



An Chartlann Náisiúnta National Archives

Reference Code:	2019/31/45
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Overview Note on Intergovernmental Conference,
Belfast, 18th October, 1989

(NO 5)

General

1. We should not see Wednesday's Conference as a make or break one. From discussions to date, it seems clear that progress is achievable in a number of areas, including on the vetting of UDR members, on the circulation and retention of sensitive security material and on the issuing of plastic bullets to the UDR. In addition, public opinion is seeing a direct relationship between the searches of UDR homes (and the subsequent prosecution of members of the regiment) and the political pressures put on the British Government in the last two Conferences.
2. The general SDLP view, gleaned in a series of meetings and contacts over the weekend, is that, while Ministers should put maximum pressure in all areas on the British, it will not be seen by the nationalist community as unreasonable, given the complexity and long-standing nature of many of the issues (role of the UDR, collusion, etc.), if the desired degree of progress is not achieved on Wednesday. What is important is that the agenda is moved forward and that there will at least be some positive results from the Conference.
3. The essential question to be assessed, therefore, is whether we consider that the British will move far enough on Wednesday for us to be able to present the outcome as at least an interim response to our requirements.

Possibly achievable Package

4. The British are likely to agree to the following being included in the communique:

- (a) strong language on the unacceptability of leaks and collusion and total determination to ensure that anyone guilty of these offences is dismissed from the forces and the full rigour of the law is used against them;
- (b) forthcoming language on vetting of new (and existing?) members of the UDR and on the conditions for the circulation and retention of sensitive security documentation;
- (c) helpful language on the conditions for issuing plastic baton rounds to the UDR. At our meeting in the Secretariat on Thursday, the British indicated that patrols can be issued with plastic bullets only on the specific authority of the UDR Battalion Commanding Officer (a regular officer of Lt. Col. rank), and that this authority may not be delegated. In effect, this - together with the guidelines for issue being given to the Commanding Officer - would seem to mean that the likelihood of the UDR ever actually being permitted to use plastic bullets is remote. In addition, we received a signal from the British side on Thursday that, if we pressed, they might agree that clearance for issue might also have to be given by the RUC;
- (d) forthcoming language about the importance of the Stevens enquiry, and perhaps about the desirability of its early conclusion. It is highly unlikely that the British would in any circumstances agree at the Conference to a wider (judicial) review. However, it may well be that language could be found which would say that we have proposed such an enquiry and that the British will consider it (or the Conference will return to it) when the Stevens enquiry has reported. We would have to consider whether such language, if it were acceptable, would go far enough in signalling publicly

our sense that the scope of the present enquiry is inadequate. In this regard, the British indicated to us last Thursday that, while Stevens' findings on organisation matters would not be formally published, its non-confidential aspects would be made available to the House of Commons and to Ministers in the Conference.

Accompaniment

5. It is highly unlikely that the British will make any concession on the role of the UDR. We may be able to find language for the communique which would reflect our position on this fundamental issue - it has to be anticipated, however, that if we push for such language the British will be equally insistent on a balancing statement reiterating their support of the UDR.
6. An unknown fact at present is how far the British are willing to go to meet us on accompaniment. In his interventions at the last Conference, it appeared (see for instance p. 30 of the report) that the aspect on which the Secretary of State saw progress possibly being made was in relation to sensitive areas. He suggested that a "dialogue" be set up "at official level to see if there is an opportunity there". We made no progress at official level on this on Thursday but we have had signals from the British subsequently that they would wish to return to the issue.
7. The potential here is that, if we could agree with the British what constituted a sensitive area (and perhaps establish a hierarchy or gradings of sensitive areas), we might be able to push them on the progressive implementation of accompaniment in those particular areas. Realistically, however, the most that might be expected from the Conference at this stage is a decision that a working group would be

established in the Secretariat to draw up a report, for submission to an early Conference, on (to quote the Review language) the "further effective development of the policy" of accompaniment, with particular regard to the implementation of the policy in sensitive areas. We would have to make it perfectly clear - at the Conference and in subsequent briefings - that we expected this approach to yield concrete results in a very short time-frame.

Cross-border Cooperation

8. The Conference will also consider the question of the development of cross-border projects, with a view to seeking European Community support for such projects. There could be quite useful language on this in the communique.

Dermot Gallagher,
16 October, 1989.

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