

**MR MURPHY'S MEETING WITH JEFFREY DONALDSON MP, 11 NOVEMBER
(EXTRACT)**

4. Introducing the political discussion Mr Murphy identified the broad elements of any agreement and said that he saw the definition of "sensible North/South arrangements" as the heart of the negotiation, bearing in mind the Unionist desire to see such arrangements set alongside strong East/West links and in the context to changes to Articles 2 and 3. The question was how to define a basis for "structured co-operation" (Mr Taylor's phrase) which was sufficient to satisfy nationalist but which did not appear too threatening for Unionists. One way forward might be to begin by identifying and building on areas of practical co-operation which already took place.
5. Mr Donaldson agreed with all these points but went on to say that the nature of any North/South structures and the substance of what they would deal with was less important than the context within which they would operate. The problem with Sunningdale (Council of Ireland) and the Framework for a New Agreement was the all-Ireland focus. The Anglo-Irish Agreement and the new Agreement envisaged in Frameworks was also focused on a single aspect of Anglo-Irish relations - Northern Ireland. That created grave difficulties for Unionists because it implied that Northern Ireland was indeed "a place apart".
6. A more benign context would be created by providing an "umbrella" which would embrace the totality of relationships and in which North/South arrangements would be only one element of co-operation alongside a multiplicity of other potential axes for co-operation. During the course of subsequent discussion he made the following points:
 - constitutional reform in Great Britain made the creation of such an umbrella much easier, and probably of wider value on pragmatic grounds
 - the umbrella structure would not need to be grandiose, with a Secretary General or any formal committee structures
 - within the umbrella, relationships could have different forms. Arrangements for structured co-operation along one axis needn't mirror those on another

- “of course”, in response to a point from Mr Murphy about Irish/SDLP concerns, the North/South arrangements would be the most important ones. Geographical considerations meant that Northern Ireland and the Republic would benefit from co-operating in a wide range of areas
 - nevertheless it would enable Unionists to “sell” the concept of North/South arrangements to their electorate (and build up the necessary majority support for any agreement in the Unionist community) if they were able to point out that there was also scope to develop arrangements between Northern Ireland and Scotland or Northern Ireland and Wales
 - co-ordination between different regions of the “British Isles” in respect of EU matters was also increasingly important and could be facilitated by the umbrella arrangement
 - it might also have a role in promoting different cultural expressions, although it should not become a Celtic fringe affair: it would be important to bring “England” into the arrangement in some way
 - there need not be much by way of central administration or institutions. An annual or biannual conference of representatives of the different entities might be helpful, and perhaps occasional ad hoc conferences on particular issues - eg environmental.
7. On North/South arrangements in particular he said that, given the right context (East/West institutional architecture) and the amendment of Articles 2 and 3,
- he saw no difficulty with the issues identified in the Framework for a New Agreement as being within the remit of any new arrangements
 - there would need to be clear lines of accountability back to the Dail and the Assembly
 - any North/South arrangements should not have “a life of their own”, especially not a dynamic one. Any development in the arrangements should be by agreement
 - Unionists were concerned about the default arrangement set out in the Framework for a New Agreement. He understood it came down to a lack of trust, but Unionists had equal concerns

that nationalists would not operate the Assembly and then insist on the operation of the default North/South arrangements. He would prefer to create a reciprocal incentive on both sides to operate an Assembly and North/South arrangements or, more positively, to reach agreement on a package and go and win widespread support for it on that basis

- in practice he wondered whether Irish Government Departments would be keen to cede significant executive powers to North/South arrangements. The scope of the arrangements might become self-limiting.
8. In response Mr Murphy and I made the obvious point that the key to finding a way forward was to convince the SDLP and the Irish Government of the UUP's good faith and their readiness to contemplate significant North/South arrangements within a broader framework. The Government could convey its understanding of UUP views to the Irish Government but only the Unionists themselves could communicate political commitment.
 9. Mr Donaldson accepted this. He said that the SDLP seemed "broadly supportive" so far as building up the East/West institutional architecture was concerned. They had mentioned the point in a submission to the Dublin Forum for Peace and Reconciliation and the UUP had followed that up and been reassured. Various SDLP comments during Strand 2 meetings had acknowledged Unionist concerns in this area. However, he accepted that the UUP needed to build on this. So far as the Irish Government was concerned, the UUP would be meeting Mr Andrews on Monday and he told us in confidence (please protect) that they hoped to meet Mr Ahern, either in London on Tuesday or Brussels where he would be on Wednesday.
 10. Mr Murphy strongly encouraged this as being the most constructive way forward. He said that officials would be meeting Irish colleagues on Friday and would "soften them up" a bit by setting out our understanding in general terms of the kind of developments the UUP were looking for in respect of East/West arrangements. He also mentioned the possibilities of the UUP putting in a paper in response to the two Governments' Strand 3 liaison paper but Mr Donaldson felt that this would be premature at this stage and agreed that it would be desirable to postpone any further Strand 3 liaison meeting for a couple of weeks.