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cc Mr Thomas
Mr Bell
Mr Leach
Mr Watkins
Mr Beeton
Mr Hill
Mr Lavery
Mr Maccabe
Mr Stephens
Ms Harrison
HMA Dublin
Mr Hallett, Dublin

Dr Smyth.
9 June 2/7.

MR LAMONT

CONSTITUTIONAL ISSUES: INTERNATIONAL LAW QUESTIONS

1. I was grateful to see a copy of Mr Hallett's note of 26 June, and yours to him of 27 June. I am quite content to rest on this as respects OSCE matters, at least until the matter is raised again. Perhaps I could mention two other points of international law raised by unionists, however.

2. I see that the UUP manifesto includes the passage:

The UUP believes that Eire's illegal territorial claim over this part of the United Kingdom can best be resolved in accordance with international law. "No country should engage in any activity which interferes with the sovereign equality, territorial integrity and political independence of the States" (Council of Europe - February 1995).

3. It would be helpful to know where this came from, and whether the UK signed up to it. What would the view be on the Irish claim in this context, if we were obliged to give one? Presumably that, though we believe the claim unjustified and invalid, it is not necessarily an interference with territorial integrity within the meaning of this instrument?

On 28 June in the 'conferring session', Mr McCartney raised another point. Arrangements under the Anglo-Irish Agreement, he said, were in violation of international legal principles about a minority within a host state. He alluded to a report apparently prepared under UN auspices in 1979: was it the Capo Torte report? Allegedly the report asserted that, while agreements between neighbouring states about such matters were to be encouraged, that was subject to two principles: that boundaries should be respected, and that the internal government of the host state should never be questioned. These principles were violated by the Anglo-Irish Agreement.

TALKS: BRIEFING FOR NI MINISTERS AND NI PERMANENT SECRETARIES

5. Again brief background would be welcome. We do not, I am sure, want to get into detailed argument about these matters, but it would be useful for Ministers at the appropriate time to have an outline of the position. There is no urgency.

You will recall that the background to this was a request from Baroness Denton's office for regular briefing on the Talks to be provided for NI Ministers. In my reply of 13 June I explained the Central Secretariat's role in acting as the contact point with the NI Departments on matters relating to the Talks.

A J Whysall

Baroness Denton's office have pressed the matter further and would like some more structured arrangement for regular briefing. While this appears to be a matter of particular interest to Baroness Denton, I imagine that the other NI Ministers would also welcome occasional briefings.

I raised the matter at Friday morning's (28 June) political stocktake. It was agreed that IPI Division would consider preparing a reporting minute for NI Committee to up-date them on progress in the Talks. Mr Thomas suggested that the reporting minute could also be copied to the NI Ministerial team.

It is likely that IPI will wish to put forward a reporting minute to NI by the summer break in the Talks. Further reporting minutes will be prepared along similar lines as the Talks progress.