

C O N F I D E N T I A L

UNDER/ 639/4
SEC

30 APR 1991

CENT SEC

HCS/51/91

FROM: D FELL
DATE: 29 APRIL 1991

cc: PS/PUS (B&L) B
Mr Pilling - B
Mr Ledlie - B
Mr Thomas - B
Mr Hamilton - B
Mr Alston - B
Mr A Wilson - B
Mr D J R Hill - B
Mr Cooke - B
Mr McNeill - B
Mr R Wilson - B
Mr Dodds - B

NI PERMANENT SECRETARIES

ANGLO-IRISH CONTACTS: ARRANGEMENTS DURING POLITICAL TALKS

1. The purpose of this note is to advise colleagues of the principles and procedures which should apply throughout the duration of the political talks, scheduled to begin on 30 April and to last for at least 10 weeks.
2. The agreement with the participants in the talks is that the Inter-Governmental Conference will not meet during that period and so the Anglo-Irish Secretariat will not be required to service the Conference. As you are aware however there is a much wider range of Anglo-Irish contacts than simply preparing for and servicing meetings of the Conference. As a matter of principle, those activities should continue, but should be handled in as sensitive a manner as is possible. The following guidance is given to help colleagues consider how best to handle a variety of bilateral contacts. It is difficult at this stage to identify all the possibilities which might occur during the period of time but Nigel Hamilton has continuing responsibility in Central Secretariat for

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Anglo-Irish co-ordination and would be happy to discuss any particular issue with Departments. The existing instructions about Anglo-Irish contacts are quite clear and were emphasised again in Sir Kenneth Bloomfield's note of 11 February 1991 to Permanent Secretaries (relevant extracts attached as Annex A).

- individual casework issues;

Ministerial Contacts

- forwarding relevant Press Releases.

3. There would clearly be sensitivities surrounding proposed meetings between respective Ministers, either in Northern Ireland or in the Republic. Visits already confirmed by the Secretary of State will proceed but no further meetings should be encouraged during the talks. Should any such need arise, it would be necessary for a Minister to have minuted and obtained the prior approval of the Secretary of State at an early stage. Topics to be discussed should, as a general rule, be non-controversial, meetings should not be held at Maryfield and should, as far as possible, avoid contentious issues which may have been discussed at recent Conference meetings. It would also be important to know, in advance, which ROI officials will be accompanying a Minister on a visit to Northern Ireland. If colleagues become aware that officials from the Irish side of the Secretariat propose to attend, there should be immediate consultation with Central Secretariat. In general, we would wish to discourage such attendance.

meeting or contact which may be controversial, have a higher than usual public profile, or a wider than usual participation (outside official contacts); then it would be important to consult with Central Secretariat.

Correspondence

4. The normal procedures for information passing through the Secretariat will continue, with all papers being channeled through Central Secretariat. This will include, inter alia:

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- requests for nominations about public appointments;
- publication of legislation, prior advice on major projects, policy announcements etc;
- individual casework issues;
- forwarding relevant Press Releases.

Should Departments have any such material it should be forwarded to Central Secretariat for onward transmission.

Official Contacts

5. There continues to be a wide ranging series of contacts at official level between North and South. Many of these originated outside the formal terms of the Agreement. Irrespective of the timing or means whereby such contacts were initiated, they should continue in a practical though prudent way. Any meetings already arranged should continue; any regular meetings should continue; and any meetings which are required to discuss technical or administrative issues should be arranged. Decisions not to proceed with such meetings should be taken for normal Departmental reasons and not because of the current political talks. If however any official is concerned about any meeting or contact which may be controversial, have a higher than usual public profile, or a wider than usual participation (outside official contacts), then it would be important to consult with Central Secretariat before any arrangements are confirmed. This would also apply to social contacts, particularly invitations to Maryfield.

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Policy Discussions and Presentations

6. This is one of the more difficult and sensitive areas. If for reasons of timing, understanding of detail etc, it is felt essential to have policy meetings with officials from the Secretariat, please consult Nigel Hamilton. While it is important to continue with business already begun, where possible, presentations and discussions on policy issues should be held elsewhere, other than Maryfield during the period of the talks. Such meetings will normally be arranged through Central Secretariat in Stormont House or Stormont Castle, although it may also be appropriate to have such meetings in London or Dublin. It would not be appropriate during this period for officials from the Irish side of the Secretariat to be invited to or attend meetings at Departmental Headquarters or other Departmental locations. Again Central Secretariat will be willing to offer advice and guidance on each individual case.

Announcements of New Policies and Projects

7. As a general rule, new policies can be announced, draft legislation published, projects and programmes announced and facilities opened formally during the period, particularly if they are non-controversial. It is largely "business as usual". There may however be subject areas which could be controversial in the context of the talks. In such circumstances, Ministerial submissions to the Secretary of State seeking approval to such policy changes should also include reference to the methods and timing of the proposed public handling, if it is scheduled before mid July. All such submissions should also have the following copy list:-

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PS/PUS (B&L)
PS/Mr Fell
Mr Pilling (B&L)
Mr Ledlie
Mr Thomas
Mr Hamilton
Mr Alston
Mr Cooke
Mr Wood

Any Other Issues

8. Any other issues not covered by this general guidance which could lead to difficulties and may be of interest to other Departments could be raised directly with me at my regular meetings with Permanent Secretaries during the talks process. In cases of doubt, colleagues should err on the side of seeking advice from Central Secretariat. It would be important for colleagues to alert Central Secretariat in good time to enable due consideration to be given to any particular matter.

(SIGNED)

DAVID FELL

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ANNEX A

Bilateral Contacts

1. There is no intention that consultations through the Conference or the Secretariat should supersede or replace the continuing network of bilateral contacts between Departments in Northern Ireland and the Republic. It is important however that Central Secretariat should be aware of significant bilateral contacts so that a comprehensive picture of such contacts may be maintained. It would be helpful if you could remind senior colleagues to advise Nigel Hamilton of such contacts. This would also apply to proposed Ministerial contacts.

2. I should assure colleagues that there is no intention of Central Secretariat imposing itself unnecessarily in bilateral contacts between Departments or at briefings involving the Secretariat where officials from the British side of the Secretariat would be in attendance. There may however be occasions when a Central Secretariat presence would be necessary because of the wider involvement of relevant officials on the Irish side. Departments should, in the first instance, consult with Nigel Hamilton or Reg Wilson to ascertain if such a presence is necessary.

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