

An Chartlann Náisiúnta
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cc Molly Clancy AT
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Re Messrs 3/4

Messrs., Teahon, Mansergh & Dalton, Ambassadors London & Washington; Joint Secretary; Counsellors A-I

46 21/8.

Mr. Dermot Gallagher
Second Secretary
Anglo-Irish Division
Department of Foreign Affairs

00-322-230 5312
Maurice Biggar, Brussels

Dear Secretary,

Call to the Foreign Office

George Fergusson, the Head of the Republic of Ireland Department at the Foreign Office, yesterday invited me to come in during the afternoon to discuss a number of current issues. The approach was friendly in tone, and Fergusson offered the alternative of this morning. Nevertheless, I had the sense of being "called in" in my capacity as Chargé d'Affaires.

The meeting lasted an hour and a half and touched on a range of subjects. It was clear that Fergusson was speaking in the light of a meeting held at the NIO earlier in the day. Fergusson was accompanied by his colleague Robin Shackell.

The service in Omagh on Saturday afternoon

Fergusson's main focus of interest was the level of attendance at tomorrow's service in Omagh. Acknowledging that there have already been contacts on this subject in Dublin, he set forth the argument that the families must be given "space" and that senior figures such as Heads of State and Prime Ministers might find themselves out of place at Saturday's events. Fergusson sought to imply that high level attendance at the ceremony would be unwelcome to locals.

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Fergusson said that an announcement is to be made in the near future, probably within less than twenty-four hours, concerning a "formal" memorial service in the first half of September. This will be attended by the Queen and the Prime Minister. It will take place either in the Catholic Church in Omagh or "if certain repairs cannot be completed in time", in a venue such as St. Anne's Cathedral in Belfast. Fergusson speculated that an announcement of this kind would enable the Taoiseach and the President to withdraw from the ceremonies at Omagh on the grounds that an official memorial service was now planned.

I said that I was sure we would be glad to be consulted about the timing, venue, and other aspects of an official memorial service, but that this did not seem to me to alter the arguments in favour of a high level attendance in Omagh on Saturday. I said that we had conscientiously taken soundings with opinion in Omagh and had found no evidence of the negative sentiment to which Fergusson had referred. The contrary was the case.

After some discussion on differing attitudes to bereavement and funerals in Ireland and Britain, I emphasised two points to Fergusson:

* the Taoiseach's plans and the President's plans have already been announced. A number of substantive meetings and encounters are likely to take place on Omagh against the background of urgent current efforts to move the peace process forward

* in recent days a picture has formed in people's minds of people North and South standing shoulder to shoulder to reject extremists. Cross border contacts are helping to create this picture, and therefore the climate in which violence will be repudiated definitively.

Fergusson then placed the emphasis on the possible embarrassment that could be caused to the Prime Minister and the Queen if it were to be suggested in the media that they have been less concerned at the sufferings in Omagh than their Irish counterparts.

I responded that as far as I am aware the Prime Minister and the Royal family have received nothing but praise for their gestures of sympathy. The goal of the Good Friday Agreement was to create a context within which reconciliation can take place within Northern Ireland and between North and South. Steps towards reconciliation are happening before our eyes. As this happens there is an unavoidable asymmetry between the respective roles of Irish and British political

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figures. I said I could not see British figures attracting criticism on grounds of protocol.

Fergusson tacitly acknowledged that his concerns related more to the royal family than the Prime Minister. He said that a visit by the Queen or a senior royal to Omagh on Saturday is not practicable and might involve arrangements on such a large scale as to detract from the ceremony itself. To send a less prominent member of the Royal family might appear inadequate if President McAleese is present. Fergusson wondered whether we could consider "a compromise" under which the Taoiseach would attend on Saturday but the President would not.

I said that I was uncomfortable with the word "compromise" in a matter of this kind. Fergusson accepted this. I went on to say that as far as I was aware the President intends to travel to Omagh, something which many people would find easy to understand given her personal background. I undertook to report Fergusson's arguments to Dublin.

Comment: I thought that Fergusson sought to imply during our conversation that the attendance of the Taoiseach and the President in Omagh is in some sense in the gift of the British government. I think he will have understood from the tenor of my responses that I was deliberately not taking this point. Fergusson noted carefully my remarks about the soundings we have made regarding opinion at local level in Omagh.

Messines

Fergusson and Shackell wanted to discuss the commemoration ceremony which will be held at Messines on 11 November. They said that the tower will be finished on time and underlined that the British side have made a contribution in kind - in the shape of technical help from Northern Ireland - equivalent to a significant cash contribution. The main point of their presentation, however, was that the Queen already has commitments on 11 November in Paris and at the Menin Gate, in the latter case at sundown which on 11 November is at 5.10 pm. As a consequence of this the Queen cannot spend more than fifteen minutes at Messines on that day. Fergusson pleaded for our understanding on this point. He explained that 1998 is probably the last significant anniversary of the armistice at which veterans will be present and that the Queen's programme is already heavily loaded.

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I said that I could understand this point and would be glad to report it home. On foot of Paul Murray's recent letter to the Embassy, I suggested that London and Dublin should now ask the Belgian protocol to take overall responsibility for the arrangements at Messines, although of course in close consultation with ourselves and other interests.

Fergusson and Shackell were persuaded of the merits of this approach but said that like me, they would need to consult with colleagues before "signing off". Fergusson suggested that within a few days we might be in a position jointly to approach the Belgians to ask them to take responsibility for arranging a "modular" ceremony in which the importance symbolic presence of the Queen would be confined to fifteen minutes but in which the President might choose to have a more extensive involvement.

Status of Embassy London and the new secretariats

Fergusson said that he wanted to raise with me a potentially significant "confidence building measure" concerning Ireland's "diplomatic profile" once the Agreement "goes live". Fergusson said that the idea came from "someone in the circle of David Trimble". It did not come from the First Minister himself or from "HMG".

Fergusson said that the proposal has two aspects. First, the Irish Ambassador in London would undertake direct responsibilities in Northern Ireland. According to Fergusson, this has been precluded up to now by Articles 2 and 3. Secondly, we could examine the status of the future Maryfield and North-South secretariats. In crude terms, what was the basis on which Maryfield had access to duty free supplies? Fergusson said he was speaking informally and would appreciate an informal reaction from me.

I said that the ideas he was floating would be reported to Dublin and that I could only respond personally. My personal reaction was one of serious hesitation. Within the spectrum of Nationalist opinion there is a strong sense, reflected in the prospective revision of our Constitution, that there can be a coming together on the island of Ireland. Equally there is an expectation that the British government, without relinquishing its responsibilities as a government, will look favourably on any progress that can be achieved in North-South relations and will even want to facilitate such progress. I could therefore not see us agreeing to put our relations with the North on a footing analogous to our relations with Scotland and Wales.

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It could also lead to misunderstandings if the British government started to push proposals tending in this direction - and which moreover are not contained in the Good Friday Agreement.

Fergusson reiterated that he was not pushing a British government proposal but reporting on a possible confidence building measure. He suggested that the implication of what I was saying was that we would not want to appoint a Consul General in Belfast but that we might see merit in giving the new secretariats some status under the Vienna Conventions. Resuming the jocular tone of his earlier reference to duty free supplies, Fergusson said that it needs to be asked what would happen to a secretariat member who parks on a double yellow line.

I said that it was wrong to imply that the application of the Vienna Conventions to the Irish government's role in the North had been brought up by me or countenanced by me. I said that the Embassy's current attitude to engagement in Northern Ireland is not a purely legal issue, but a political one. I wondered how a secretariat which is in part answerable to the Northern Ireland administration could be understood as a diplomatic mission. In promising to report to Dublin on Fergusson's approach, I pointed out that the Maryfield secretariat is already engaged in "outreach" to the Unionist community, and that confidence building vis-a-vis the Unionists was a major factor in the recasting of the secretariat under the Agreement.

The Secretariat of the new British-Irish Intergovernmental Conference

Fergusson said that he had been asked by the NIO to pass on a fairly serious concern that the "house-hunting" for a secretariat headquarters to replace Maryfield is proceeding too slowly in the light of the absolute deadline of December for vacating the current premises.

I undertook to report this. I stated that whatever about the present, transitional, or future accommodation of the officials in question, the Maryfield secretariat as an institution must legally remain in existence until the new Agreement "goes live".

Civil service rules

Under "any other business" we had a brief discussion of the 1996 ruling restricting the access of Irish citizens to posts in the British civil service. I said that apart

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from the basic issue involved, it seems from representations made to the Embassy that the precise reach of the new rules is less than fully clear. Fergusson agreed that this is an issue that should remain on our bilateral agenda. He indicated on a personal basis that he would be disposed to take up sympathetically any proposals we are in a position to make in due course.

Concluding comment

At least in recent years - my own experience goes back to 1994 - our extensive dealings with the Foreign Office on Northern Ireland have been unstructured and relatively informal. I am not sure whether to infer from yesterday's "summons" from George Fergusson a change in the Foreign Office approach. Yesterday may simply have been a once-off occasion to underline a particular point.

I noted, however, the fairly overt suggestion, to which I did not lend credence, that British official acquiescence should be sought for high-level cross-border visits, as well as the introduction of a new idea, which Fergusson seemed to want to plant on me, that we should now re-examine our relations with Northern Ireland in the light of the norms of the Vienna Conventions.

Yours sincerely,

Philip McDonagh

Philip McDonagh
Counsellor
Chargé d'Affaires a.i.

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