

Democratic Unionist Party



Tuesday, 27 October 1998

Mr David Trimble MP &
Mr Seamus Mallon MP
Parliament Buildings
Stormont
Belfast

Dear David & Seamus,

In Dr Paisley's absence in the USA I am replying to your communication of the 26 October concerning your so-called "intensive consultations on political development". The DUP will be happy to meet with you both, for a bilateral session at any mutually agreeable time, but, consistent with previous consultations we would not be present during the round table discussions to which you have invited Sinn Fein/IRA. If and when you decide to move to bilateral meetings with the parties perhaps you can have your staff contact my office for the appropriate arrangements to be made

During the course of yesterday's debate several references were made to your desire to have

Stormont Office
Room 208
Parliament Buildings
Stormont
Belfast.
Tel: 01232 521049
Fax: 01232 521337
E-mail: info@dup.org.uk
Internet: www.dup.org.uk

Page 1



written evidence from the parties relating to the matters we discussed with you. I had not attached any particular importance to confirming our views in writing particularly as I put them on the record in the Assembly following our bilateral. However, if it is useful to you I am happy to do so and the following passages cover the areas about which we spoke and some which have arisen since then. If there are any issues you want expanded as a consequence of this communication the party will be happy to further clarify those matters.

DEPARTMENTAL STRUCTURES

The DUP contend that it is premature for a definitive view to be expressed on a "lasting" departmental structure. We feel that only after a period of time, during which members are operating departments, will it become clear whether a more satisfactory division could be achieved. We therefore believe that the more substantial division of departmental responsibility should be left for twelve months after



devolution has occurred. However, we recognise that it is almost universally accepted that the Department of Environment is too large and cumbersome and merits being divided into two departments. It seems to us that it would not be inconsistent, with the position we have outlined above, for an immediate division of this department to take place, on the lines suggested in your paper of early September i.e. splitting the Department of Environment into a Department of Regeneration and Development and a Department of Environmental Protection and Public Services.

FUNCTION OF GOVERNMENT TO BE ADMINISTERED CENTRALLY

We envisage the First Minister and Deputy First Minister being involved in co-ordinating the work of government but not involved in the administration which is the role of the various departments and their ministers. Clearly there is going to be a need for a degree of co-ordination of various aspects of



government which will cut across departments. However we do not believe that it is necessary to designate areas of administration to the Office of First Minister and Deputy First Minister.

JUNIOR MINISTERS

In common with the position we adopted on the division of departmental responsibilities we submit that it is too early to make a proper assessment or judgement on whether junior ministers are necessary and if they are the number there should be. However we are unalterably opposed to any other mechanisms being deployed or adopted by the assembly other than that which is set for ministerial posts, chairmanships and deputy chairmanships.

I believe the public would find it difficult to accept that departmental responsibilities which are presently being carried out by two (part-time) Ministers at the NIO and which form approximately half the responsibilities of a further two (part-time) Ministers [effectively a total of three Ministers]



require more than double perhaps treble that number in ministerial posts and now the suggestion that they be further assisted by junior ministers.

ALL-IRELAND BODIES

In line with David's election commitment - that all-Ireland bodies should be consultative not executive and fully accountable to the Assembly - it will be necessary (in the absence of the changes we have asked for to the Bill) to put in place Standing Orders to ensure this commitment is honoured. The Bill, as it is presently intended by the government to be amended, in the House of Lords, places no requirement on Ministers to seek Assembly approval before taking decisions. Moreover, it very clearly gives authority to ministers to enter into agreements and arrangements and to have them executed without submitting proposals, either before or afterwards, to the Assembly for approval.

The DUP believes that consultation can take place, but when both the government of the Republic of



Ireland and representatives of the government of Northern Ireland, after consultations, are satisfied that they have reached provisional or tentative agreements, such proposals should be brought to the assembly for approval before any action is taken.

The suggestion implicit in the Bill, that the Assembly may seek to stop or restrict a Minister in the decision that he or she might reach, places the onus upon those seeking to block a decision to gain cross-community support, rather than requiring the Minister to gain cross-community support for his or her proposal.

I have picked up from the Library the documentation on North South relations that David notified the Assembly was now available. It is not clear from David's comment on this matter what status the documentation has or indeed who commissioned it. However, while I have only had a cursory glance at it - frankly, I am not impressed. When I have looked at it in more detail you can be sure I shall comment further.

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CIVIC FORUM

I thought Seamus outlined very satisfactorily the maximum role that the Civic Forum should have, during his speech yesterday. However, I would have been happier with a body of less than fifty members. We would argue that to avoid any confusion, and to ensure that the Civic Forum does not appear to be a *second chamber* it should not be housed in Parliament Buildings. As a consultative forum it should be operating on the basis of offering opinions on subjects submitted to it by the First Minister and Deputy First Minister, having sought and gained the approval of the Assembly. The Forum should not be entitled to freelance or self-initiate. It would not be unreasonable, however, if the Civic Forum chairperson were to consult with the First Minister and Deputy First Minister and seek approval from the Assembly if the Forum wished the Assembly to issue instructions for it to consider a particular remit.

As we expressed during our bilateral we are concerned about the narrow range of interests



specified in the Belfast Agreement. As there is scope to augment the groups to be involved we believe that local government, farming, sport and arts should be added along with such other interests as would make the Forum more representative of the community and better equipped to advise on the range of issues specified in the Belfast Agreement.

As the mechanism for selection is not imposed by the Belfast Agreement we believe that consultation with party leaders should take place before appointments are made and the final list submitted to the Assembly for approval.

BRITISH IRISH COUNCIL

In as far as is appropriate the British Irish Council should, at least, equal the standing and importance of the North South Council. This must be taken into account when determining the range of functions and activities in which it will be engaged. Obviously it should meet on a regular basis.



FORMATION OF AN EXECUTIVE

The Northern Ireland Bill allows for the exclusion of a political party from the Executive if it does not enjoy the confidence of the Assembly because it is not committed to non-violence and exclusively peaceful and democratic means. The DUP does not believe that parties inextricably linked to paramilitary organisations that retain a stockpile of weapons and explosives can be deemed to be committed to non-violence and exclusively peaceful and democratic means.

If the IRA have not given clear undertakings to enter into a programme of decommissioning that will see all of their illegal weaponry decommissioned, and have not demonstrated tangibly by the actual decommissioning of a substantial part of that stockpile, then you should proceed to exclude them from the Executive and set up the Executive in their absence.



Again, if you want us to expand on any of these matters please let me know or alternatively we can discuss them at a bilateral meeting.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'P. Robinson', is written over a faint, large watermark of the DUP lion logo.

Alderman Peter D Robinson MP
DUP Deputy Leader