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From: J W Thorp
Date: 19 August 1992
cc: R J Alston Esq,
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Mr Harney
21/10

ASST MM 488/8
25 AUG 1992

Ms Gallagher
Mr McKervill o/r
HMA o/r

CONVERSATION WITH MARY HARNEY, MINISTER OF STATE FOR THE ENVIRONMENT, ON 18 AUGUST 1992

Ms Harney
Cross border talks file?

Visits to Northern Ireland

1. When I mentioned our plans for TDs to visit Northern Ireland, and that it was taking some time to set these up, Ms Harney welcomed this initiative. Few TDs except those living in border constituencies had any direct experience of Northern Ireland. But there might some who would balk at a visit organised by the Embassy or the NIO. Perhaps we should ask Cooperation North to sponsor such visits. I said I doubted whether that body would be willing to sponsor something which was organised by or at the behest of the NIO.

2. Ms Harney also suggested that we should consider inviting County Councillors. It was easy to underestimate the political influence which they wielded in the Republic. When I asked what would be the reaction to an invitation to the chair of, say, Dublin County Council to send an all-Party delegation to Northern Ireland, she thought it would be positive. There was a good deal of interest in developments in Northern Ireland in eg housing and the environment. (Comment. I think we should concentrate on getting the BIIBP to give their blessing to visits by TDs, but when the outcome of that is known we should consider a visit by County Councillors. I assume that NIO would not have any overriding difficulties of principle or practice in such a visit (subject of course to funds being available and programmes being agreed).

Northern Ireland

3. O'Malley had debriefed Ms Harney on the talks sessions he had attended. He had been strongly critical of the DUP's performance. If the DUP's performance reflected that in previous sessions of the talks, he was "amazed" at the patience of both the Chairman and Northern Ireland Ministers in having to listen to them sounding off at great length on Articles 2 and 3, which he did not regard as being at the heart of the matter. Nor had he been impressed by the quality of (as well as the

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substance) of their contributions. He thought very highly of Sir Ninian Stephen's handling of Strand 2, and the Secretary of State's interventions. He had no complaints about the UK handling of the talks.

4. According to Ms Harney, O'Malley would be prepared to agree to the amendment of Articles 2 and 3 as part of an overall package. Ms Harney added that the Irish had to have something for the Nationalists, in order to counterbalance any amendments.

5. O'Malley now realised that the talks process was likely to go on for longer than had been anticipated earlier. If it did, he was thinking of asking her to deputise for him.

6. Ms Harney was not optimistic about the outcome of the talks, though she recognised that there were major pressures on all the parties to keep them going. If the present generation of leaders failed to produce a solution, they would not get another chance.

Ireland Internal

7. Ms Harney confirmed that TDs of all parties, including Fianna Fail, had left for the summer holidays in a bad mood as a result of the decision to limit increases in their pay and allowances. They thought they deserved more; TDs, particularly those with children, could not manage on their present salary. TDs' anger was directed at the Cabinet, rather than the Minister for Finance; most of them realised that he was merely the messenger of bad news. Many back benchers felt that the Cabinet, with their official cars and Ministerial allowances, was out of touch with the realities faced by TDs. (Note: in Ireland TDs' salaries are fixed by Ministerial decree, a Dail vote).

8. We talked about the pending Supreme Court decision on Justice Hamilton's (Chairman of the Beef Tribunal) application to force Ministers to disclose details of Cabinet discussions about beef exports. Ms Harney said she understood that the Supreme Court might not support Justice O'Hanlon's decision in favour of the application. If that was the case, the opposition was likely to propose a motion of no confidence in the Attorney General for having sought to uphold the confidentiality of Cabinet discussions. The PDs would have little choice but to vote for the opposition and the Government could be in danger.

9. However if that hurdle was overcome, she did not think the Beef Tribunal's findings, nor the budget, would split the coalition. The PD's would do badly in the elections and the probability was that the Government would soldier on until the Autumn of 1993.

Comment

10. Ms Harney's expectation that the Supreme Court would uphold the Attorney General is not shared by other sources. Maurice Manning told me the same day that he had spoken to Justice O'Hanlon recently. The latter had initially thought that the Supreme Court would not uphold his judgement, more recently, opinion seemed to be moving in his favour (Manning thought the article in the Irish Times by Garrett FitzGerald had been very influential). But the delay in reaching a decision could indicate that the decision would be a close one. We shall know soon enough.

(Signed)
J W Thorp

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(Signed)
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Dept of Transport