

Tánaiste's Meeting with SDLP, Dublin, 13 March 1996

Summary Note

1. The Tánaiste was accompanied by Seán O hUiginn, David Cooney, Rory Montgomery and the undersigned as notetaker. The SDLP delegation consisted of Séamus Mallon, Eddie McGrady, Mark Durkan, Denis Haughey and Bríd Rogers. The meeting lasted for over two and half hours, covering the all main issues currently under discussion in the intensive multi-lateral consultations.

Elective process

2. The SDLP stressed their intense misgivings in regard to the elective process as laid out in the Joint Communiqué. The SDLP had reluctantly agreed to participate in elections on condition that they would lead directly and without further preconditions to substantive negotiations. Now they felt they were being confronted with yet another precondition, i.e. participation in an **elected body**. They would have grave problems about participating in such a body, even along the lines described in "option c" of the British paper. Given the groundswell of opposition to elections among nationalists, they were confident that they could "carry" a decision not to participate.
3. No matter how limited such a forum's terms of reference might be, they feared unionists would seek to describe it as a representation of the people of Northern Ireland. Negotiations would be used by unionists as a mechanism for extending the powers of the body. It would become a "bolt hole" through which unionists would seek to avoid meaningful negotiations. The SDLP argued that in essence "option c" represented in embryonic form, the UUP's vision of the best outcome of negotiations. Pointing to paragraph 16 of "option c" they said it appeared to leave open the possibility of the body having more powers than envisaged by Mr Major in his statements in the House of Commons.
4. Warning of the dangers of enacting legislation at Westminster to provide for an elective process, they argued that unionists and their supporters would attempt, through amendments, to create "option c plus." They doubted their ability to muster sufficient support to resist such amendments.
5. Substantial concern was expressed as to the impact of an announcement of an elective process providing for an elected body on the chances of restoring the ceasefire. The republican movement would conclude that meaningful negotiations were not a realistic possibility if these negotiations were hobbled by the existence of an elected body.
6. Protecting their electoral support remained of the utmost importance to the SDLP. Participation in a process which incorporated an elected body as an integral part, could severely undermine them vis a vis an absent Sinn Féin. They expressed concern that the Secretary of State believed he could force a package on them which would be difficult to reject.

7. Expressing reservations about the wisdom of the Prime Minister announcing details of an elective process in Parliament, they said that in such a scenario they would reserve judgement until they had consulted widely and had seen the final "Ground Rules" paper. Their definitive position would be decided at a party meeting on Saturday 23 March.
8. On the **electoral system** they indicated their strong opposition to any system other than a closed list system. They noted that the British paper had not even mentioned their proposal, but had listed as alternatives the UUP and DUP proposals. In the SDLP's view, elections should be based on a banded system where parties receiving a share of the vote within a particular band would receive a predetermined number of seats. Thus a party receiving between 1-3% would be allocated 2 seats, parties with 3-7% would get 3, and so on. Such a system would result in a total of no more than 40 seats at the negotiating table. They were strongly of the opinion that the UUP would do better than the DUP under such a system. Comparisons with European elections were unhelpful as Paisley had never faced a UUP leader.
9. The Tánaiste made clear that he had consistently opposed any form of elective process, both publicly and in meetings with the British, and had accurately presented nationalist concerns regarding it. He was deeply aware of the concerns of the nationalist community and what the unionists might seek to achieve through it. He undertook to continue to reinforce these arguments in his exchanges with the Secretary of State.
10. However, the Tánaiste pointed out that the Government's role was to seek agreement among all the parties on the most realistic way of securing the commencement of meaningful negotiations. The probability was that without a body of some sort, the unionists would not be present. He suggested that "option c" of the British paper was relatively unthreatening, though he appreciated that the very existence of a body did involve a degree of risk. This option provided for a forum with very restricted functions and any interaction with the negotiations would have to be with the consent of the negotiators.
11. Mr O hUiginn said that given the clear intention of the British to legislate for a body of some sort, we had been obliged to make a tactical decision on whether or not to offer our views on how a body might be as unobjectionable as possible.

Referendum:

12. The SDLP pointed out the importance of having a referendum on something more than a mere rejection of violence. It had to endorse the desire of people for all-party talks. The need for identical questions to be put North and South was also stressed. Arguing that a referendum was an idea which had achieved widespread support, they said that they would not regard it as compensation for concessions on an elected body or on the system of elections.

Decommissioning:

13. Dissatisfaction was expressed at the manner in which the Joint Communiqué had placed the decommissioning issue firmly within the structure of negotiations. They pointed out the real danger that meaningful talks would be indefinitely delayed as a result. They pointed to the merit in the DUP view that decommissioning should be dealt with primarily by the two Governments. They wondered if there was any way of disentangling decommissioning from the actual negotiations, perhaps by re-engaging Senator Mitchell to lead an international agency.

Possibility of Meeting between DUP and the Government

14. Before leaving they informed us of indications that the DUP might be prepared to meet the Tánaiste. However, Peter Robinson had suggested that they required further clarification of the "socket they were being plugged into."

JH

Joe Hackett

14 March 1996