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*In Mr. Gifford's
notes sent to see to Govt
to Mr. S. O'Hanlon*

(21)

Meeting between Government and SDLP delegation, 4 May, 1992

Original on file 525541J

Summary Report

SECRET

The purpose of the meeting, from the SDLP side, was to co-ordinate their position with the Irish Government before tabling their specific proposals for institutional structures in the context of Strand I of the "Round-table talks" and to obtain assistance from the Irish Government in elaborating on the basic skeleton of their proposals as they had developed them.

These proposals, based on a European Community model, were outlined by Mr. Hume.

It was agreed that, following further discussions within the SDLP aimed at settling the party's approach and proposals, there should be co-operation between the party and the Irish Government on the preparation of a paper developing the proposals, the paper to cover, inter alia, justice and security matters.

The Taoiseach and Minister for Foreign Affairs expressed the view that the approach revealed in a British paper seemed to reflect lack of seriousness and radicalism in tackling the roots of the problem and, if persisted in, could only lead to a situation in which conflict would continue for another twenty years.

A fuller report is attached.

W. Kirwan

W. Kirwan
Assistant Secretary
Department of the Taoiseach,
13 May, 1992

SECRET

Meeting between Government and SDLP delegation,

4 May, 1992

1. A meeting between the Taoiseach and the Minister for Foreign Affairs, accompanied by officials, and an SDLP delegation took place in the Taoiseach's conference room in Government Buildings, at 3.30p.m. on 4 May, 1992. The members of the SDLP delegation were Messrs. John Hume, Seamus Mallon, Eddie McGrady, Joe Hendron and Mrs. Bríd Rodgers. Officials present were the Secretary to the Government, Mr. Dermot Nally and Mr. W. Kirwan, Assistant Secretary from the Department of the Taoiseach and Mr. Seán Ó Huiginn, Assistant Secretary, Department of Foreign Affairs.
2. After some preliminary exchanges about, inter alia, the results in Northern Ireland of the recent Westminster election and recent murders and their aftermaths, Mr. Hume said that his party had felt it timely to compare notes with the Government as Strand I of the round-table talks got down to real business. The party had a full discussion among themselves the previous week. They had decided that it would be pointless in the talks to go again through anything like the 10 weeks process last year but that it should rather be established early on in the process whether the talks would get down to serious business or not. In the talks, they had said to other participants that the first thing was to agree on what the problem is and then on how to solve it.
3. All the participating parties had put their analysis documents on the table. On the basis of these, the Business Committee and the British were preparing a

Realities and Requirements document. In their analysis document, the SDLP had stuck closely to the language of the New Ireland Forum report. He had put the question "do we agree that the talks are about accommodating two sets of legitimate rights which we had gone on to define in the terms of paragraph 4.15 of the Forum Report; and not to defeat any groups holding such rights. It seemed from the reactions that there was, perhaps, some interest on the part of the OUP and of Mr. Peter Robinson, in this analysis, which of course, implies that the problem transcends Northern Ireland. It was hard for them to disagree with this analysis but agreement would have certain logical consequences.

4. It appeared to the SDLP that the talks could now move on faster than might originally have been expected to discussion of political structures. If this happened, the party wished to be sure that the Irish Government agreed with the SDLP approach. This approach involved the separation of the Executive from the Legislature as was well known in many non-Westminster type systems of Government. As they saw it, if the Executive arises from the Assembly, it is controlled by the latter, where the SDLP would always be a minority. To follow a conventional British model would thus simply bring everybody back over old arguments.

5. Instead, the SDLP envisaged an Executive Commission, analogous to the European Commission. There would be 6 members, with 3 directly elected in Northern Ireland, with the Irish and British Governments appointing 1 member each and with the European Commission being asked to appoint 1 member, in order to help two Community Member States get out of the mire. Such an approach would serve to get the approach to solving the problem out of the rut of old problems and debates and would also be non-boycottable. There was also increasing awareness among unionists of the increasing importance of the European dimension and the exclusion of Northern Ireland

from the proposed Cohesion Fund had sunk home to them.

6. Each Government Department would be headed by a member of the Commission: the party had proposals on this aspect. The Commission could initiate legislation, with both the Irish and British parliaments having consultation rights. An Assembly could be elected under either of two models which they were still considering (1) by direct election from the existing Westminster constituencies or by indirect election from the corpus of District Councillors in Northern Ireland. The latter possible approach partly reflected reservations they had about providing at all for any Assembly. Mr. Mallon indicated here that he would be extremely reserved about anything based on District Councils. Mr. Hume said that the body would, at the beginning, have only original, basically consultative, powers of the original European Parliament but its powers could evolve, if and as it gradually demonstrated its increasing sense of responsibility.
7. There would also be provision for a Council of Ministers between North and South in Ireland. They wished to get to and through the substance of Stage I, as soon as possible, since their proposals clearly had considerable implications for Strands II and III.
8. The Taoiseach opened his response by commenting adversely on the paper drawn up by the British which seemed to lack seriousness or radicalism in tackling the roots of the problem. To persist in an approach on the lines of the paper would lead to another 20 years of conflict. Mr. Hume agreed. If the discussions were to focus on that paper, the parties would be back to arguing over every line of it. The Taoiseach asked how the SDLP saw the way to get over such a danger: Mr. McGrady said: "bypass the paper".

9. Mr. Mallon said that in his view, the ideas in the draft SDLP paper needed to be worked out very carefully, with all the implications, and put down on paper, as an agreed paper of the party and the Irish Government, before the SDLP put forward any paper on these lines in Stage I. It was also necessary to cover justice and security matters.
10. Referring to the respective roles envisaged for the Commission and the Assembly, the Taoiseach asked did this reflect a distinction between matters that were sensitive and potentially contentious and those that were not. Mr. Hume responded that some questions had not been worked out, as yet. The relationship between the Commission and the Assembly had not been fully worked out. The approach to justice and security had been discussed within the party but proposals had not yet been put down on paper. In their view, the Council of Ministers - between South and North - should administer security.
11. Mr. Mallon commented that one very important matter raised by the proposals was that of fiscal relationships. If the Irish Government were to appoint a member to the Executive Commission the question would inevitably arise as to whether the South would make a financial input. Mr. McGrady commented that quite a lot of flesh needed to be put on what was still very much a skeleton outline of the SDLP approach. They needed to have a range of options on each significant question. They were faced with considerable risks in regard to Stage I: if they agreed provisionally on something in Strand I and the Unionists then backed out when it got to later strands, the SDLP would be left with a major job of explanation to its electorate. There would be a full line-up of all other parties involved - other than the Irish Government - against the SDLP approach. It was

necessary, therefore, to know fully, in detail, what one wanted, because there would be no opportunity to move back to the status quo ante.

12. In response to the question from the Taoiseach as to the SDLP's assessment of what would be the ultimate destination of the talks process and also of British aims and intentions, in the light of the recent Ministerial appointments to the Northern Ireland Office, Mr. Hume gave it as his opinion that the British wanted to get a solution to the problem. An advantage of the talks process was that senior British civil servants are sitting listening for the first time to what the different parties say. In his view, the talks would either get, rather soon, to the point of agreeing what the problem was - or would not get to this point at all. Thus, it would be necessary to clarify and work up the SDLP proposals speedily in consultation with the Irish Government. They needed, for example, to clarify their minds on the role of the Executive Commission. The British would also ask such questions as "Who pays"? "Are you still in the U.K. for purposes of taxation, public expenditure etc"?
13. Mr. McGrady said that if the British are unable to get a solution or see this as an outcome, there may be an interest for them in transferring the problem from Westminster back to Northern Ireland.
14. Mr. Mallon did not share any optimistic view of British objectives and motivations. He did not interpret the appointments of Messrs. Mayhew and Mates in a positive way nor feel that they bore out any view that Prime Minister Major had a serious interest in promoting a permanent solution.
15. He said that the British and the Unionists will know,

once SDLP proposals broadly on the lines outlined, are tabled, that the appointment of an Irish Minister to, in effect, the Government of Northern Ireland, would breach British sovereignty and would be the beginning of the end of partition. Mr. Hume said that his party were considering as one option, the idea of proposing a pause after the 'Realities and Requirement' phase, so as to give them time to undertake the further necessary development of their proposals. They had a team drafting a document. There was a need for Irish Government representatives to get together with this group to work and flesh out a paper. Following positive comments by the Minister for Foreign Affairs and some suggestions by Mr. Ó Huiginn, there was agreement that, following further discussion within the SDLP aimed at settling the party's approach and proposals, there should be co-operation between the two sides on preparation of a paper, which, it was agreed, should cover justice and security matters.

16. Some discussion followed on comments by a senior British Army officer on the drawbacks of static checkpoints. It was commented that it was generally accepted that the security value of these was low and that they were retained for cosmetic, political reasons. Reference was made to ways of pursuing the question of their merits/demerits - through the Anglo-Irish Parliamentary Body, through P.Q.s on the cost of maintaining/repairing/defending them and through the Ministerial Conference under the Anglo-Irish Agreement. Mr. Mallon suggested that the Irish Government should check and consider what its own army was doing and the utility of it. He had made a rough calculation that in a recent period, the Irish Army had spent 76,000 man-hours in covering British operations related to static checkpoints. Recent Irish security force successes provided a good platform for querying with the British

the utility of the whole approach involving static checkpoints.

W. Kirwan

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Assistant Secretary
Department of the Taoiseach
13 May, 1992