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Reference Code:	2018/68/52
Creation Dates:	19 December 1988
Extent and medium:	3 pages
Creator(s):	Department of the Taoiseach
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AN RÚNAÍOCHT ANGLA-ÉIREANNACH

ANGLO-IRISH SECRETARIAT

BÉAL FEIRSTE

BELFAST

21 December 1988

*Taoiseach,
It would seem
necessary to have a stock taking
meeting on Anglo-Irish and
N.I. matters fairly soon. cc*

6/1/89

*PC 4
Mr Waddy / P 24
Mr Mathews / Mr Trauseen
Mr Russell
(P) Connelley A /
Jax*

Mr. Dermot Gallagher
Assistant Secretary
Department of Foreign Affairs

SEEN BY
TAOISEACH

Meeting on the Review

Dear Assistant Secretary

We had a meeting on the Review in Maryfield on 19 December. The British side was chaired by the British Joint Secretary, Mr. Oliver Miles. He was accompanied by Mr. Peter Bell, Assistant Secretary in charge of Conference issues at the NIO London and, by Mr. Robin Masefield, British Deputy Joint Secretary. The Irish side was represented by the undersigned, Mr. P. Collins and Ms. Anderson from the Department.

We began by referring to the Communique of the November Conference and stressed the concern of the Irish side that work on the Review was not further advanced by now. We faced a heavy burden of work early in the New Year, if, as it was assumed, the Review process was to be completed around February. Irish Ministers had been very careful to meet the sensitivities of the Secretary of State regarding his endeavours to draw the unionists into dialogue. However, this should not preclude substantive work at official level. We recalled the proposals we had made on a series of subcommittees to deal with the various articles of the Agreement and asked that early meetings of these should now be convened to start work in earnest.

The British side responded that, while they were prepared to get the preparatory work underway, they wanted to stress the Secretary of State's continuing concern about the political side of the Review. Officials were under instructions not to discuss areas of major political concern until the submissions had been received from the political parties. They expected to receive a submission from the Labour Party via Kevin McNamara and from the Social and Liberal Democrats via Paddy Ashdown. However, this would not prevent them starting on a review of mechanisms and on the preparation of an article by Article Review. There were, however, some issues of substance which it would be difficult to make progress on at the moment.

Subsequent discussions left us with a distinct impression that they still see the Review as a minimalist, possibly even perfunctory exercise. They mentioned that there was a request by Tory backbenchers Ian Gow, Julian Amery and others for a debate on the Agreement in the House of Commons. This request was likely to be acceded to (possibly towards the end of January). The Secretary of State would probably avail of it as a way of getting the views of the House as an input into the Review process.

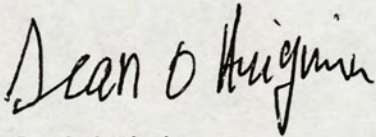
Mr. Bell mentioned that work was ongoing on a statement on the achievements of the Agreement as envisaged by Mr. King at the November Conference. We indicated that we would welcome a positive statement along these lines. They knew our concerns about the impact on nationalist opinion of delinking practical achievements from the work of the Conference and it would be helpful to correct that tendency, however belatedly. Mr. Bell indicated that they would still be wary of attributing decisions to the Conference and seemed to be thinking of fudging the issue, on the lines that the 'better atmosphere produced by the Agreement had made progress possible in a number of areas'. From other remarks on the British side it seemed that they may be considering this approach for the Review as a whole. We cautioned again that the Irish Government saw the Review as a substantive stocktaking which should lead to a future programme of work to restore the credibility of the Agreement in the eyes of nationalists.

We had a long discussion on procedural issues. They accepted the idea of a review group or core group, meeting in the Secretariat, to organise and coordinate meetings of officials to draft assessments of work to date under the various articles of the Agreement. They felt that structures should not be over-elaborate, since there would be a very considerable overlap of officials between all the meetings. These meetings should provide elements for a draft report, which should be short and concise enough to be read at Ministerial (or Prime Ministerial level). The structures we had put forward were not necessarily the most efficient way of tackling this. There was also the consideration that they still awaited the clearance of the Secretary of State to engage discussions in the areas they saw as having political substance. We recalled that the Secretary of State had indicated the end of the year as the deadline for receiving the views of the unionists. Once this deadline had passed we assumed that Mr. King could have no difficulty about addressing the basic political issues for consideration under the Review. For practical reasons we were now in any case talking about meetings in January. The British officials were less clearcut about this deadline than Mr. King had been, either for lack of instructions or because Mr. King may want to keep open the option of extending the period. After further discussion it was agreed that meetings on Articles 3 (mechanisms), 6 (public appointments) and 10 (cross-border economic cooperation) would be scheduled for the week beginning 9 January. In relation to other Articles (e.g. 2, 5, 7, 8 and 9), the British said they would like to reflect further before making a final decision. They took note of our request that meetings on these other areas should be scheduled for the week beginning 16 January.

While the meeting did secure agreement to begin official work at least on the more self-contained articles of the Review immediately after the holiday period it also provided further clear indications that the British want to avoid any deep engagement in a substantive review of the Agreement. They have no doubt calculated that delay in beginning the review process is likely to serve their objectives in this regard by limiting the amount of time available for the exercise. This attitude requires us to take a strategic decision about the Review. The bland exercise they seem to envisage would almost

certainly be seen by nationalists as a confirmation that the Agreement has become marginalised and could pose problems of credibility both for the Agreement and, by extension, for Government policies to the extent they rely on it. The alternative of a substantive review requires, firstly, a political decision by the Government on the objectives they wish to attain from the exercise and, secondly, the probably difficult exercise of persuading the British to accept our approach. It would be very helpful to have political guidance on this issue as early as possible in the New Year.

Yours sincerely



S. O hUiginn
Joint Secretary