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From: Tony McCusker cc PS/Secretary of State  
PS/Mr Murphy  
To: Bill Jeffrey PS/PUS  
PS/Mr Semple  
Date: 10 December 1998 Mr Stephens  
Mr Ferguson  
Mr Hill  
Mr Brooker  
Mr Fergusson RID  
Mr Maccabe  
Mr Warner

Noted M  
10/12/

### CONVERSATION WITH REG EMPEY

1. I met Reg Empey last night at a dinner I was hosting for the Head of the Small Business Administration in the United States.
2. Still not a happy camper. He said he was very disappointed that we had been unable to bring forward a paper outlining the areas of agreement and disagreement between the Irish Government and Ulster Unionist Party papers. They did not like the approach of the Irish Government in always dealing with the big picture. Their party members demanded detail and the sooner that was sorted out the better.
3. He also warned very strongly against any more helicopters arriving at Stormont. A visit by the Taoiseach or the Prime Minister or both would only fuel the belief among party members that they were simply arriving to lean on David Trimble to concede Nationalist demands.
4. We spoke briefly about the idea of identifying future implementation bodies which was discussed at the meeting between the Prime Minister and John Taylor. He rejected the idea firmly saying that they had enough difficulties selling the notion of six of the eight bodies on the table plus ten departments and there simply was no more room to manoeuvre. There could be only six areas and only one from outside the Annex in the

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Agreement. Eight or seven could not be squeezed into six though they would be happy to talk up corporation models.

5. I asked him if Irish language could be given a higher profile within one of the new departments and he did not dismiss that idea though, of course, he suggested Ulster Scots should be given prominence also. He also seems, unfortunately, to have moved closer to the Gudgen model of Finance responsibilities at the Centre. This suggests that the issue must be addressed fairly quickly so that it does not become a major problem later on in negotiations.
6. Finally on Structures, he hinted that the Ulster Unionist Party would be expecting the SDLP to move more towards their definition of departments in recognition of the fact that they were prepared to agree ten against their better judgement.
7. His final point was a concern about deteriorating personal relationships between the different players and which was not helped by the lack of dialogue. Something needed to be done quickly to stem the deterioration in relationships and they still believed that our proposal to try and move to a single working paper offered the best prospect.
8. He indicated that he would welcome a further discussion today and we made an informal arrangement to meet in the afternoon.

ANOTHER OPTION

9. Given the Unionist position which is hardening by the day within the party we are going to have to work around the notion of six out of the eight bodies on the table and somehow construct parallel arrangements on Transportation and Irish Language which satisfy the SDLP, Sinn Fein and the Irish Government.
10. One possibility draws on our recent discussions with Irish officials and internally about the notion that in an area like Transportation, the present text would not necessarily require legislation. The proposed body is strategic in nature and as presently drafted does not require any transfer of functions.

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11. In our original technical assessment in this area the DOE was more taken with a strong co-operation model between the relevant departments but involving also an influential advisory committee. We could, therefore, deliver the totality of the present Irish text on Transportation without a statutory body and using seconded officials from both departments as necessary. As to the role of the committee, it could be charged with making strategic recommendations to Departmental Ministers in the North South Ministerial Council but also examining the potential for a statutory body in this area.
  
12. Irish is a bit more tricky. However, we could do a number of things both on a cross border basis and within proposed Departmental Structures. These might include:-
  - a statutory body for the development of Language in Northern Ireland (effectively making the voluntary ULTACH Trust into a NDPB;
  - highlighting Language as a Departmental function; for example, there could be a Department of Culture, Heritage, Arts, Language, Tourism and Sport; and
  - creating a joint North South Committee on Language Development to encourage co-operation and also explore potential for effective all island arrangements in the future.
  
13. The advantages of this approach would be that the Unionists can say publicly that only six statutory implementation bodies have been agreed, while the SDLP, Sinn Fein and the Irish Government can point to a much higher level of co-operation in these two areas together with a significantly enhanced status for linguistic diversity in Northern Ireland.

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