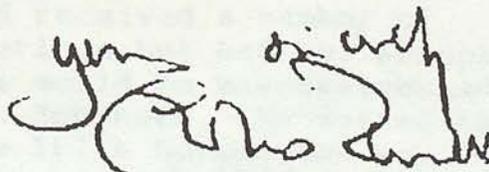
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persevered with implementation of the Agreement and had refused to be deflected by Unionist opposition.

The Taoiseach said that he shared the Prime Minister's pessimism about the prospects in Northern Ireland before the summer. It was for this reason that the Irish Government had not pressed for early progress on subjects of interest to them. But once the marching season was over they would want to see decisions on a number of points. The IRA were already making capital out of the lack of benefits for the Nationalist community from the Agreement. At the other end of the spectrum, the Unionists were claiming that it was their success in blocking implementation of the Agreement which was holding up progress. The areas in which the Irish Government would want to see progress were a code of conduct for the RUC; joint patrols, where the United Kingdom was failing to live up to the terms of the joint communique; and the issue of three man courts. The last was the most important. It had been accepted in the communique at the time of the signing of the Agreement that measures were needed to make the administration of justice in Northern Ireland more acceptable to the minority. Three man courts provided the only significant opportunity to achieve this. The matter was not controversial in Northern Ireland. The Prime Minister said that she was not prepared to consider the matter unless a proposal clearly had the support of the Northern Ireland judiciary. As it was, efforts by the Republic to pursue the issue appeared to cast doubt on the judiciary's performance. Three man courts would never be appropriate for every category of case. And anyway there were not enough judges. She advised the Taoiseach not to make a public issue of this.

The Taoiseach said that he firmly intended to push an Extradition Bill (I assume this is a Bill to ratify Irish accession to the European Convention on the Suppression of Terrorism) through the Dail in the autumn but could do so only if there was progress towards three man courts. He hoped to be able to introduce such a bill without making any reservation, although this would depend in part on the outcome of a constitutional case at present before the courts. If the Government's appeal in this case was accepted, there would be no need for a reservation. But he would still need progress on three man courts. The Prime Minister said that she was glad to hear that no reservation was likely but repeated that the Government could offer nothing on three man courts unless there was a clear request from the Northern Ireland judiciary.

I am copying this letter to Jim Daniell (Northern Ireland Office) Richard Stoate (Lord Chancellor's Office), Michael Saunders (Law Officers' Department) and Michael Stark (Cabinet Office).


C.D. POWELL

C.R. Budd, Esq.,
Foreign and Commonwealth Office.

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