

PUS/ 59/MLR

(Mr. Brennan)
y PDX

cc Mr Bloomfield M
Mr Brennan X
Mr A E Stephens X
Mr Carvill X
Mr Chesterton O/R
Mr Innes X
Mr Merifield M
Mr Bell *

* with Mr Stephens' minute of 2 Oct

Note for the Record

ANGLO-IRISH AGREEMENT : IMPLEMENTATION

PUS held a meeting in Belfast yesterday to discuss the practical and administrative aspects of implementing an Agreement, if signed. Mr Bloomfield, Mr A W Stephens, Mr Carvill, Mr Innes and Mr Merifield were present. The meeting had before it Mr Stephens' minute of 2 October.

Inter-Governmental Committee : Location

2. PUS explained that the first meeting of the Committee would take place some days after the Agreement was signed; it could therefore be a focus for protest. It was agreed that the Stormont Castle Conference Room, with its previous associations, would not be an appropriate location. Alternatives were Hillsborough or the Stormont House Conference Room. The advantages of these two locations were finely balanced: Hillsborough had ceremonial associations as opposed to the House's more executive aura, but Hillsborough might be more susceptible to large-scale protests. On balance the meeting favoured Hillsborough.

Joint Secretariat : Location

3. A number of alternatives were suggested for office and domestic accommodation: both would require security and a relatively low profile. Offices in Stormont Castle or House were clearly not

possible for political reasons. In the short-term there was unlikely to be an ideal solution. Using part of an existing building, such as Dundonald House, could bring the Irish too easily into contact with other staff, who might also resent their presence. Temporary office and domestic accommodation, isolated from other buildings on the Stormont Estate, was a possibility. It would not be desirable to provide too lavish accommodation at least initially. It was agreed that Mr Merifield would convene a working group, which should include suitable representatives of BPP, RDE, LOS and the RUC, to consider the possibilities within the Stormont perimeter and to make recommendations. The group should also consider the provision of appropriate services, including communications.

Joint Secretariat : Guidance to Departments

4. PUS said that he was clear that comments, views and proposals from the Irish side of the Secretariat should always be channelled through the British side of the Secretariat in the first instance. The Irish should not be allowed to think that they could intervene directly with Departments and their supporting agencies. It was recognised, however, that the Irish would seek to establish informal contacts with a range of public and semi-public bodies and influential members of them. These bodies would inevitably look to the Government for some guidance in their contacts with the Irish, but it would be difficult to ensure uniformity particularly with bodies whose links with Government were more tenuous. Nonetheless it should be made clear that the Irish members of the Secretariat were not part of the Government and need not be given the access which Government officials would normally expect. If the Irish made independent approaches, public bodies should be advised to seek the guidance of their sponsoring department.

5. Guidance to departments would need to include advice on the appropriate point in the decision-making process at which to seek Irish views and comments. The existing rules on consultation with the Assembly could serve as a useful guide. It was agreed that, like the Assembly, the Irish would not have a right to prior consultation in advance of other interested parties. If the Irish

took up individual cases or complaints, they should not be allowed to circumvent established procedures and legal processes. Guidance would also be required on matters, such as intelligence sources and negotiating positions in the EC, which should not generally be disclosed to the Irish.

6. In the light of this discussion, PUS asked Mr A W Stephens to refine the examples attached to his minute of 2 October in the form of a note which could be passed to Mr Barry by the Secretary of State and which could form the basis for agreement with the Irish on the Secretariat's working practices. An additional example should be provided on the consultation process with the Irish over appointments. Mr Bloomfield agreed to produce draft guidance to the NI departments and their non-departmental public bodies, which could be circulated immediately after Parliament approved the Agreement. This could also form the basis of a guidance note circulated in the NIO. Both sets of guidance would need to be discussed with NIO(L).

Jonathan Stephens

JONATHAN STEPHENS

PS/PUS

3 October 1985