

CONFIDENTIALEXAMPLES OF OFFENSIVE OR INACCURATE STATEMENTS IN THE
DUBLIN PRESS FOR SUNDAY 20 JULYSunday Press

- (a) "Tom King reneged on a deal which he had reached with Peter Barry by changing the route for the Orange march in Portadown".
- (b) "There was no three hour period over the weekend when messages were not being exchanged between Mr Barry and Mr King".
- (c) "The Government was officially notified about the change in route plans through the Secretariat around 9.30 pm, three hours after the Unionists".
- (d) "The British have dishonoured their deal with the Irish side in the Anglo-Irish Conference".
- (e) "The Hillsborough pact is being phased out. Tom King's Belfast Telegraph interview and his dismissive remarks about Peter Barry are not accidental".

Sunday Tribune

- (f) "The Anglo-Irish Agreement is virtually fool-proof. It will survive Tom King". (Attributed to a Government source in Dublin).
- (g) "Senior Government sources insist that Peter Barry had had specific assurances from Tom King and Nicholas Scott, both formally through meetings of the Anglo-Irish Conference and through subsequent informal channels in the week of the marches, that the same ground rules would be applied this year".
- (h) "The view of Tom King in official circles in Dublin is harsh. He is seen as being devoid of any real understanding of Ireland, North and South, as a man with no consistency of view but bouncing along the ropes, someone with a bullying nature and therefore susceptible to others acting in a bullying fashion - by which they mean Sir Jack Hermon rather than Ian Paisley....

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... wandering around without coming to terms with the nature of the problem, a politician whose ambitions have declined with the knowledge that he was given the job as an effective demotion, a man entrusted with responsibility for the North but increasingly spending less and less time there".

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SECTARIAN ATTACKS AND INTIMIDATION

Line to take

We share your Government's concern at the recent increase in these despicable sectarian attacks. Such behaviour must be unequivocally condemned no matter which side of the community it emanates from. The police have significantly increased their patrolling in all the vulnerable areas and have made a number of arrests. They are in contact with community representatives to provide reassurance and to arrange adequate protection. The police at all levels are determined to bring those responsible to justice as soon as possible.

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Background Note

Since the beginning of July there have been a number of sectarian attacks, and sectarianly-motivated disturbances, in the Province. Most have centred around Portadown, Ballymoney, Rasharkin and North Belfast.

2. Between 11 and 16 July alone more than 111 cases of intimidation were reported to the police. The majority were against Roman Catholics. Numerous people have been arrested and more than 20 persons have been charged in connection with attacks in Ballymoney and Rasharkin.

3. The most serious attacks occurred in North Belfast where two Roman Catholic men were killed in shooting incidents. The Protestant Action Force claimed both murders. Colm McCallan was shot and seriously injured by gunmen on 14 July, just a short distance from his Ligoniel home. The second man, Martin Duffy, an employee of the Fire Service and a part-time taxi driver, died on 19 July when he was shot by a gunman after he had been called to Chichester Park to collect a passenger. A third man had a narrow escape on 23 July when, as a member of a neighbourhood watch group set up to patrol the Ligoniel Estate, he was shot by a gunman. He is in a satisfactory condition in hospital.

4. The RUC have had a number of constructive meetings with Brian Feeney of the SDLP and have stepped up their patrols in North Belfast, particularly in Ligoniel. They have appealed to the local people in their area to call off the neighbourhood watch patrols. The police are concerned that the members of these patrols could also become targets for the gunmen. Brian Feeney has also discouraged people from taking part in neighbourhood watch patrols.

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Physical Security Measures

5. In principle we do not favour the construction of barriers between communities but as an immediate response to the problems in North Belfast the civil agencies have sought to supplement police activity by constructing security fences in the Manor Street area and repairing/strengthening fencing in the Ligoniel area. Other requests from the police and local representatives are under consideration. In the longer term the NIO, DOE, NIHS and security forces may reluctantly have to take additional steps to minimise the risk of intercommunal confrontation, eg by redesigning road or housing lay-outs and erecting permanent barriers.

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BELFAST TELEGRAPH ARTICLE

Key Points

The interview was intended to reassure Unionists before the "Twelfth".
It should not be taken out of context.

Its positive features should not be ignored; it stressed:

- (a) the Government's support for devolution
- (b) the Government's commitment to the Agreement
- (c) the right of the minority to equal treatment.

(If the Irish raise particular points the Secretary of State may wish to refer to the appendix which contains some responses to the Irish analysis).

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APPENDIX

IRISH ANALYSIS OF ASPECTS OF MR KING'S INTERVIEW IN BELFAST TELEGRAPH
OF 4 JULY 1986 - WITH UK RESPONSE

Irish View

The interview conveys a partial and one-sided interpretation of the Agreement eg: by suggesting that it is capable of being changed by Britain following talks with Unionists. Other parts of the interview are offensive to the Irish Government or to nationalist opinion, eg: the statement that "security co-operation has not been very evident on the ground", or, in relation to Unionists, that "their dominant position carried on".

UK Response

The article was aimed at Unionists and was naturally cast in such a way as to appeal to that audience.

It is true that improvements in security co-operation have not been as evident as we would like (3 members of the Security Forces have been murdered near the Border in July); and the Unionists remain dominant in the limited sense that there is a Unionist majority for Northern Ireland to remain in the UK. That is provided for by the Agreement. But it is balanced by the fact that - as the Secretary of State said in his interview - the minority will receive equal opportunity and fair treatment.

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① "CONSULTATIVE" NATURE OF THE AGREEMENT

Question: "But is the Government's credibility not affected?"

Extract from reply: "I understand that the concept of the Agreement - allowing the Irish Government even a serious consultative role before we make decisions - disturbs some."

Question: "What about the charge that the Agreement is consultative?"

Reply: "I use the term 'serious consultation'. You can get lost in the exact definition of words. The Republic's Government can put forward views, but we take the decisions. They wanted the inclusion of the phrase, 'determined efforts shall be made to resolve differences', because they wanted to feel serious consideration would be given to their proposals. But they understand where the final decision rests."

UK Response

"Serious consultative role" was intended to convey the difference between the Agreement mechanism - where determined efforts must be made to resolve differences - and other forms of consultation. Similarly the Secretary of State's words were not intended to ~~poor~~pooh the value of the Agreement mechanism - only to make clear to a Unionist audience that, as stated in Article 2b of the Agreement, the UK Government continues to take the decisions.

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2 Question: "If the unionists will not take up your offer (for briefing after each Conference), is there any way of ordinary citizens getting a point of view across to the Government?"

Extract from reply: "The Conference is not a decision-making body, except on cross-border security, where we are meeting as Governments of two sovereign States".

Note: This statement must be clarified. There is an unacceptable inference that the British Government has a role in the decision-making of the Irish Government in regard to cross-border security and vice versa. In the language of the Agreement (and the answer to Question 46 of the Q and A paper), the two Governments "cooperate" on cross-border security. Article 2(b) states that "The Conference will be mainly concerned with Northern Ireland; but some of the matters under consideration will involve cooperative action in both parts of Ireland." Article 9(a) of the Agreement concerning cooperation on security matters states that "The Conference shall have no operational responsibilities."

When faced with the opposite temptation to play up the role of the Conference in regard to internal Northern Ireland matters, we have taken care to draw attention to Article 2(b) which states "There is no derogation from the sovereignty of either the Irish Government or the United Kingdom Government, and each retains responsibility for the decisions and administration of government within its own jurisdiction."

UK Response

The Secretary of State's words are a reflection of the facts. On all matters other than those covered by Articles 9 & 10, (ie; cross-border matters) it is for the UK Government to take decisions in Northern Ireland, as Article 2 (b) makes clear. On cross-border matters, including security, both Governments take decisions for their own jurisdiction (except insofar as the decisions are operational matters for the two police forces). In that sense two Governments in the Conference can take decisions on cross-border matters, whereas on other matters the decision is clearly for the UK Government.

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③ CHARGE IN THE AGREEMENT

Question: "Is the Agreement untouchable?"

Reply: "What came out of talks (with the unionists) could have implications for the Agreement. It could lead to the Agreement being changed."

Note: This is seriously misleading and damaging. It is of fundamental importance to both Governments that it be corrected. Both Governments have agreed on the absolute importance of together rejecting as out of the question pressure to have the Agreement changed or suspended. Whatever comes out of talks with the unionists it will not lead to the terms of the Agreement itself being changed, but rather to the provisions in the Agreement for devolution on certain conditions coming into force.

UK Response

We have made it clear in the Prime Minister's letter to the Unionists and subsequent Parliamentary Answers that if there were agreement on devolution we might have to look at its effect on the Agreement. Article 11 would be the obvious means for this. While we agree we should resist any calls for suspending the Agreement, we could not rule out such changes under Article 11 if there were agreement on an acceptable form of devolved government. Of course changes would only be possible if they were acceptable to the Irish Government.

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- 4 -
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④ SCOPE OF THE AGREEMENT

Question: "Are you optimistic that the unionists will talk?"

Extract from reply: "The Agreement is about three things - cross-border security; the Republic's acceptance of the legitimacy of the unionist majority and their rights; lastly, an opportunity for the Republic's Government to put forward views on behalf of the minority".

Note: Insofar as the first matter mentioned is concerned, this is a direct inversion of the aims of the Agreement as set out in paragraph 3 of the Hillsborough Communique which states "The Agreement has the aims of promoting peace and stability in Northern Ireland; helping to reconcile the two major traditions in Ireland; creating a new climate of friendship and cooperation between the peoples of the two countries; and improving cooperation in combatting terrorism". The Agreement itself states in Article 2(b) that "the Conference will be mainly concerned with Northern Ireland" and in Article 4 that the Conference "shall be a framework ... (i) for the accommodation of the rights and identities of the two traditions which exist in Northern Ireland; and (ii) for peace, stability and prosperity throughout the island of Ireland by promoting reconciliation, respect for human rights, cooperation against terrorism and the development of economic, social and cultural cooperation."

Furthermore Mr. King's statement is incomplete and totally unbalanced. There is no reference to the legitimacy of the rights of nationalists and their aspiration to a united Ireland which, like the second item mentioned by Mr. King, is referred to in the Preamble of the Agreement; nor to the provision for the establishment of a united Ireland if a future majority wished for and formally consented to it which is in Article 1. Nor is there any reference to the substance of the Agreement in relation to the political, security, legal and other matters in which the Irish Government have a role.

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UK Response

The Irish point is entirely about presentation. Ministers have to present the Agreement in the way most likely to appeal to their audience, in this case the Unionist population just before the "Twelfth". There is good reason for not speaking as the Irish seem to suggest:

- (a) the terms of the Agreement will sound somewhat Utopian and unrealistic if quoted verbatim
- (b) the possibility of a United Ireland is hardly attractive to Unionists.

⑤ NATURE OF THE AGREEMENT

Question: "Are you saying that there is an exaggerated impression of the importance of the Agreement?"

Reply: "It (the Irish Government) has the same input as anyone else who wants to put forward their views, but it has no authority or no say in the running of the Province in the ways in which people understand it".

Note: The Irish Government clearly has a different input from others who want to put forward their views, because the provision for them to put forward views is set out in a binding international Agreement. The British Government is not obliged to hear the views of anyone else, still less to make determined efforts to resolve differences with them.

UK Response

The Irish omit much of the reply which is aimed at scotching exaggerated ideas of the Agreement, and reassuring Unionists that their views will be listened to.

In fact the Irish Government's input is different from other inputs in that it is provided for in a binding international Agreement, but the Government must, in taking any decision, take account of the views of Unionists and Nationalists in Northern Ireland, and views expressed in Parliament. How much weight it gives to any views will depend on the particular subject. It would be outside the spirit of the Agreement which talks of accommodating the rights and identities of the two traditions if the UK Government were always to defer to views from one side rather than the other. We could not therefore regard Irish views as automatically the dominant views, as the Irish seem to suggest.

Question: "Now that we are in the marching season, what has the Dublin Government to say about the impact on the nationalist community?"

Reply: "They (the Irish Government) have made no representations to me about it. The question about marches, re-routing or even the remote possibility of a ban, are entirely a matter for the Chief Constable in the first instance. They are matters of public order and I think people know very well the policy he has been pursuing over a number of years. A lot of representations are made locally by the SDLP. That is the way it is most sensibly dealt with. I repeat, there has been no discussion in the Conference about routes. It would be quite wrong to seek to raise them with me."

Irish side could supply information which would be helpful in British decision making and that the Co Chairmen would keep in close touch on sensitive points. At no time, did we agree not to take up questions involving danger to nationalist populations which is suggested by the statement "We have had no discussion about it (the marching season)". Moreover Mr. King has acknowledged in a Parliamentary reply of 15 April that he has been made aware of our views in this matter (parades), a fact which is omitted in his interview, in which the contrary is in fact stated, viz., that the Irish Government has made no representations about the marching season.

UK Response

The remarks must be seen in context. It is intended to convey the message that the Irish Government had made no representations about particular marches (in contrast to the SDLP who had). The words used were - "... there has been no discussion in the Conference about routes". At the time of the interview that was true. Indeed the line was agreed at the Conference on 11 March.

It was not intended to give the impression that the Irish had neglected the interests of the minority. Indeed we have made it clear in Parliamentary Answers that we were aware of Irish views.