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Reference Code:	2021/93/46
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SECRET

Government Meeting with SDLP.

23rd April, 1991

SDLP Approach to Talks

1. The SDLP held a meeting on Saturday (18th) at which all the party's key players (except Mallon, who was abroad on holidays until Sunday) were present. On the basis of a presentation by Hume, the party agreed its overall approach to the first two strands of talks (the SDLP see the third or East-West strand as being a matter exclusively for the two Governments). This agreed approach will now be worked up into formal papers and presented to a further special meeting of the party on Monday next (29th April).

(i) CURRENT SDLP THINKING

Define Identities

2. The initial SDLP approach will be to present a paper which, through defining the two identities on the island (along the lines of the Forum Report), will seek to achieve agreement by the parties on the scope and nature of the problem to be confronted and resolved.

Council of State

3. Following discussion (and hopefully agreement) on the scope and nature of the problem, the SDLP would go on to present a paper which would propose a Council of State to take over part of the present responsibilities of the NIO. The Council of State would be made up of six members, three elected in the North on the same basis as at European elections, a representative each of the two Governments and an EC Commissioner. (In our initial paper at official

level, a summary of which is in the brief, we envisaged the establishment of a similar body but referred to it as a Governing Commission).

Senate

4. Hume has moved from the idea of a directly-elected Assembly (to a certain degree because, being directly-elected, such a forum might become too arrogant and difficult to control) to that of a Senate whose members would be elected by the votes of Local Councils (Hume mentioned in this regard that the SDLP have 121 out of a total of 560 Council seats). He believes that the election of a Senate along the above lines would also have the effect of giving enhanced status to Councils in the North, which might make the proposal more attractive to Molyneaux and the UUP.

Local Bodies

5. In addition to continuing the role of existing local bodies, such as the Health and Education Boards, the SDLP intend proposing the creation of a number of Development Boards, which would operate under the Council of State. These new Development Boards, which would be made up of nominees by Local Councils and by the Council of State, would have responsibility for areas such as planning, roads, etc. They would also cooperate directly with Southern Councils on EC issues, with, in relevant cases, joint cross-border bodies being established for this purpose.

Security

6. The SDLP are also considering proposing the separation of civil and security policing in the North. This might mean the establishment of a number of regional civil police

forces in the Six Counties. On the other hand, the party envisage responsibility for security policing coming under the Council of State and being organised on an all-island or trans-border basis.

(ii) INITIAL COMMENT ON SDLP APPROACH

(a) Substance

7. Some of Hume's current thinking is quite similar to that contained in the initial paper prepared at official level in the Department. However, it is still in quite general terms - it is not clear, for instance, what range of powers the SDLP envisage being exercised by the Council of State nor what powers might be devolved to the new Northern Senate.
8. There are however a number of respects in which we would be cautious about SDLP thinking as it appears to be developing. Given our strong criticisms of Local Councils in Northern Ireland, we would be hesitant about giving them a crucial nominating role in a new Northern Ireland Senate. (We have just submitted a lengthy paper in the Secretariat underlining the discriminatory practices in the majority of Local Councils). It is by no means clear that any effective cross-community approach would operate in such a body: the SDLP controls only four out of twenty-six Councils and presumably this would be reflected in Senate nominations.
9. On security, it would seem premature for the SDLP to put proposals (especially on non-civil policing) on the table at an early date; this whole area would first need to be considered in detail by Justice; moreover, the timing of any proposals we or the SDLP might make in this area would

need to be considered carefully in the light of the developing discussions.

(b) Tactics

10. As to tactics, the basic SDLP problem will be to participate in a serious and workmanlike way from the outset (and not leave themselves open to the charge of simply passing the time until the second strand begins) while, at the same time, not being drawn into the detail of internal structures in isolation. In the circumstances, the SDLP would seem well advised to table a series of papers which will be seen to be analytical and constructive rather than immediately getting down to the detail of new institutional models.
11. In line with this general tactical approach, we would agree with the SDLP intention of initially presenting a paper on the scope and nature of the problem and seeking agreement on this. However, rather than moving directly from this analysis paper to actually putting proposals on the table, there would seem to be considerable tactical merit in interposing a carefully drafted paper on what might be called the necessary Criteria for responding to the problem. These criteria would of course be designed to lead logically on to the recommendations contained in the proposals ^{PAPER} to be tabled subsequently (an initial draft of a possible Criteria paper is in the brief).

(iii) OTHER ISSUES

Venue for Second Strand

12. At the last meeting of officials (London, 12th April), the British side said that, while they would ideally like to settle the venue issue at an early date, they believed it

might be easier to secure agreement when the first strand was under way and the commitment to the process by all the parties, particularly the Unionists, had been strengthened. This approach is worrying; the fact is that, unless we (and the SDLP) insist on a venue being agreed in advance of talks getting under way, we are likely to find ourselves with a weak negotiating hand on this question the closer we come to the start of the second strand.

13. At today's meeting of officials, however, the British took on board our concern about the need to arrive at a very early - and equitable - solution on the venue for the second strand. We proposed a ceremonial opening in a Northern venue of historical significance for both traditions (e.g. Armagh) and thereafter a rotation between Dublin and a Northern venue (but making clear that we did not rule out a rotation between Dublin and London if this were suggested). The British assured us that they would brief the Secretary of State fully on our concern and suggested that the matter might be discussed between Ministers at the tete-a-tete at Friday's Conference in London.

Reimbursement of Delegates

14. The British have proposed that they should reimburse delegates to the talks for loss of earnings, etc.; this has been accepted by the Unionists and the Alliance but rejected by the SDLP.
15. We have argued to the British that, as both Governments are jointly involved in this exercise, the practical arrangements, in particular for the second strand, should reflect this. We have proposed, therefore, that there should be a joint budget and cost-sharing arrangement for the second strand.

16. The British, at today's meeting of officials, seemed to move towards our proposal for a global budget for the second strand, to be shared equally between the two Governments. If agreed, this would mean in effect that the Unionists would continue to submit their claims for reimbursement through the British side, while the SDLP claims could be processed through us.
17. It may also be possible, if need arises, for the Government to assist the SDLP with ~~expenses~~ incurred in relation to the first strand. (There is already a partial sanction in place which enables financial support to be given to the SDLP - in 1975 the Minister for Finance approved the payment by the Department of the Taoiseach of travelling expenses in respect of visits to Dublin by the SDLP to meet members of the Government. Consideration might now be given to extending this, as necessary, to cover SDLP expense in participating in the talks process).

Government back-up to SDLP

18. The SDLP have indicated that they would welcome as much back-up support from the Government as possible. Already, officials of the Department of Foreign Affairs have met the SDLP coordinating team (Denis Haughey and Seán Farren) and a further meeting is taking place on Tuesday night (23rd) in Cookstown.
19. Tim O'Connor, who is well-known to the SDLP, has been brought home from the Embassy in Washington for the talks. He will liaise with the SDLP on the ground in Belfast and is fully available for drafting papers, etc. He might be based, with SDLP agreement, in their headquarters in Belfast.

20. Secondly, if the Government agree, we can hand over this week the following draft papers, which have been prepared here, for use as they wish by the SDLP:
- (i) Scope and Nature of the problem;
 - (ii) Criteria required to respond to the scope and nature of the problem;
 - (iii) How North is losing out in an EC context;
 - (iv) Bill of Rights;
 - (v) Likely approaches of Unionist and Alliance parties to talks.
21. We are also working on (a) responding papers to proposals likely to be advanced by the Unionist and Alliance parties at the internal talks, and (b) a paper on possible powers to be given to a Consultative Assembly or Senate (modelled in significant part on the European Parliament).

Anglo-Irish Division
21 April, 1991.