

~~NE 10-9~~

CD 21: 579

Now
on
19/5/1

HCS/453/98

FROM: D J CRABBE
PS/MR SEMPLE
13 MAY 1998

Distribution list attached

NOTE FOR THE RECORD

MEETING WITH MARK DURKAN, SDLP - 11 MAY 1998

Last evening Mr Murphy, Mr McCusker, Mr Hill and I had a seventy-five meeting with Mark Durkan to gauge the SDLP view on a number of issues relating to the establishment of a local administration. The meeting was business like and practical, although on a number of issues Durkan was evidently unable to speak with the mandate of the Party. The Minister of State was unable to stay for the full period of the meeting but was content for it to continue with officials.

Referendum

The Minister opened the meeting enquiring how the Referendum Campaign was going for the SDLP. Mr Durkan said that they were fighting against complacency on the one hand and also trying to get others to show restraint on the other. Referring to the decision to release prisoners to attend the Sinn Fein Ard Fheis at the weekend, Mr Durkan said that whilst it was a difficult call to make it had to be done as it was necessary for Sinn Fein to show to their constituency that the prisoners were fully on board. **He also argued that it had at least served to settle potential Unionist concerns that the hard men of the Republican Movement were not supportive of the huge**

political adjustments which Sinn Fein had made. The Minister then referred to the results of recent polls which indicated that [it was a] **the** trend [towards] **was for** the don't knows in the Unionist [camp] **community** to move towards the no camp.

Mr Durkan said he fully understood the Unionist fears especially on the security matters and in particular decommissioning.

Decommissioning

Mr Durkan said that it was important to try and take a positive approach towards decommissioning and that perhaps the Prime Minister should be forthcoming with a statement to reset the decommissioning agenda. He said that decommissioning needs to be recognised as a genuine Confidence Building Measure (in the same way as prisoners). He cautioned, however, that [within] **although the setting of similar** [the] two year timescales **provided some implicit interconnection** the two issues should not be seen as mutually interdependent or pre-conditional.

Building on the role the Prime Minister could play with regards to decommissioning, Mr Durkan said he could use a form of words which stressed the [positioning of decommissioning within the Agreement to ensure that it was], **“new context” which would arise once the Agreement, including its support for decommissioning, had been endorsed North and South. Decommissioning should be viewed as something demanded by all decent people in Ireland,** not [been seen] as an issue forced forward by HMG. He felt that the Prime Minister could usefully borrow some of the Taoiseach's words on the issue, stressing that decommissioning was in everyone's interest (for example **even** Sinn Fein would not want to see IRA guns being used for “private purposes”). The IRA (and others) would need to take a more positive approach and should do so in terms of the Agreement which should help them avoid the issue of “surrender”. Mr Durkan acknowledged that there would not be a quick fix but stressed that the

agenda did need to be reset otherwise we would fall into "the quick sand of bad faith". Mr Durkan added that it might be useful to throw back some Republican statements to themselves, [referring to] **including those which implicitly accepted that while** decommissioning **would not take** place before negotiations nor during negotiations **it would happen** [but] after a settlement. [The argument could be made that this context is now] **That time had now arrived**, and even if **Sinn Fein** [they] were to come back and say that the Agreement was not a settlement this would still help the Unionists by keeping the issue in camera shot.

Elections

The Minister updated Mr Durkan on the progress of the Election Order and discussed some of the propriety work leading up to the Election. Mr Durkan acknowledged that the Election would be very difficult and foresaw that the DUP would seek to use it as a play off for the Referendum by engaging in a head-to-head fight within Unionism. The strong focus on anti-Sinn Fein positions would result in a squeeze on the SDLP and Alliance votes as harder line positions would be galvanised.

Location of the Assembly

The Minister asked Mr Durkan if the location of the Assembly in Parliament Buildings would be a severe stumbling block for the SDLP. Acknowledging the symbolism attached to Stormont, Mr Durkan equipped that it would make an excellent location for North/South bodies! On a serious note Mr Durkan said that Seamus Mallon would be strongly against the proposal to use Parliament Buildings. A lot would depend on the ultimate destination for the Assembly post shadow period. However, Mr Durkan felt that there would be more advantage to be gained in going to Block B in Castle Buildings for the shadow period and possibly supplementing this with the use of Parliament Buildings on an ad hoc basis (eg for committees etc). He [felt that the Unionists may wish to seek a strong] **argued that it might be in the UUP's interest to establish a** differentiation between [the allocation of

responsibilities in] the shadow period and the ultimate [allocation in the devolved period. They may want to use the shadow period to be satisfied about progress made and this may add weight to the argument to move to Block B on a probationary basis.] **transfer of power to the Assembly. If they were nervous about appearing to accept Sinn Fein "Ministers" during the shadow period, that might be easier for them if the whole show was clearly probationary and not based at Stormont.**

Generally Mr Durkan felt that a decision on [the] a longer term new home for the Assembly would be helpful and would facilitate any less comfortable arrangements in the interim. Mr McCusker pointed out that the longer term decision would be a matter for the Assembly itself and indeed it would have to gauge the financial implications of a new location. Acknowledging the fact that the Assembly would undoubtedly have to sit in Belfast - **he suggested the Gasworks site** - Mr Durkan said he personally would like to see some of the Departments located in Derry.

Post Election Scenarios

Discussion took place about the timing and choreography of the first meeting of the Assembly Post Election. Mr Durkan said that being mindful of Drumcree, etc it would be difficult to predict what approaches could be taken without knowing the Election results. He felt that the Secretary of State should perhaps be encouraged to take a few days to agree the pro-tem chair to be established to convene and facilitate the initial business. Whilst this was a personal view he felt that many of the other parties might want to kick the matters into touch until after the summer period.

Clerk to the Assembly

Mr McCusker asked whether the SDLP would have any difficulty with the appointment of the current Clerk to the Assembly (as established in 1973 legislation) taking post for the shadow period. Mr Durkan responded saying

that if this was combined with the location in Parliament Buildings the symbolism might just be too much in that nothing would be seen to have moved on from 1973. Other than that he did not see this as a die-in-a-ditch issue.



Mr Durkan said that his Party had been giving some thoughts to the establishment of portfolios and how Departments might be split up etc. The SDLP were seeking to look towards the practical arrangement of Departmental functions and not just a split up for the sake of allocating portfolios. Whilst there was still work to be done he did reveal that they foresaw an office of public administration which would draw into it the personnel aspect of DFP to come under the First and Deputy First Minister. He also indicated that junior Ministers could be appointed to cover Departmental overlaps. These would be established outside the D'hondt systems and would be assigned by the First and Deputy First Minister and subject to the approval of the Assembly. He would see this as a way of getting round non-participation blocking and ensuring thus that business would get done.

Mr Durkan said that his Party would be talking further with the UUP, however, he acknowledged that this was difficult at the present time given the sensitive circumstances that Reg Empey and others found themselves in with the Referendum campaign.

Mr Durkan agreed to enter into further discussion with Mr Semple and Central Secretariat colleagues on the practicalities required. He said the SDLP were keen to be seen to be getting on with the business of establishing a local administration.