



## An Chartlann Náisiúnta National Archives

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ASÁID NA hÉIREANN, LONDAIN



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Moio

Mr Mc Carthy  
H. K. 29.9.89.  
29/9

27 September 1989

Mr Dermot Gallagher  
Assistant Secretary  
Department of Foreign Affairs

Dear Assistant Secretary

BIA: discussions about the future administration of NI

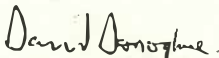
Further to reports already provided on last weekend's BIA Conference, the following is a note summarising the discussions about the future administration of Northern Ireland (which took place primarily within a working group devoted to this topic).

1. The conclusion reached by the Rapporteur of the working group was that continued direct rule was an inadequate solution, there was a general desire to make political progress and the positions of the various parties in this regard were slightly more flexible than they had been last year.
2. This relatively optimistic view was based largely on the responses given by the Unionist and SDLP participants to a formula suggested by one participant as a means of overcoming the Unionists' refusal to talk while the Agreement remains in place. The formula envisaged that the British Government, in consultation with Dublin, would formally indicate its readiness to "enter into talks with the parties in NI on the basis that, if the talks produced an agreed alternative to the Agreement, the outcome of the talks would be embodied in a new Agreement". Asked how Unionists would react to this proposal, David Trimble (a QUB law lecturer and hard-line Unionist) replied: "I don't know". Mark Durkan (SDLP) found the formula broadly acceptable, though he had reservations about the wording. The fact that neither rejected the formula out of hand was considered highly significant by some members of the group.

3. However, when it was put to the Secretary of State (who took part in the group's discussion), the latter reacted cautiously. He indicated that he had been encouraged by the NI leaders' acceptance of his recent invitation to talks. While he understood the SDLP's reluctance to put proposals to the Unionists, it would be helpful nevertheless to have something in writing in order to ensure that SDLP proposals do, in fact, exist. He would like to see if there is something on which the parties can agree. If, however, he judges that there is less than a 50% chance of success in this regard, "I won't go down that road". There is, after all, "a political price to pay for failure". He would instead use his time more productively by focussing on NI's economic development and the attraction of new investment.
4. On the assumption that talks might in some way be launched, much of the group's discussion focussed on the form of devolution likely to command cross-community support. The Unionists present (Trimble and Raymond Ferguson) suggested that a system of administrative devolution, backed by improved Westminster procedures for NI business, would be acceptable to Unionists. Mark Durkan, who preferred to use the term "regional administration", observed that administrative devolution (i.e., a system of committees, on which the parties would have proportional representations, which would have administrative, but no legislative, powers) would have some drawbacks but would also have one important advantage: as it clearly falls well short of the usual definition of "government", it might be acceptable (for different reasons in each case) to the Unionists, the SDLP and the Irish Government. Ian Burns pointed to the possibility of a blend between administrative and legislative devolution. He also noted (as did Ken Bloomfield in the plenary session) the incompatibility between any form of devolution and the improved Westminster procedures which Trimble was advocating.
5. Trimble and Ferguson claimed that the Irish Government had not been pushing the SDLP hard enough in the direction of devolution talks. I replied that this was entirely a matter for the SDLP; and, furthermore, that a restrained attitude on Dublin's part could only be of benefit as it gave the NI parties maximum room for manoeuvre in any discussions which may take place. Mark Durkan (SDLP) echoed these views. He added that, in the light of Trimble's emphasis on the Irish Government's role, the SDLP's insistence on a Dublin dimension in any future arrangements was entirely justified.
6. Ian Burns echoed the latter point, finding it impossible to conceive of discussions about the future administration of NI without simultaneous discussions on relations with the Republic. Both he and Sir Robin Butler (Cabinet Secretary) accepted broadly the point made about the desirability of restraint on Dublin's part in relation to devolution talks. They argued, however, that it ought to be possible for the Irish Government to encourage the process of talks without necessarily becoming involved in their detail.

7. David Trimble also demanded the removal of Articles 2 and 3 of the Irish Constitution. However, Raymond Ferguson and others of Unionist hue dismissed this as irrelevant. Mark Durkan speculated that amendments to the Articles might eventually be conceivable as part of a comprehensive settlement in NI.
8. In the course of discussion, David Trimble also criticised the British Government, alleging that the Unionist leaders' proposals of January 1988 had been ignored. This produced a testy response from Ian Burns, who recapitulated events in detail and suggested that the Unionists had behaved dishonestly. There were negative reactions by both Trimble and Durkan to suggestions that the Unionist proposals might now be conveyed formally to the SDLP and that the latter might also produce their own document. Durkan wanted direct talks, not an exchange of documents, between the Unionists and the SDLP. He urged the Unionists to talk to Dublin with a view to satisfying themselves about their future relations with Dublin. They should consider a Forum-type exercise for the purpose of preparing this dialogue.
9. From the outset, the integration option was dismissed. Laurence Kennedy of the North Down Conservatives tried to win support for his cause but it was rejected (by, among others, Trimble and Ferguson) as flying in the face of political realities. It is worth mentioning, however, that, in a private conversation which I had with Kennedy and John Cope, Minister of State at the NIO, Kennedy predicted a decision in his favour at next month's Tory party conference and Cope nodded in agreement, saying that "it's going to happen".
10. Finally, the absence from the conference of three DUP representatives who had originally accepted the invitation (Robinson, Wilson and Dodds) was noted. There was some speculation that the trio intended to present Paisley in the next fortnight with a proposal for a Unionist Forum and that, in these circumstances, the need to avoid irritating the DUP leader (by their attendance at the BIA meeting) was paramount.

Yours sincerely



David Donoghue  
Press and Information Officer