

An Chartlann Náisiúnta
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For: HQ **From:** Belfast
For: Secretary Gallagher **From:** Joint Secretary

Mr Cooney

Subj: Preparations for Wednesday's meeting of Assembly

1. We are told that the Secretary of State and her colleagues are reacting to the election outcome with a mixture of emotions. On the one hand, they are relieved that there will be a workable basis for Assembly decision-making (though the majority on Wednesday for the election of the First Minister and Deputy First Minister could be tight). On the other hand, they have some apprehensions about the pressures facing Trimble, as signalled in weekend statements by Donaldson and others, and the UUP leader's capacity to withstand these .

2. In arithmetical terms, they see no particular cause for concern. With the anti-Agreement element in the Assembly expected to total some 27/28 votes, the pro-Agreement forces should be in a position to get all votes through.

3. It is expected that Roy Beggs jr., Peter Weir and probably Pauline Armitage will not back Trimble for First Minister on Wednesday. A point of concern is the extent to which the anti-Agreement people may be able to rattle others in the UUP, whether privately or publicly, in the run-up to Wednesday's vote. (The NIO regard as entirely plausible the scenario, mentioned by Frank Millar in today's Irish Times, of McCartney seeking to maximise the anti-Trimble vote on Wednesday by asking questions about the intentions of the UUP and SDLP leaders in relation to Sinn Féin participation in the Executive).

4. We have requested a detailed read-out on the NIO's view of the election outcome and hope to obtain this later today, together with their assessment of potential "waverers"

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within the UUP component of the Assembly.

5. A matter to which the Secretary of State is devoting some attention today is the question of who should be the initial Presiding Officer and Deputy Presiding Officer for the Assembly. While the NIO had been leaning towards Sean Neeson (or possibly Seamus Close), Lord Alderdice has since intervened to make clear that, if Alliance is to have this post, he alone should fill it. At the same time, the SDLP have been pressing a candidate of their own, Alban Maginnis (even though no marker on the latter's behalf was put down by John Hume in a conversation with the Secretary of State about this and other matters on Saturday afternoon).

6. The plan to have Hugh Smyth as Deputy Presiding Officer has come unstuck with Smyth's failure to win election to the Assembly. An option being considered informally is an Alderdice/Maginnis combination, with the former as Presiding Officer and the latter as his deputy (though it is recognised that there will be very little substance in the post of Deputy Presiding Officer).

7. It had been hoped that an announcement could be made today by the Secretary of State on this subject. In view of the difficulties which have arisen, however, final decisions are not likely to be taken until tomorrow.

8. As for the interim Standing Orders which were sent to the parties last week, a number of comments have been received over the past few days (though we are told that Trimble, preoccupied by the election outcome and Drumcree, has shown little interest in the matter so far).

9. The SDLP are content to establish a "House Committee" which would deal with practical matters over the summer but wished to postpone the establishment of a formal Business Committee. This has been agreed to by the UUP. It is also agreed that a committee will be established to consider the Standing Orders.

10. Sinn Féin complained that the draft circulated by the Secretary of State does not provide for the Assembly to proceed at its first meeting to the appointment of Ministers designate. The NIO have taken the line, however, that, as they were the only party to seek this, the draft Standing Orders should not be amended in this respect. (The SDLP's position is that they want an assurance that Ministers will be

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appointed by September and we have again been told that the British Government supports this position - "as soon as possible in September").

11. Sinn Féin also proposed a series of minor changes designed to protect minority rights. Most of these, we are told, have been accepted. However, a suggestion that it should be made clear in the Standing Orders that the use of Irish in the Assembly is permissible has not been accepted. The NIO's thinking is that the Clerk of the Assembly might advise the Presiding Officer to rule in favour of this. The background, we gather, is that the Secretary of State is sympathetic in principle but does not wish this to become a focus of controversy in the initial Standing Orders which she is required to supply. (Note: We have been discussing this point with the British side recently and have passed over a briefing note supplied by the Department on the practice in the Oireachtas; the Secretary of State is also looking at what is envisaged for the Welsh Assembly).

12. In commenting on the draft Standing Orders, no party had any difficulty with the idea that there would be ten NI Departments in addition to the First Minister and Deputy First Minister.

13. The intention is to leave the question of junior Ministers for decision by the Assembly itself - on the grounds that, as no substantive work would be done by Ministers during the shadow period, there is no practical need to consider the appointment of juniors until the Assembly has come formally into existence. As for political advisers, the suggestion being put forward by the NIO is that these also should be appointed only at the point where the Assembly proper comes into existence (i.e., they would not be placed on the Assembly's payroll until then).

14. I attach a copy of the initial Standing Orders as revised last Friday in the light of comments received from the parties. We understand that a text very similar to this is to issue to the parties later today.

15. The agenda for Wednesday's opening meeting (which begins, we understand, at 2.30 pm) is set out in Annex A to the attached document. The NIO find it very difficult to make predictions at this stage about how matters will proceed. While the agenda is in itself fairly light, there is ample scope for Paisley, McCartney and other anti-Agreement members to disrupt the proceedings with points of order, tirades about

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Drumcree and a variety of attempts to demoralise Trimble and to thwart the election of the First Minister and Deputy First Minister.

16. As regards media speculation that Alliance might describe themselves as Unionists for the purpose of the required "designation of identity", we are told that no pressure is being applied by the Secretary of State on this point. This is mainly because there is no pressing requirement for a move of this kind in arithmetical terms. It also, however, because of a presumption that Alliance would be extremely loath to take a step which many would regard as amounting to political suicide.

17. We will keep you posted on all further preparations for Wednesday's meeting

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