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ConfidentialMeeting with Sir Ninian Stephen
Thursday, 29 October, 1992

The Tanaiste, Minister for Foreign Affairs, Minister for Justice and Minister for Energy met Sir Ninian Stephen at 5.20 pm. The Ministers were accompanied by officials. Sir Ninian was accompanied by George Thompson.

Sir Ninian asked if we had any thoughts about his document ("Elements of a Settlement")? The Tanaiste said it would be an understatement to say that the Irish side were very worried about the document produced by Sir Ninian. There were many reasons but the basic one was that there was nothing in it for the Irish side in exchange for a big move on the constitutional issue and losses on the Anglo-Irish Agreement. There were no gains. They had just had a long discussion with the UUP. The paper did not reflect the length of road they (the UUP) were prepared to travel.

The Minister for Foreign Affairs agreed. Of all the many meetings, this meeting with the UUP had been extraordinarily frank. The Tanaiste had attended on this occasion and Josias Cunningham had attended on the Unionist side. It had been a very helpful meeting. Sir Ninian's document was, he feared, preempting ongoing discussions with the UUP.

Sir Ninian said he was sympathetic. If that was the Irish side's view, what about the UUP? The Minister for Foreign Affairs said they did not discuss or refer to the document. Sir Ninian asked if the discussion was in the area of North/South institutions. The Minister for Foreign Affairs said there had been an advance in the previous discussion with the UUP but the most recent discussion had regressed. The Tanaiste said the climate had been very friendly nonetheless.

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The Minister for Justice said that what the document was saying could freeze progress. The document would not gain acceptance as a basis for agreement. We could not live with it or support it, it froze us out. (Referring to the meeting with the UDP) Mr. Cunningham was a couple of steps behind Empey and Maginnis and Cunningham was the mouth of Molyneaux. The Minister for Energy said it would be premature to put this document in. It would not represent the factual position.

Sir Ninian said there seemed to be confirmation that the UUP could go ahead regardless of the DUP. The Minister for Justice said that the UUP had said that threats from the DUP would not bother them. Sir Ninian said this was very encouraging. Had the Irish side met the Alliance? The Minister said no. Sir Ninian said the Irish side would find them very reasonable. Aspects of the bilateral meetings worried them because they were a small party and did not want to be squeezed out. The Tánaiste said that the Prime Minister had an important vote next week and he might want to keep on the side of the Unionists. The Minister for Energy thought that the Unionists would surely not want an election.

The Minister for Foreign Affairs said there were other aspects of the document on which he would like to comment on the basis of the limited notes he had made. The title "Elements of a Settlement" was optimistic, there was very little in the paper for the nationalist position, the nationalist identity was not addressed or fully addressed. The Government to Government structure was a matter for the Governments, there seemed to be a thought going astray that the Governments had not discharged their functions. Sir Ninian said that his efforts to describe Strand 3 were necessarily limited (by lack of information from the Governments). He would not want to go on with the document. It had already served its purpose if people had focused on its defects. If the Irish side thought that progress could be made by bilaterals, that was the way to go. The Minister for Justice said that the Unionists at the most

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recent meeting had come back a mile, subsequently had gone up three-quarters of a mile and, if Cunningham had not been there, would have gone up another quarter. McGimpsey had explained the future he foresaw for Unionists in terms of their weak economic situation - he had talked of impoverishment - and their identity. He had said they would take help from anywhere.

Sir Ninian said it would be fatal to put forward his document given the views expressed on the Irish side. We would want to be sure we were not dealing only with the liberal wing of the UUP. It would be great if the Irish side and the UUP could work out a modus vivendi. The Minister for Energy said we would not give up and we were not overly optimistic. The Minister for Justice said a degree of trust had developed between the two sides. The UUP had spoken to us privately and nothing had been leaked. The Minister for Foreign Affairs said he agreed with the Minister for Energy. He did not want to be misleading but there was a chemistry developing between the Irish Government and the UUP. The Minister for Justice said the UUP underestimated opinion in the South. The question of Constitutional change was politically quite divisive among the political parties, not just the electorate.

Sir Ninian wondered if it would be possible to amend the Constitution in a conditional way, ie, that Articles 2 and 3 would be in abeyance so long as a certain condition (a new agreement) existed. The Minister for Energy said this was the EC-type idea, that if the treaty were lost, that would leave Articles 2 and 3 as they were. The Tánaiste wondered if Articles 2 and 3 could be left as they were with Article 1 of the Agreement.

Sir Ninian said the UUP would have great difficulty agreeing that Articles 2 and 3 could be left as they were. He wished the Irish side very well indeed and hoped something positive would accrue from our next meeting with the UUP. He had come

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to the conclusion that he would not put forward a paper the following day and he saw no advantage in presenting his document orally to the Heads of Delegations. The Minister for Justice asked about the DUP position. How had they viewed the document in discussions with Sir Ninian? Sir Ninian said he would not describe their reactions. They had said they wanted to reflect on what he had said to them. The Minister asked if the DUP had enquired about the views of other sides. Sir Ninian said they had but he had not described them.

Note: The Tanaiste recorded the following after the meeting of Heads of Delegations (35/10/92).

Sir Ninian said that two delegations were prepared to accept his document but three had fundamental objections. One delegation could not agree to further progress in Strand 1 unless there was progress in Strand 2. Another held the opposite view. The paper had served a useful purpose and there had been progress in bilateral discussion of North/South structures. Every delegation had said that they had conceded something but no one else had done so. Alderdice showed some concern about the bilaterals and had suggested a lcd (lowest common denominator) paper. Sir Ninian had asked that one person from every delegation be present throughout the following week. Robinson said that a lowest common denominator paper should not be ruled out. Molyneux suggested that the four parties should meet separately. This was eventually agreed.

(Subsequently on Friday evening the UUP and Alliance delegations expressed great gloom following this quadrilateral meeting of the parties, suggesting that Hume had shown no inclination to move on Strand 1 pending further progress in Strand 2).



Declan O'Donovan
November, 1992