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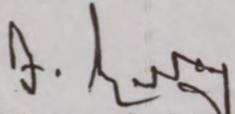
To: (1) Mr W Kirwan, Assistant Secretary
(2) Secretary to the Government

From: F Murray

All-Ireland Forum

I attach a draft note which I have prepared on matters for decision in relation to the Terms of Reference of the proposed All-Ireland Forum. In addition to questions which relate specifically to the Terms of Reference of the Forum, I have attempted to list some of the logistical problems as well as other relevant arrangements all of which will require further consideration before the proposed meeting of the Leaders of the Parties participating in the Forum. It is understood that this meeting will not take place before 11 April next.

The enclosed note has been prepared by way of an initial contribution to identifying the main items for consideration by the Party Leaders at their forthcoming meeting. The note does not purport to be exhaustive and further consideration will be given to the details of the arrangements involved in this initiative as required.


16 March 1988

Matters for Decision in Relation to the Terms of Reference of
the Proposed All-Ireland Forum

1 Objectives of the Forum

- "A Forum for consultations on the manner in which lasting peace and stability can be achieved in a new Ireland through the democratic process." [Govt.Statement of 11 March, 1983]
- examine the obstacles to the creation of a new Ireland;
- examine the obstacles to the coming together of the Irish people;
- consider and make recommendations on the arrangements required to meet the needs and aspirations of the two main political traditions on the island of Ireland;
- chart a course by which political progress in regard to Northern Ireland can be made;
- promote advance towards the aspirations and ultimate objectives held in common by the Parties represented in the Dail and by other democratic Parties throughout Ireland;
- Chart a course on the manner in which lasting peace and stability in a new Ireland can be achieved.

Note: See also terms of reference of previous All Party Committees on Northern Ireland (Appendix 1).

2 Who may participate in Forum

- "Participation will be open to all democratic parties which reject violence, and which have members elected or appointed to the Oireachtas or the Northern Ireland Assembly.
The views of other people of all traditions who agree with the purpose of these consultations and who reject violence will also be sought by the Forum." [Govt.Statement 11 March 1983]
- "The Forum will be open to all political parties, north and south, which share this objective, (lasting peace and stability in a New Ireland) which have members elected to the Oireachtas or the Northern Ireland Assembly and which reject violence" —
Minister for Foreign Affairs Limerick Speech of 11 March 1983.
- What is the position of independent Deputies and Senators (Deputy Blaney, O'Connell, Gregory, Senators Robb and TCD and NUI Senators who have not taken party whips) or of Parties who reject violence but do not have members elected to the

Oireachtas or the NI Assembly (IIP, Jim Kemmy's Party etc)? Presumably people in this category come within the definition of "other people of all traditions who agree with the purpose of these consultations and who reject violence" whose views will be sought by the Forum. This will obviously be a matter for determination by the Forum itself.

3 The Composition of the Forum

This, of course, is a matter for consultation between the Party Leaders and ^{for} decision at political level. Dail Committees are, as a general rule, constituted on the following basis in the current Dail:*

FF	FG	LAB	WP	OTHERS	TOTAL
45%	42%	10%	1%	2%	100%

(figures rounded to the nearest point)

The Department of Foreign Affairs memo of 22 February stated that the total size of the body should be large enough to provide sufficient Members for committees and sub-committees but not too large as to make it unwieldy. A minimum of 30 and a maximum of 50 Members was suggested.

On the basis of the votes which they received in the most recent elections here and in the North, the proportionality of the parties constituting the Forum (Dail Parties + SDLP) might be as follows:

FF	FG	LAB	SDLP	WP	OTHERS	TOTAL
42%	36%	9%	7%	3%	3%	100%

The figures for the Workers Party and Others will seem to be unduly generous, having regard to the number of seats obtained by each of these "parties". This is because the calculations have been made on the basis of the total 1st preference vote in each category. If the "Others" are excluded, the percentage figures would be as follows:

FF	FG	LAB	SDLP	WP	TOTAL
43%	37%	9%	7%	3%	99%

(figures rounded to the nearest point)

*See Appendix 2 for further details

On that basis, if the Forum were to consist of, say, 40 Members, its composition would, on the basis of strict proportionality, be as follows:

FF	FG	LAB	SDLP	WP	TOTAL
17 (17.2)	15 (14.8)	4 (3.6)	3 (2.8)	1 (1.2)	40

To give the SDLP larger representation, it would be necessary for the bigger parties to agree to forego some of the places to which they would be entitled ^{if the composition was determined} on the normal parliamentary basis. If FF and FG were to give one of their respective places to the SDLP, the position would be as follows:

FF	FG	LAB	SDLP	WP	TOTAL
16	14	4	5	1	40

It is likely, however, that the SDLP will be looking for more than 5 "seats" in the Forum (perhaps about 10 in all).

4 Reports

- It would be the intention that the Forum will report before the end of the year on possible new structures and processes through which its objective might be achieved. [Govt Statement 11/3/83]
- Should provision be made for minority reports?
- It would seem desirable that any recommendations arising from the work of the Forum should not be binding on any Party or participant (this was the basis of the 1967 All-Party Committee on the Constitution's report).
- Will decisions be taken on the basis of a majority vote and what will be the position of the Chairman in this regard?
- Will it be a matter for the Chairman to bring forward a draft report in due course?

5 Chairman

The need for an independent Chairman seems to have been accepted in the preliminary discussions between the Party Leaders. Agreement has yet to be reached on a nominee. It would be important that the appointee should be able to give his full time to his duties as Chairman. In this regard, the question of salary and/or allowances may well arise depending on the present position of the person selected for this Office.

6 Where will the Forum meet

This has yet to be decided. On preliminary consideration, both Leinster House and Dublin Castle would appear to be unsuitable for

variety of reasons. A Dublin venue would probably suit all of the prospective participants - proximity to Leinster House and Party Head Quarters in the case of the Oireachtas Parties/^{would be advantageous.} In this regard it will be necessary to agree pairing arrangements for the Members involved: there is a precedent here in the case of the Committee of Public Accounts special enquiry, Dec 1970 - August 1972)

The Leader of the Opposition has suggested the House of Lords chamber in the Bank of Ireland premises in College Green. These premises may not be readily available, however. It is not known whether this venue, if it could be made available, would have the necessary accommodation (including ancillary accommodation) which would probably be required for sittings of the Forum. Choice of this location would surely present the Bank of Ireland with considerable security problems. In any event, it could be contended that this, particular venue is somewhat grandiose and pretentious.

Other venues which might be considered are the Mansion House (Round Room perhaps), the ballroom in Iveagh House, the Office of the European Commission in Molesworth St (which was used for the Seanad General Election count earlier this year), City Hall or Dublin County Council's Council Chamber in O'Connell St (if the size of the Forum is not too big).

7 Financial implications

Will a special Supplementary Estimate be required and, if so, who will be responsible for this? Which Department will be responsible for the initial expenditure arising from this proposal. Will persons participating in the Forum who are not drawing salaries or allowances from the Oireachtas or the NI Assembly be paid in respect of their attendance at meetings of the Forum? Would this be on the basis of a fixed allowance or an attendance fee? The latter alternative would seem the best option.

Presumably, travelling and subsistence expenses will be payable to Members of the Forum in the normal way and witness expenses in the case of persons called before Oireachtas Committees.

8 Security Arrangements

These will require special consideration under a number of headings. Consultations with the Department of Justice and the Garda Authorities will be necessary as soon as plans for the Forum, in particular the choice of venue, begin to materialise. It would

seem desirable that the security authorities be consulted about some of the matters to be decided i.e. choice of venue for the Forum before hard decisions are taken.

9 Staff Resources

The question of who will act as Secretary to the Forum will need to be decided fairly soon, in the interests of getting the Forum under way at an early date. Who will provide the Secretariat for the Forum? It would seem most desirable, if not imperative, that the persons involved, in particular the Secretary, would need to be assigned full-time to the task - on secondment in the case of serving civil servants. (The 1970 PAC Enquiry and the 1975 NI Convention are precedents in this regard.) Reporting services will be required by the Forum as in the case of Oireachtas Committees and Committees of Enquiry under the Tribunals of Enquiry Act if the Forum decides to publish verbatim reports of its proceedings. The staff (and cost) implications could be very significant, depending on whatever decision is made.

10 Other Matters

How often will the Forum meet?

Will it have sub-committees or groups?

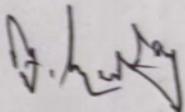
A Steering Committee composed of the principal Party Spokesmen might be useful to ensure that, as far as possible, deliberations are kept on the rails.

or outside experts if
Will the Forum have power to engage consultancy services ~~if~~ it so desires?

The Forum may need/wish to have its own legal adviser to advise on any legal/constitutional/procedural problems which might arise.

Will the Forum's proceedings be privileged?

Will the Forum have power to produce interim reports if these are considered desirable?



Roinn an Taoisigh

16 March, 1983

Inter-Party Committee on Northern Ireland/the implications of Irish Unity.

The terms of reference of the Inter-Party Committee on Northern Ireland/the implications of Irish unity agreed by the leaders of the three main parties in the Dail were as follows:-

"With a view to contributing to a peaceful settlement of the Northern Ireland situation it has been agreed to set up an Inter-Party Committee to establish the common ground between the parties represented on the Committee on the constitutional, legal, economic, cultural, social and other relevant implications of a united Ireland and to make recommendations as to the steps now required to create conditions conducive to a united Ireland."

All-Party Committee on Irish Relations

The All-Party Committee on Irish Relations was set up in July, 1973, and its terms of reference were as follows:-

"With a view to contributing to a peaceful settlement of the Northern Ireland situation, it has been agreed to set up an Inter-Party Committee to establish the common ground between the Parties represented on the Committee on the constitutional, legal, economic, cultural, social and other relevant steps required to bring about lasting reconciliation of all the people of Ireland so that conditions may be created conducive to a united Ireland; and, if thought appropriate, to make recommendations."