



An Chartlann Náisiúnta National Archives

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SECRET

STEERING NOTE

Extradition

1. The Taoiseach may wish to explain the current state of Government thinking on the question of the commencement of the Extradition Act. Mr. King is likely to refer to the great importance which the British Government attaches to the commencement of the Act both as an indication of the Government's commitment to extradition and as an achievement of the Anglo-Irish process to demonstrate to unionists.

Courts

2. The Taoiseach may wish to ask Mr. King what immediate proposals the British Government have for reform of the Administration of Justice in Northern Ireland in order to enhance public confidence (as provided in the Agreement). In the light of their apparent rejection of three judge courts (though they have not said yet that the door is fully closed on this), the onus is on them to put forward a satisfactory alternative.

Fair Employment

3. Mr. King is personally very committed to achieving a greater level of American investment in Northern Ireland and is likely to refer to his forthcoming visit to the United States. He will refer to the dangers which the British Government sees in the implementation of the MacBride Principles. The Taoiseach may wish to say that we see nothing objectionable in the MacBride Principles and that it might be a better approach in the American context if Mr. King, during his visit, were to emphasise what the British Government is doing, and particularly intends doing, in Northern Ireland to eliminate discrimination in employment rather than to attack the MacBride Principles per se. This would then enable him to call for increased investment with a certain degree of credibility.

Talks about talks

4. Mr. King may be prepared to say something about the meeting yesterday with the unionist leaders. It would be particularly helpful to have a confidential briefing on the present state of the talks. The Taoiseach may wish to assure Mr. King that the Government are anxious to give every opportunity to the talks to succeed and, for this reason, have deliberately adopted a reticent attitude here. As against that, the Government will be very concerned to be kept confidentially informed by the British Government on the development of the talks.

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MacBride Principles

1. Mr. King will almost certainly raise the issue of the MacBride Principles. He is to depart shortly on a trip to the U.S., the main purpose of which is to combat the MacBride campaign in the U.S. He will undoubtedly wish to avail of this visit to Dublin to convey once again the very serious concerns of the Northern Ireland authorities about the MacBride campaign and to appeal for the Dublin Government's understanding on the issue. In particular, Mr. King will be conscious of the potential for public dissension (or media mischief making) on the matter with the coincidence in timing between his own and the Tanaiste's forthcoming visits to the U.S.
2. The objections of the British Government and the Northern Ireland authorities to the MacBride campaign are well known. They may be summarised
 - a fundamental objection to being coupled with South Africa (the MacBride Principles are modelled on the Sullivan Principles developed in the U.S. to counteract apartheid in South Africa)
 - a concern that the campaign will act as a serious disinvestment to U.S. investment in Northern Ireland
 - a view that the MacBride campaign ignores or underestimates the initiatives (i.e. the Guide and the Consultative Paper which is to lead to new legislation) being undertaken by the Northern Ireland authorities to tackle the fair employment problem
 - a suggestion that a couple of the Principles are incompatible with the laws of Northern Ireland (although this is open to some doubt and has not been established in any court).
3. The Irish Government view on the MacBride Principles has been set out in the Tanaiste's reply to a Dail PQ on 7 May and the Taoiseach's comments in an interview with Irish-America magazine. The texts of these

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statements are annexed. It should be noted that following the publication of the Irish-America interview, we were informed through the Secretariat of the other side's concern at what was perceived as a distinct change in the Irish Government's approach to the Principles.

4. Clearly the differences between the two sides in their perception of the MacBride Principles must be acknowledged. However, it is suggested that in conversation with Mr. King the following points might be stressed
 - We are fully aware of the sensitivities involved.
 - We do not wish the forthcoming U.S. trips to give rise to headlines suggesting dissension between the Secretary of State and the Tanaiste on this issue.
 - We have said before to Mr. King that in our view the best - and indeed the only - way of defusing the MacBride campaign is to move energetically on a programme of domestic reform of fair employment law and practice.
 - It would seem tactically advisable for Mr. King to concentrate on a positive message while in the U.S. stressing the initiatives to date (Consultative Paper, Guide) and the intention to introduce new legislation.
 - Equally the Tanaiste while in the U.S. will focus on the agenda for action on fair employment within Northern Ireland, and our contribution to the process.
5. The publication today of the "Guide to Effective Practice" will no doubt be mentioned in the course of discussion on fair employment/MacBride Principles. The statement issued by the Tanaiste on the matter is attached.

Irish Government statements on the MacBride Principles

1. Tanaiste's reply to Dail P.Q. 7 May 1987

As regards the MacBride Principles, we know that many Americans support these because of their concern to ensure an end to discrimination in employment in Northern Ireland and we find the Principles themselves unobjectionable.

The Government's policy is to press for action by the British Government on measures in the short and medium term aimed at promoting equality of opportunity in Northern Ireland and eliminating discrimination. This means new and effective legislation and affirmative action on the ground. At the last meeting of the Intergovernmental Conference on 22 April, both sides agreed on the need for progress both in legislation and practice. I intend to review carefully developments on this whole subject which will be discussed again at the next meeting of the Conference. At the same time we want to see overseas investment sustained and increased in Northern Ireland so that jobs can be created and allocated on an equality of opportunity basis.

2. Taoiseach's interview published in September issue of Irish America

Q. MacBride Principles what is the actual situation?

A. Prime Minister: Brian Lenihan, our foreign minister, has given our view on that. We find the MacBride Principles totally acceptable. We understand fully the anxieties of Irish Americans about discrimination in employment in Northern Ireland, and we also are deeply concerned about it. We are doing what we can through Anglo-Irish relations to try to improve the situation.

Religious Equality of Opportunity in Employment
Guide to Effective Practice

Statement by the Tánaiste

I welcome the publication today of the above "Guide to Effective Practice" in employment. The Guide, with its detailed advice to employers, seeks to ensure that the principle of equal opportunity will become part of the everyday reality of life in Northern Ireland. The challenge to everyone involved is to see that the contents of the Guide are given effect in the most positive and constructive way.

The problem of employment discrimination on religious grounds in Northern Ireland must be acknowledged and addressed. The statistical fact is that the unemployment rate for Catholics is twice that for Protestants. That this situation should exist in 1987 is profoundly regrettable; to allow it to continue would be intolerable.

The proposed remedies must match the scale of the problem. The Government therefore attach great importance to the process launched last September by the publication of the Consultative Document on Equality of Opportunity, which is intended to culminate in the adoption by the British Parliament of new fair employment legislation for Northern Ireland. We will continue to provide an input to that process and look forward to the adoption of the required legislation as early as possible.

The Government have made clear that they consider fair employment to be a priority area for attention in the context of the Anglo-Irish Agreement. We welcome, in this regard, the Prime Minister's personal assurance, in her statement accompanying the Guide, that the British Government will take whatever further steps are required to work for the elimination of discrimination, and the promotion of real equality of opportunity in Northern Ireland.

CURRENT POLITICAL SITUATION IN NORTHERN IRELAND

The dominant theme of Northern Ireland politics remains the search for some formula by which dialogue between the main political parties can begin. The SDLP, boosted by their electoral performance and the addition of Eddie McGrady to the Westminster team of John Hume and Seamus Mallon, has reiterated its readiness to hold talks with Unionists on the North's political future. The joint DUP/OUP camp, however, is seen at the moment to be in the process of giving effect to its electoral mandate of seeking "consultation not confrontation" without at the same time being seen to engage politically while the Anglo-Irish Agreement and the Secretariat remain in place.

1. Unionists

(i) The Task Force Report

The Task Force Report, researched and written by Harold McCusker, Peter Robinson and Frank Millar, was published on 2 July last. The two party leaders, Messrs. Paisley and Molyneaux, waited some time before commenting on the Report and then made a statement distancing themselves from it, the net effect of which was to indicate Unionist agreement to "probing talks" (or "talks about talks", as distinct from negotiations). It remains a document of uncertain status.

There is a case for seeing the Task Force Report as an attempt by Unionists to come to terms with political realities. The Report has some strength because it was born out of information gleaned from the Unionist community and is reputed to have considerable support among politicians from the two major parties. Its status, however, has not been helped by the resignation of Frank Millar, one of its principle architects, a move seen to indicate that he, at least, feels that the leadership will not pursue the report's recommendations vigorously.

(ii) The Political Context

The poor Unionist turnout at the Westminster elections in traditionally 'safe' Unionist constituencies confirmed that the Unionist public wanted to see their politicians back in the political process. The boycott of Westminster and the hostile attitude adopted during the protest campaign mounted against the Agreement was seen to have damaged Unionist political credibility within the British establishment. As a result the Unionist political bloc now see the merits of behaving in a more politically acceptable fashion and drawing on their natural support base in Westminster. It remains to be seen how they will extricate themselves from their commitment not to negotiate while the Anglo-Irish Agreement and the Secretariat remain in place.

(iii) Talks about Talks

Four meetings have been held between Unionists and Government officials. The most significant one to date was the fourth, held on 14 September last, because of the attendance of Secretary of State King. According to a statement issued by Mr. Molyneux, officials reporting on these exchanges to the Secretary of State recommended that he should meet the leaders personally to hear their views directly. "It has always been accepted" he continued, "that the time had come in these talks when the civil servants would feel that they had to have political advice from the head of the Department and we always recognised and we always said that would be the case and that's the position we reached today". The Unionists continue to emphasise that these contacts are merely "to clarify the circumstances in which talks about talks might develop into wider-ranging political negotiations". A further meeting is planned for October.

2. Alliance Party

The Leader of the Alliance Party resigned last week largely because of pressure arising from his straitened financial position. It nonetheless indicated that he did not foresee any political movement which could mitigate this, such as a Northern Ireland assembly, being established in the near future.

3. The Nationalists

(i) The SDLP

The SDLP are in a very strong position, with three sitting MPs at Westminster and an overall improved performance at the June elections. John Hume has reiterated his call for negotiations without preconditions, while at the same time stating that the Anglo-Irish Agreement will have to remain in place. Hume insists that the Agreement is not a solution, per se, to the problems of Northern Ireland, but rather a framework within which, in time, a solution can be found.

In response to calls for a statement on the Task Force Report, Hume said that as the Report had not got the full support of the Unionist leadership, he was not prepared to comment on what was, after all, an internal Unionist document.

(ii) Sinn Fein

Following on their poor showing in the General Election in the Republic, Sinn Fein dropped by 2% overall in the Westminster elections - from 13.4% in 1983 to 11.4%. (The SDLP, on the other hand, showed a 2.8% gain - from 17.9% in 1983 to 20.7%).

The only area where Sinn Fein retained their support was in West Belfast, with the reelection of Gerry Adams. Sinn Fein's support draws on the social and economic deprivation which

is particularly acute in West Belfast. The absence of a strong SDLP presence has also allowed Sinn Fein to make inroads in the community at grassroots level. Notwithstanding this, Gerry Adams' personal majority was reduced from 5500 (approx) in 1983 to 2200 (approx) in June last.

Anglo-Irish Section
15 September, 1987.

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CONFIDENTIAL

Possible British initiative to exclude Sinn Fein
from elections in Northern Ireland

1. In 1985, Sinn Fein decided to contest local elections in Northern Ireland and won 59 seats. These took up their seats, a fact which led to much resentment among unionist councillors (sitting in the same chambers as "fellow travellers of the IRA" etc). Since that time, the British Government have been considering the introduction of measures to alleviate unionist sensibilities in this regard. There was a brief discussion on the issue at the first meeting of the Conference in December 1985.
2. The issue next became "live" in February 1987 when the Secretary of State briefed the Irish Joint Secretary about concrete moves he was planning about a possible initiative against Sinn Fein. He referred to the possibility of a requirement on prospective candidates for local elections making a declaration not to participate in, or support, organisations which were proscribed in Northern Ireland. The Taoiseach responded (via the Secretariat) negatively, arguing that such a proposal would hand Sinn Fein a propaganda bonus and would be counter-productive. No further action appears to have been taken by the British side at that time.
3. However, in July last, media reports began to reappear about a possible initiative against Sinn Fein and Mr. King himself conveyed the impression (in the media) that active consideration was being given to the idea. Through the Secretariat, it was confirmed that consideration was indeed being given to a consultative paper on the area with a hint that the Government's predisposition was towards a declaration of non-support for named violent organisations.

The Tanaiste sent a message to Mr. King indicating that he had strong personal reservations about any move in that direction, which he regarded as going into a cul-de-sac and counter-productive. We also pointed out to the British side that Sinn Fein would be likely to seek, and find, a way around any such declaration. Moreover, we made clear that prohibiting Sinn Fein in this way would bring into focus again the non-prohibited status of the UDA (which remains a non-proscribed organisation). We also conveyed the Tanaiste's personal view that even to publish a consultative paper would be inadvisable and we recommended the shelving of the entire matter for now.

4. Present position

The British side indicated in July that the proposed consultative paper was being planned for September and that we would be informed before any final decision was taken on the matter. Having submitted our views in July, we are awaiting a formal British response.

Anglo-Irish Section,
September, 1987.

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