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Meeting of Liaison Group

London, 25 June 1992

- The Irish side was led by Sean O hUiginn, accompanied by Ambassador Small, Declan O'Donovan and David Donoghue. The British side was led by Quentin Thomas, accompanied by Ambassador Blatherwick, Robert Alston, David Cook and Graham Archer.
- 2. The meeting, which lasted for about five hours, opened with an exchange of views on the proposed meeting in Strand Three formation, in which the Irish side placed on record the Government's displeasure with the British Government's handling of this issue. This was followed by a comparing of notes on the positions which the two Governments might enunciate at the meeting and by a protracted drafting session in which a passage which the British side proposed to deliver on constitutional issues was considerably diluted. This text (attached as Annex 1) was agreed ad referendum to each Government. On the basis of drafts supplied by both sides, a possible agenda for Strand Three was elaborated and also agreed ad referendum (Annex 2).

General exchange of views

3. O hUiginn complained that unnecessary difficulties had arisen in the last few days in relation to the proposed meeting in Strand Three formation. The Irish Government considered that it had been placed in a false position which was not of its own making. We had accepted without hesitation the proposals of 12

June when these were put to us. We had taken part in the pre-Strand Two meeting which, everyone agreed, had been a constructive meeting and had produced a possible agenda for Strand Two which would hopefully be approved. We had taken part in a meeting of the Liaison Group on 22

June to discuss organisational aspects of the pre-Strand Three meeting. While we had not seen the logic of holding this meeting prior to the beginning of Strand Two, we had gone along with it in spite of these reservations. We had been available at all times this week for a further meeting to discuss this matter.

The Irish Government had then found themselves being pilloried for having allegedly reneged on commitments or dragged their feet. The fact was that no commitment had been entered into in relation to a particular day on which the meeting would be held, the level of attendance or anything other than the precise terms of the 12 June statement.

We accepted that the Secretary of State, or his 'machine', were not responsible for what other parties had said. The Secretary of State had, however, made certain remarks in the Commons which had caused irritation but which we had refrained from challenging publicly. He had also sent a letter to the parties which presumed a number of aspects in relation to the Irish Government and which established an invidious distinction between the pre-Strand Two and pre-Strand Three meetings. The letter had been used to attack the Government (in the form of the criticisms directed against us this week by the DUP and by Alliance). The level of press attention generated by these attacks had caused considerable concern. The DUP were probably basing their attack on a genuine misunderstanding and we would have expected

the Secretary of State (who had the best contacts and authority to do so) to issue an appropriate correction either in public or in private in order to prevent the proliferation of such misunderstandings.

Unease on our part had been further increased by an article in the 24 June edition of the "Newsletter".

Certain information had clearly been given about contacts between the two Governments on Tuesday which the DUP had interpreted as meaning that the Minister for Foreign Affairs had not been available for a conversation with the Secretary of State. While the allegation that the Minister was unavailable was wrong, the DUP position again pointed to some distorted account of the day's events having been given to them. Again, no effort had evidently been made to set the record straight or to correct the false attribution of commitments to us.

In short, therefore, we were incurring odium for having been allegedly responsible for a delay in the holding of this meeting. On the eve of his departure for the European Council in Lisbon, the Taoiseach had had a lot of difficulties with the Opposition parties over this and had had to expend considerable political credibility in order to avert the tabling of a PQ on this subject. We had endeavoured to limit the damage caused at home by this episode. It was our hope that the British side would do likewise.

O hUiginn asked the British side to convey to their Ministers the view which was prevalent in Dublin that this whole issue had been badly handled. Noting the formal provision for consultation under the Agreement, he said that the detail of any statement issued by the British Government which committed the Irish Government to a particular position should be checked with us

beforehand. The clear lesson to be drawn from this was that a process of consultation was required on all points where a British statement purported to describe our position.

In response, Thomas recalled that the two Governments had agreed on 12 June to a proposal for pre-Strand Two and pre-Strand Three meetings (though these were not described in identical terms). There seemed to have been some shifting in the Irish position in relation to the nature of the pre-Strand Three meeting, its timing and the level of attendance. Last week, the Irish side had declined to carry forward the planning of the pre-Strand Three meeting until the meeting to discuss a possible agenda for Strand Two had taken place. This had caused some delay and some difficulties. Initially, Ministerial-level participation had seemed to be envisaged but this subsequently changed. Following the 22 June meeting of the Liaison Group, the British side had found it difficult to get a response on this question from the Irish side.

As regards comments which had appeared in the media, the British Government had made no statements and had not engaged in briefing. They had been at pains, however, to indicate their anxiety about the delay which was being experienced, as they considered that frustration on the part of the parties would be damaging to the process as a whole.

Thomas reiterated the Secretary of State's view that there was no hope of getting to Strand Two unless the pre-Strand Three meeting took place first.

<u>Blatherwick</u> defended the letter sent by the Secretary of State to the DUP, saying that its terms had been in line with the agreement between the two Governments in this matter.

- 5. Regarding the distinction made between the two meetings in the 12 June statement, O hUiginn said that the Irish side interpreted this not as an attempt to privilege the pre-Strand Three meeting over the pre-Strand Two one but rather as an acknowledgment of the fact that it was possible for Strand Two to be self-standing, whereas the fixing of an agenda at this point for Strand Three was problematic (given that Strand Three concerned the relationship between the two Governments as affected by He reiterated the Irish Government's concerns about the risks involved in departing from the 26 March terms. Agreement between the two Governments about the pre-Strand Three meeting would be possible only if the British Government accepted that it would be a strictly procedural meeting which did not anticipate the substance of Strand Three proper.
- 6. Thomas said that the British side regarded the purpose of the meeting as that of providing, under cover of "preliminary consideration of the issues arising in Strand Three", some signals of mutual reassurance. The Secretary of State would wish to say something about constitutional issues. Whether the meeting was seen as procedural or otherwise might turn out to be a matter of semantics. OhUiginn replied that the meeting should be approached on precisely the same basis as the pre-Strand Two meeting.
- 7. As regards the level of attendance, <u>Thomas</u> hoped that the Irish Government would be represented at Ministerial level, as had been agreed in a telephone conversation between the Secretary of State and the Minister for Foreign Affairs. <u>O hUiginn</u> pointed out that the

conversation in question had occurred prior to the Government's decision that it would be represented at official level at the pre-Strand Two meeting, a development which would have affected the Minister's view of the subsequent meeting.

Pre-scripting

- 8. Turning to the proposed British "script" for the part of the meeting which the observers would attend, Thomas, suggested that there might be "antiphonal" exchanges (with one side responding at pre-ordained intervals to the other). Draft agendas would not be tabled as such but the two Governments would indicate the broad headings which they favoured and briefly address them. In effect, the items on the (pre-agreed) agenda would be shared out between the two Governments (so that the Irish Government, for example, would propose items 4 and 5).
- It was agreed that, on the conclusion of these exchanges, the two Governments would indicate that substantial common ground had been identified in relation to Strand Three and that the observers might now be invited to speak. However, it would be made clear that there would be no question of a debate on substance between the Governments and the parties. Short statements by the parties would be invited but the Governments would not enter into substantive responses. Assuming the parties' statements were within the bounds of courtesy, the Governments could, if they wished, offer clarification of a technical or procedural nature or politely noncommittal responses on the lines of "We have taken note of the point you raised". (O hUiginn pointed out that any unexpected comments by the Governments could have a resonance well beyond the confines of that particular meeting). Following the interventions by the observers,

there would be a tea-break to enable officials to produce an agreed agenda (which would have been prepared in advance - see Annex 2). Once this agenda was formally approved, the meeting would conclude. It was also noted that an agreed media line on the meeting would be required and that this should be indicated to the observers.

- 10. The Irish side proceeded to offer detailed observations on the British script. These were reflected in a revised and expanded text which has since been received and is attached as Annex 3. The British side also provided one or two comments on the proposed Irish remarks (attached as Annex 4) and presumed that a completed text would be forthcoming.
- 11. Particular attention was paid to one passage of the draft British script which dealt with "constitutional issues". O hUiginn noted that the passage, as drafted, strayed very considerably into the substantive area (for what was supposed to be a procedural meeting) and, furthermore, tended to dwell on one possible outcome to the substantive discussion. Thomas defended it by emphasizing the unspecific nature of the language and by noting that the "consensus" to which it looked forward could as easily be read as meaning a consensus in favour of Irish unity. O hUiginn was not persuaded, bearing in mind the particular expectations which Unionists had already been trailing in relation to constitutional issues. He also dismissed a British counter-argument that Unionists would find the passage's endorsement of Art. 1(c) of the Agreement unpalatable. Thomas recalled that the British agenda proposal circulated at the pre-Strand Two meeting had contained broadly similar material. (O hUiginn said that we had been taken aback somewhat by that material but had not considered it

politic to take issue with the British at that meeting). Thomas offered, in the interests of balance, fuller presentations under other items of the proposed Strand Three agenda.

- Elaborating on the Irish Government's concerns in this area, O hUiginn said that, while we could not of course dictate to the British Government what they might say at the meeting, it should be borne in mind that, if we considered that something said there might be prejudicial to the process as a whole, we would reserve the right not to take part in the meeting. If we did attend and the British made a presentation on the lines indicated, we might be obliged to deliver an appropriate response. The British side would need to reflect carefully on the value of defining the entire process of talks, even before substantive discussions got underway, in terms of the traditional Irish-British antagonism. Ambassador Small pointed out that, if the British insisted on the passage's explicit reference to Articles Two and Three, we would require a balancing reference to the Government of Ireland Act 1920, which the Taoiseach had mentioned several times in the same context. He asked whether the substance of this issue should be anticipated in such detail at this point. O hUiginn wondered whether the British side could make clear that the "unambiguous consensus on the constitutional issues" to which they aspired could be in the direction of Irish unity as much as in the opposite direction. When Thomas suggested strengthening instead the proposed reference to Art. 1(c), O hUiginn pointed out that Art. 1(c) did not express the nationalist aspiration.
- 13. O hUiginn asked whether the Secretary of State had made clear to the Minister for Foreign Affairs (in their telephone conversation on 12 June) that the object of the

pre-Strand Three meeting was to get into a discussion of substance prior to Strand Two. In reply, Thomas said he did not know whether the "constitutional issue" had been among those flagged to the Minister; however, it had been indicated to the Minister that the meeting's purpose was to give reassuring signals.

Alston suggested that there had been both "a text and a sub-text" that day; the two meetings proposed were a device to get us all to Strand Two.

- O' Donovan observed that, with these proposed remarks, the British were getting into substance in a serious political way. The Unionists would use this as a benchmark for all future discussions in the process before Strand Two had begun and before we even knew what had happened in Strand One. To hold a meeting between the two Governments simply for the purpose of satisfying 'observers' about the future of the talks was fundamentally the wrong approach. The British Government was going too far in preparing a statement which, it hoped, the Unionists would support. The Unionists would undoubtedly use this (and our reaction to it which, the British hoped, would be neutral) as a benchmark against which to test future progress in all three strands. The Minister for Foreign Affairs would not have given his assent to such a proposition.
- 15. O hUiginn agreed, adding that the Taoiseach had given clear instructions that the Irish Government would only agree to a procedural meeting. Criticising the lack of evenhandedness in the British Government's approach, he observed that the draft British remarks reflected presuppositions which the Irish Government did not share. To deliver these even in a neutral context would be problematic; to deliver them against a background of expectations engendered by the Unionists would cause us

very severe difficulties.

- 16. Efforts were then made to produce a more acceptable version of the proposed passage. A revised text (attached as Annex 1) was eventually agreed ad referendum. The British side hoped that we would make available to them the text of our proposed response on this point.
- 17. Agreement was also reached <u>ad referendum</u> on a draft agenda (attached at Annex 2) which incorporated elements from the drafts proposed by the two sides.
- 18. As to the timing of the meeting, the Irish side made clear that the Government would be agreeable to meeting on the following day if necessary. The British felt that, out of courtesy to the parties, it would not be possible to convene the meeting at such short notice. As the Secretary of State had a prior commitment on Monday 29 June, it was agreed that the meeting might take place on Tuesday 30 June in the Queen Elizabeth II Conference Centre in London, beginning at 12 noon and involving the observers from 2.30 pm.
- 19. It was agreed that a joint letter of invitation would issue to each of the four parties from the two Governments. Following a brief informal exchange on the terms of this letter, it was arranged that the Irish side would send a draft text through the Secretariat on Friday, with a view to the finalisation and issuing of the letters once the Irish Government had signalled its acceptance of the various arrangements and texts proposed in connection with the meeting.
- 20. Agreement was also reached on a media line for responding to queries about the present meeting:

"Officials have had a further meeting to discuss organisational arrangements for an early meeting in Strand Three formation. These are now being referred to Ministers on both sides for approval".

David Donoghue
21 June 1992

PSM PSS Mr. Nally, Mr. Brosnas, Joint Secretary, Ambassador London, Ambassador Washington, Ambassador Canberra