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Reference Code: 2004/21/625

Title: Report by D Nally of the Department of the Taoiseach and S Donlon of the Department of Foreign Affairs of their meeting with Ulster Unionist Party leader Brian Faulkner on 26 October 1973, mainly in relations to the proposed Council of Ireland.

Creation Date(s): October, 1973

Level of description: Item

Extent and medium: 8 pages

Creator(s): Department of the Taoiseach

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1. Mr. Brian Faulkner, Leader of the Ulster Unionist Party, met Mr. D. Nally, Assistant Secretary, Department of the Taoiseach, and Mr. S. Donlon, Counsellor, Department of Foreign Affairs, for about 2½ hours at Mr. Faulkner's residence in Northern Ireland on 26th October, 1973. The meeting took place at the request of the Taoiseach, conveyed to Mr. Faulkner by Mr. Nally, following an indication from Mr. John Hume to Mr. Donlon on 19th October that Mr. Faulkner would like to meet officials from Dublin to get an outline of Dublin's proposals on the Council of Ireland. The atmosphere of the meeting was very friendly throughout. As soon as we arrived, we had a working lunch during which aspects of our background thinking and his in relation to the Council were exchanged, our main proposals were outlined and some brief discussions took place on the general question of contact between Mr. Faulkner and Dublin and on the appearance by both the Minister for Foreign Affairs and himself on a Late Late Show link-up between Dublin and Belfast on 27.10.'73. After lunch, Mr. Faulkner was given the text of our proposals on the Council, as contained in the document entitled "The Possible Functions and Structures of a Council of Ireland". We told him that the document had been given only to the British Government and now to him but that an outline of its contents had been verbally conveyed to the S.D.L.P. and the Alliance Parties. He glanced quickly at it, said he would study it in detail that evening and we then continued our discussions. The following account of the meeting as a whole does not attempt to record the views on the subjects discussed in the chronological order in which they took place and naturally reflects in greater details the points made by Mr. Faulkner rather than those made by us.

2. In the general presentation of the document, we emphasised that the proposals were based on four main considerations:-

- the need to achieve a reconciliation of the Irish people.

A Council could contribute to this by providing the same sort

of opportunity for contacts between North and South as the Assembly and Executive could provide between majority and minority in the North. It could in this sense provide a channel for the aspirations of a majority of the Irish people and thus remove the basis of support for politically motivated violence;

- the need to provide security for a majority in Northern Ireland, both by removing the support for violence and by using the Council as a vehicle for tackling security problems;
- the economic advantages which would accrue to all of Ireland by assigning to a Council functions which were now being separately carried out in Dublin and Belfast but which would obviously be more effectively done on an all-Ireland basis;
- the need to ensure that a Northern Ireland majority would in effect have a veto on the decisions taken by the Council - this would be done by giving equal representation to Belfast and Dublin on the Ministerial Body and by ensuring that decisions would be taken on a unanimous basis - and that the representatives of a majority of the Northern Ireland people would determine the timing and way in which the Council would evolve.

3. The main points made by Mr. Faulkner in relation to the Council of Ireland were:-

- (i) it should be inter-Governmental, i.e. Dublin/Belfast but should definitely have executive functions from the beginning. These functions would be exercised on the basis that Ministers would decide on a course of action at the Council, go back to their respective Governments for approval and if that approval were forthcoming from both

sides, the decisions would then be carried out by the Council's secretariat;

(ii) one of the main initial functions of the Council should be to institutionalise co-operation on security matters in order to cope with violence from whatever source it came. Before 1971, there had been close and effective co-operation between the Gárda and RUC Special Branches. Perhaps moves could now be made, in the context of a Council, to set up an all-Ireland Special Branch. He asked what our proposals were in relation to policing and common law enforcement and seemed to show a particular interest in this question. We replied by saying that our proposals, as yet undeveloped, were that the Council should have a role in the area of policing provided that this function in relation to Northern Ireland was devolved to it by the British Government and that a common court system be established under the Council of Ireland for certain offences connected with political violence. When Mr. Faulkner said that it would be difficult to get all offences to which a court system North and South would apply equally we said that initially at least the offences concerned would probably be those involving violence. Legislatively getting these together could be quite a limited operation;

(iii) if the Council were to have a parliamentary body, there would be a grave danger that wreckers on both sides would not only make it totally unworkable, no matter what type of voting system was devised. In addition, some of the backbenchers of the parties represented in the Executive would use the parliamentary body in a way which might in effect impede progress which would otherwise be possible at the ministerial body. We discussed these and Mr. Faulkner's other objections to a parliamentary body in some detail and pointed, inter alia, to the need for politicians on both

sides to have a forum in which to meet and, hopefully, learn to trust one another. We also pointed to the need to provide as wide a basis as possible for the aspirations of the Northern Ireland minority and suggested that it might be easier for them to identify with a Council which also had a parliamentary body. It was emphasised in particular that by providing a forum for attention and debate, a parliamentary body could take public support away from violence as a means of achieving political ends. Mr. Faulkner suggested that consideration might be given to setting up a north-south inter-parliamentary union on the lines e.g. of the Commonwealth Parliamentary Union and though he was not familiar in detail with the workings of this Union, he felt it was primarily a political-social talking shop;

- (iv) in regard to the secretariat of the Council, he hoped that it would not become another massive bureaucracy;
- (v) the use of the words "reconciliation" and "Council of Ireland" would not make it any easier for him to sell the concept of a Council to his supporters. "Reconciliation" was seen simply as another word for "reunification" and "Council of Ireland" was inevitably linked with the concept of a council contained in the Government of Ireland Act 1920;
- (vi) he did not see any need for a Council to have a role in relation to human rights. That area was more than adequately covered by Northern Ireland legislation and institutions. Indeed safeguards were probably better in Northern Ireland now than in most countries and it was up to the Republic to do whatever it saw fit to do in relation to its own territory. He himself saw no objections to any particular code of human rights which might be in force in the south. If the people of the south wanted a code to provide for a particular approach to moral questions that

was a matter for them and it was certainly none of his business or that of a Council.

4. It was agreed that if Mr. Faulkner had any queries in relation to the document left with him or required further elaboration on any point, he would contact Mr. Nally.

5. On the contacts between Dublin and Mr. Faulkner, we took the initiative in raising with him the question of press reports this week indicating that there was already some contact in existence and explained that these reports were based on briefings by officials who had no knowledge of the proposal for to-day's meeting and who had in mind the meeting which the Minister for Posts and Telegraphs had recently had with some members of the Unionist Party. Mr. Faulkner remarked that the reports, especially one in the Evening Herald, mentioned his name but he did not dwell very long on the subject and seemed in general to accept our explanation. He did, however, strongly emphasise the need for absolute secrecy. He would not be telling any member of his party about the meeting - and there were obviously precautions in operation to see that no one saw us with him. He enquired if Mr. Hume was aware of the meeting and we said that he was not. He also made it clear that he wanted no channel of communication with the Unionist Party other than that now established. If we wished to ensure that the Unionist Party got any general information or other material which might be helpful in its research work, we should address it to Mr. Peter McLachlan at Unionist Party Headquarters. Mr. Faulkner noted our offer to provide background, factual material on any particular topic - we told him we had, e.g. a survey of existing north-south co-operation which we would send him - which would be of interest.

6. Two visits to Northern Ireland which the Minister for Foreign Affairs proposed to make, one to meet Protestant community groups in Belfast on 28th October and one to participate in a BBC TV

programme on 31st October, were then mentioned. In relation to the 31st October visit, we said that he was hoping in the course of the visit also to meet S.D.L.P. and Alliance Groups but before we had a chance to enquire about the possibility of a non-secret or secret visit to Mr. Faulkner and/or any other members of his party, Mr. Faulkner intervened to react very negatively to such visits being made by any Ministers from Dublin at present. The inter-party talks were at a delicate stage and these talks would include discussions on a Council of Ireland. He had a very difficult task to perform in selling the idea of any Council to his party and a series of visits by Ministers at the moment would tend to give the impression that the takeover by Dublin had already begun. We undertook to convey these views as a matter of urgency but pointed out that the Minister had already committed himself firmly, particularly in relation to the 31st October visit.

7. In reply to questions about how he saw developments in the immediate future, Mr. Faulkner said that he envisaged that speaking optimistically, the Executive would be formed by the end of November, that in forming the Executive his party would give a definite commitment to move rapidly towards setting up a Council of Ireland, that the tripartite conference would take place at the end of December or in January, that it would be a short, possibly two-day conference at which a final agreement on the Council would be signed and that the first formal meeting of the Council could take place shortly thereafter. He enquired if we were still sticking to our position of simultaneous action on the setting up of a Council and an Executive and when we replied in the affirmative he emphasised strongly that this would put his party in an impossible position. The Unionists could hardly be expected to attend a conference where they were not on an equal footing with London and Dublin representatives and they therefore felt that they could only participate, together with the other power-sharing parties, as a fully formed Northern Ireland Executive.

8. There were passing references to the Unionist Standing Committee meeting on 23rd October, 1973, at which Mr. Faulkner's position as Leader of the party was confirmed, though by a small minority. He said that he and his supporters had not had enough time to sell the power-sharing concept to the party but that he was now remedying this and that he hoped to win a decisive victory at a special meeting of the Unionist Council which would be held probably within a month. (Our only comment on this point was that we found the procedures of his party difficult to follow and we enquired if there was any available document which might guide us. He immediately gave us his own copy of the "Constitution and Rules of the Ulster Unionist Council" and in a light vein remarked that he hoped we would not show it around too much since he himself had underlined passages in it in connection with the discussion at the recent Standing Committee meeting! A copy of the document is attached).

9. In relation to the inter-party talks on the formation of an Executive, he said that he was pleased with the way they were going and that the S.D.L.P. were behaving very well and seemed anxious to make the constitutional proposals work. He was also pleased that all parties were honouring their undertakings not to make any public comments on the talks.

10. The only discussion of the current security situation in Northern Ireland was that Mr. Faulkner noted, as a good sign of withdrawal of support by the minority community for the I.R.A., that four priests in Derry had that morning found it possible to condemn in the strongest terms bombings which had taken place there the previous day.

11. In regard to the Late Late Show link-up on 27th October, Mr. Faulkner said that he agreed to participate only on the basis that the Minister for Foreign Affairs and nobody else would be participating in that section of the programme at the Dublin end.

understanding was that there would be a discussion between himself and the Minister and that Mr. Faulkner would also take some live questions from the Dublin studio audience. The only subject he would want avoided completely was any reference to the Unionist inter-party talks in Belfast.

12. Before we left, he recalled that he had once met Dr. FitzGerald who had come to see him in Belfast when he was Minister of Development. He also recalled his various meetings with the Taoiseach over the years and wished to be warmly remembered to him. While he did not wish to anticipate any decision in relation to the appointment of the Chief Member of the Executive, he hoped that, if the holder of that post was a man who "lived near Downpatrick", one of his first acts would be to welcome the Taoiseach on a visit to Northern Ireland. He also asked that his regrets be again conveyed to the Taoiseach that he, Mr. Faulkner, had not found it possible to respond more favourably to the pre-Baldonnell invitation to talks.

Dermot Nally

Seán Donlon

October, 1973