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M. J. C. G. 91
AN RÚNAÍOCHT ANGLA-ÉIREANNACH

BÉAL FEIRSTE

M. K. M. 22/4
ANGLO-IRISH SECRETARIAT

BELFAST

CONFIDENTIAL

17 April, 1991.

Mr. Dermot Gallagher,
Assistant Secretary,
Anglo-Irish Division,
Department of Foreign Affairs.

Dear Dermot,

Role of Secretariat during the Gap

I refer to my Secure Fax of 10 April and to our discussions with British Officials in London on Friday last.

Brian Nason has mentioned to me that his opposite number, Marcus Dodds, made the following points to him here last Friday. It is worth observing that these points - and other indications we have had recently from Dodds - give a stronger flavour of British intentions than conveyed to us at more senior level. Dodds said it was expected:

- that Alston would be involved in the talks full-time and would not be engaged in Secretariat business;
- that he, Dodds, may move to an office in Stormont for the period of the gap;
- that the third ranking member, Steven Pope, will be formally transferred from the Secretariat immediately after the next Conference (as conveyed to us previously);
- that it may not be possible to continue at all with the holding of briefings in the Secretariat and that insofar as these might occur, they would have to take place elsewhere (this is stronger than conveyed to us at more senior level);
- that it would not be appropriate for the Secretariat to participate in visits by our Ministers to the North where their visits might be seen as involving exchanges on matters that are now being considered under the Conference Agenda; Dodds mentioned, as an example in this respect, the forthcoming visit of the Minister for Agriculture on 23/24 May for talks and a visit to the Balmoral Show; he said the "sensitivities of those involved" would not permit a Secretariat presence.

In discussion of the next Conference today (reported separately) the tendency of British thinking was again shown by a suggestion that the preparations for the Conference ending the gap might, as one option, be handled through channels other than the Secretariat.

As we have already reported, it is clear to us here that the Northern Ireland Civil Service expect a running down of the operation of the Secretariat during the gap, consistent with the Unionist view that since the only specific function allotted to the Secretariat under the Agreement is to service meetings of the Conference, there is nothing for it to do under the Agreement during the gap. Of course, this is not the case. As we have reminded the other side, the agreed text on the Secretariat refers to the servicing of Conference Meetings, a phrase deliberately chosen by the British in discussing a formula with the Unionists a year ago. Under Article 3 of the Agreement, the Secretariat has in fact the task of "servicing the Conference on a continuing basis in the discharge of its functions as set out in this Agreement" and it is this permanency of the Conference, its functions and its Secretariat that give the lie to any suggestion of suspension. If the British were seen to act along the lines they now envisage, it would confirm the Unionists in their view that they had succeeded in having the Agreement suspended in all but name.

What has already been proposed by the British side, leaving aside what has been suggested informally by Dodds, is clearly dangerous and goes back on undertakings given during the discussions between the two Governments. The following extract from the Department's note of a Meeting with the British on 25 May, 1990 gives the terms of the proposed understanding on the Secretariat which the Minister subsequently accepted with reluctance:

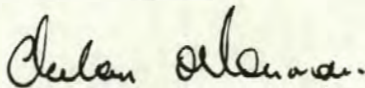
Burns emphasised that the agreed formula on the Secretariat is a fig leaf and the Unionists know it is a fig-leaf. Molyneux had gone out of his way to say that "we know full well you'll be continuing to have meetings under Articles 8 and 9 (a) of the Agreement". The Secretary of State, while not showing the precise formula to the SDLP, had assured them categorically that there would be no staff reductions in the Secretariat and no diminution of activity there.

I reported along similar lines on separate conversations with Burns in my letter of 24 May, 1990; and on the same day you reported Hume as saying that Brooke had told him "there would be no interference of any kind with the Secretariat".

I have said nothing further to Robert Alston on the subject since we have made our views plain here previously and at the Meeting of Officials in London last Friday and since the British side are due to come back to us in Dublin on Monday next. I very much doubt if the answer that will be given will be satisfactory and I think it may be necessary for us to take immediate action thereafter at political level. I have gained the impression

from indications here and from what was said to us last Friday in London that the British side not only think they can act unilaterally in regard to preparations for the talks but have also been encouraged by the success of Mr. Brooke's final formula to think they can get back to trying to bounce us into acquiescence in their policies, as they were attempting last summer.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Declan O'Donovan', written in a cursive style.

Declan O'Donovan