

CONFIDENTIAL

Mr M^c Guinness

FROM: P N BELL
BRITISH SECRETARY
1 JULY 1998

40/7
- 1 JUL 1998
CENT SEC

Could you please
Commission briefing - on the long
requested para 17 - Copy Distribution List
from the relevant Depts, and
let me see drafts by 8 July at the latest?

PS/SECRETARY OF STATE (B&L)

AGENDA FOR THE NEXT INTERGOVERNMENTAL CONFERENCE: 16 JULY 1998

Issue: Decide agenda for the next IGC.

Timing: Urgent, to enable early preparation of briefing

Recommendation: Approve the agenda at Annex A.

ASST SEC - 1 JUL 1998
CENT SEC

you are asked to
co-ordinate hqs... but
have not been copied
the note!!

Matters for decision and action

The Secretary of State agreed, in response to John Fisher's submission of 29 June, to hold the next IGC in London on Thursday 16 July. (**CAUTION:** Although we are assured daily that Mr Andrews' approval is a 'formality', it cannot be ruled out that he will object. I have reminded the Irish, sharply, that I cannot guarantee any alternative date this side of the Summer Break, given the pressures on Ministers' diaries and the leave season. The Secretary of State is, in any case, seeing Mr Andrews in London next week.)

2. An uncontroversial agenda for the Conference, provisionally agreed with the Irish side of the Secretariat, is attached (Annex A): If the Secretary of State agrees, as I recommend, copy recipients should prepare terse briefing (as set out in Annex B) in line with guidance at the end of this submission.

Overview of IGC

3. The Conference should start at 3 pm. Both Mr Ingram and Mr Murphy are available. On the Irish side, Mr Andrews will be accompanied by Mr O'Donoghue and by Ms O'Donnell. I understand that Mr Worthington will be in London on the day of the Conference, and may be able to attend for the Fair Employment item. The Conference will

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be essentially a Stocktake majoring on security and political issues (including parades) Despite a recent bad passage with the Irish, over allegations of poor consultation, relations have been laboriously restored to greater amiability. This should, unless the marches upset them, be reflected in the IGC. On the other hand the Irish Side will undoubtedly reflect the results of intensive Sinn Féin lobbying when we meet them.

Briefing

4. What follows provides a sketch of Irish concerns on possible Agenda items which briefers may find helpful. Briefers will not, however, want to strike too defensive a note. Whatever transpires between now and the IGC, we are likely to need to remind the Irish (thanking them for recent restraint) of the need not to add to Mr Trimble's difficulties; or the fact that there are not only Nationalists in Northern Ireland; and that issues like decommissioning have not gone away. Nor can we ignore the actual terrorist threat. We also want the Irish to be at least as forthcoming with us as we are with them.

RESTRICTED SECURITY SESSION

5. Both the Chief Constable and the Garda Commissioner will report on the state of the PIRA ceasefire and the capability of dissident Republicans who, acting in concert, have been responsible for recent serious incidents (including that at Drumantee and Newtownhamilton) and the extent of the transfer of expertise and matériel from PIRA. The Irish side are very interested in the intentions and capabilities of the LVF and reports they have received of threatened attacks in the Republic. Also, the Irish side are concerned by statements made by Gary McMichael and the possible threat of violence by the UFF.

POLITICAL MATTERS - IMPLEMENTATION OF THE AGREEMENT

6. Both sides will want to review the outcome of the Assembly elections and the relative strengths of the NI political parties, the programme of work leading to the next meeting of the Assembly, formation of the Executive (above all) and implementation bodies. The Irish will be particularly interested in assessments of Mr Trimble's vulnerability. Both

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sides will want to take stock on decommissioning (also a confidence issue!!) and progress on establishing the British Irish Council and British Irish Intergovernmental Conference.

CONFIDENCE ISSUES

7. On **Parades**, the parade this last weekend in Bellaghy passed off peacefully enough. But in Belfast (on the Springfield Road) less so. However, it will be Drumcree, its handling and any wider disorder which may result which will dominate discussion, followed by subsequent major marches (Ormeau etc).

8. On '**De-escalatory Measures**', the Irish side can be expected to enquire about levels of patrolling both in Belfast and rural areas and scope for dismantling border security installations. They can also be expected to enquire about overall security strategy and plans to reduce army force levels. Our Strategy Paper, a current subject of dispute, should have issued before the IGC for good and ill.

9. On **Prison Issues**, the Irish side are closely monitoring the NI (Sentences) Bill now before the House of Lords, and the Government's response (I am briefing separately on Government amendments). The Irish Side may put on record their criticism over lack of consultation on appointments to the Sentence Review body (not that we have exactly been over-consulted, nor invited to nominate Commissioners in Dublin in respect of their schemes and be anxious to learn the likely numbers and timing of release of prisoners, and in this connection the cases of Fisher and Wright will be raised. Questions on our position on the repatriation/ transfer of prisoners can also be anticipated.

10. On **Policing**, the Irish side will be looking for information on the programme of work of the Policing Commission. They may record their disappointment that only one of the names they put forward was eventually successful in being appointed to the Commission. The British Side have also been alerted to Irish interest in whether provisions of the Police Bill (especially those affecting the proposed timetable and resources for setting up the Complaints Ombudsman) will be affected by the present Review. Also, the Irish Side usually

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use this item to raise individual cases. (We should be prepared for (at least) the cases of Colin Duffy, Robert Hamill, Martin Morgan, Rosemary Nelson and the Derryhirk Inn.)

11. Although not on the formal agenda, we should expect the **Criminal Justice Review** to surface around here.

VICTIMS OF VIOLENCE

12. The Minister of State has announced a range of measures which are to be taken in response to recommendations made in Sir K Bloomfield's Report. The subject is one of importance to both communities its needs to be demonstrated as such by being taken as a separate item on the Conference agenda, and included in the Joint Communiqué. In this context Bloody Sunday is likely to surface.

RIGHTS AND EQUALITY

13. On **Human Rights**, the Irish side are worried that unilateral decisions by the Government on the remit of the NI Human Rights Commission will (by virtue of the need for broad equivalence in arrangements) have implications for them (and they too readily assume that arrangements in both jurisdictions should be very similar and the Joint Committee envisaged in the Agreement will be some kind of All-Ireland Human Rights Authority). They are anxious that the membership of the Commission should reflect community balance and that this, like the North/South Committee, should be explicitly provided for in our legislation. They are also anxious to know how the intended North/South Committee is to be treated in our legislation. (They may also fear that we shall be going uncomfortably far for them in the statutory protection of rights.....)

14. The Irish Government recently made written response to the **Fair Employment** White Paper 'Partnership for Equality'. *Inter alia*, they reject the proposition that the public sale of housing and land should be excluded from proposed legislation, and want the case for contract compliance to be looked at again. More importantly, the Irish side are concerned by the prospect of the Government proceeding to create an Equality Commission

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(when the proposal, in their view, has received such a negative response) and to proceed with present proposals for monitoring the statutory obligation to promote equality of opportunity.

15. The Irish Side have also asked that the Conference take stock of developments on **Irish language issues**. The Irish Side are aware of the legislative provision now being made for funding Irish language medium schools, but will want to press wider issues inter alia the ratification of the Council of Europe Regional Charter on Regional or Minority Languages and additional funding for promoting the Irish language. The issue of Irish in the Assembly may also surface.

OTHER BUSINESS

16. These items will be on a 'take note basis'. No definitive view has been expressed by the Irish Side on whether they wish the Conference to take **broadcasting** (I shall be reporting further on contacts with UTV). The Irish Side are aware that decisions on extending RTE reception to NI and the attendant publicity to be given to this are imminent, while UTV is taking legal action against RTE for alleged breach of copyright. On **fisheries**, it is for the Irish Side respond to our latest argument that they improve on their earlier offer to give the NI fishing industry first refusal to buy back white fish quota (which they take under the Hague Preference but then do not fish) and, for example, to gift this back. Ministers need not be gentle in reminding the Irish how their current practice damages the interests of fishermen of both communities here. It doesn't say much about Irish concerns for the North either.

BRIEFING

17. Briefing material prepared by some divisions for the last meeting of the Conference could have been both shorter and better targetted. **Each item requires no more than one A4 page brief setting out in bull point form key points** to be made in response to likely Irish concerns; and, separately but equally briefly, such supplementary factual material as is absolutely necessary.

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18. To enable me to provide a strategic steering brief, I should be grateful if material is sent to Jackie McGimpsey in the Secretariat as soon as possible, and in any case, **no later than close of play Thursday 9 July**, bearing in mind that most Belfast offices (but not the Secretariat) will close for the public holidays on 13 and 14 July.

MEDIA

19. The public handling of this Conference will require especially sensitive handling (and pitch rolling) given that many Unionists may have inferred from the recent referendum and election campaigns that the IGC is dead. There are also specific points we may want to lodge in the collective consciousness in advance, which I hope to discuss separately with Mr Kelly.

20. If anyone has points to raise, I shall do my best to help.

Signed:

P N BELL

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Anglo-Irish Secretariat
(01232) 427532

Distribution List

- PS/Secretary of State (B&L)
- PS/Mr Ingram (B&L)
- PS/Mr Murphy (B&L)
- PS/Pilling (B&L)
- PS/Mr Semple
- Mr Jeffrey
- Mr Steele
- Mr Kelly (B&L)
- Mr Daniell
- Mr Leach
- Mr Shannon
- Mr Stephens
- Mr Watkins
- Mr Beeton
- Mr Brooker
- Mr Priestley
- Mrs Collins
- Mr Ferguson
- Mr Hill
- Mr Maccabe
- Mr Power
- Mr Perry
- Mr White
- Ms McGimpsey
- HMA, Dublin
- Mr Fergusson, RID
- Mr Sanderson, CO
- Mr Warner

ANNEX A

THE ANGLO-IRISH INTERGOVERNMENTAL CONFERENCE
IN LONDON ON THURSDAY, 16 JULY 1978

AGENDA

Mr Andrews and party arrives at Millbank, and photocall

10.00 Hrs

Restricted Security Session

11.00 Hrs

1. Political Matters including overview of implementation of the Agreement

2. Confidence Issues:

- Review of Paragraphs
- De-escalatory Measures
- Prison Issues
- Policing Matters

3. Victims of Violence

4. Rights and Equality

- Human Rights Commission
- Fair Employment Issues *
- Irish Language Issues *

5. Any other Business

- [Broadcasting] *
- Fisheries: Hague Preference *

18.00 Hrs

Press Conference (Mr Andrews to lead)

18.30 Hrs

Mr Andrews and party depart

DRAFT

ANNEX A

MEETING OF THE ANGLO-IRISH INTERGOVERNMENTAL CONFERENCE
IN LONDON ON THURSDAY, 16 JULY 1998

AGENDA

- 15.00 Hrs Mr Andrews and party arrives at Millbank, and photocall
- 15.10 Hrs Tête-à-tête
- 15.30 Hrs Restricted Security Session
- 16.00 Hrs Plenary:
1. Political Matters including overview of implementation of the Agreement
 2. Confidence Issues:
 - Review of Parades
 - De-escalatory Measures
 - Prison Issues
 - Policing Matters
 3. Victims of Violence
 4. Rights and Equality
 - Human Rights Commissions
 - Fair Employment Issues: *
 - Irish Language issues *
 5. Any other Business
 - [Broadcasting] *
 - Fisheries: Hague Preference *
- 18.00 Hrs Press Conferences (Mr Andrews to lead)
- 18.30 Hrs Mr Andrews and party depart

BRIEFING FOR IGC - 16 JULY 1998

Restricted Security Session

Mr Perry

Political Matters
(including implementation of Agreement)

Mr Stephens *

Confidence Issues:

De-escalatory Measures

Mr Leach *

Decommissioning

Parades

Prison Issues

Mr Shannon

Policing

Mrs Collins

Bloody Sunday

Mr Beeton

Victims of Violence

Mr Maccabe

Criminal Justice Review

Mr Daniell *

Rights and Equality:

Fair Employment

Mrs Brown *

Human Rights

Mr Beeton

Irish Language

Mrs Brown *

Broadcasting

Mr Brooker

*Fisheries:

Hague Preference

Mrs Brown *

* For co-ordination and delegation. Please inform AIS who is actually briefing, if not themselves.