



An Chartlann Náisiúnta
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Brief for the Taoiseach

Rio Summit - the Round Table Talks

1. Strand One will reach a critical stage probably on the 11th June, the day the Taoiseach meets the Prime Minister. At a plenary of the Talks that morning Sir Patrick Mayhew will face a decision whether to propose a move to Strand Two or seek to buy more time in Strand One. This issue of timing has itself political significance. The unionists have always stressed "substantial progress" in Strand One as a precondition for moving to Strand Two, implying that internal arrangements in Northern Ireland come first. Nationalists maintain that any internal arrangements can be built only on the foundations of agreement about the wider relationships, particularly the North South issues of Strand Two. Nevertheless a paper on institutions in Northern Ireland, drafted jointly in sub-committee, is now on the table.

2. This paper attempts to marry the internal aspects of the original unionist and SDLP papers. It proposes
 - (i) a directly-elected assembly, with committees to oversee devolved functions. It would operate by a weighted majority of 70% on significant issues, and by normal majority on others, with a right of challenge by a 30% minority of the Assembly in the latter case. The Committee chairpersons might possibly act as political Heads of Departments. (The SDLP are opposed to this).

 - (ii) a separate directly elected "panel" of three people, with consultative, monitoring, referral and representational functions, which would consult with the Secretary of State and oversee some aspects of the Assembly. (The SDLP would like the panel to appoint the Heads of Department).

3. There are many unresolved details in this paper. If the proposed panel worked by consensus, (as nationalists would presumably insist) and had sufficient powers vis-a-vis the assembly, it would be a reciprocal internal veto. The question of the relationship with the rest of Ireland is left completely in abeyance. The paper is best understood as a procedural device to enable all parties to move to strand two. Nationalists have advocated an unconditional transition and argue that any further delay by Sir Patrick Mayhew in calling for the transition would be aligning the British chairmanship of Strand One very openly with the unionist emphasis on the internal approach. While he clearly bought time last week, either because of unionist resistance to a move or for his own purposes, he will be aware of a loss of credibility if he rejects this again and is likely to bring matters to decision. The plenary on Thursday will indicate whether a move to Strand Two remains the more probable outcome, or whether the talks will stall in Strand One.
4. The talks process is aimed explicitly at finding a replacement for the Anglo-Irish Agreement. It is of great importance to know what the real British objectives are. If they are open to finding a desirable new balance between unionist and nationalist aspirations in Ireland they deserve our cooperation. If however they are engaged yet another NIO-led attempt to make the problem fit an essentially internal solution, then they will allow the unionists veto which is built into the talks full tactical scope to pull things in that direction. In Strand One so far the British have shown a strong bias in favour of the essentially unionist thesis that there must be agreement on internal structures before there can be discussion of the new foundations which might make these structures acceptable to the SDLP. This may be a worrying sign of their attitude to the process as a whole.

5. In his conversation with Mr. Major the Taoiseach may wish to
 - (i) review the situation to date
 - (ii) consider prospects for Strands Two and Three
 - (iii) look at the long-term options

6. On the situation to date the Taoiseach might indicate concern that the NIO has shown little understanding of the SDLP position that internal structures need to be founded on agreement about the wider relationships. If the move to Strand Two has not been proposed by the time of the meeting, he might stress that while Mr. Mayhew cannot force the unionists, a failure to propose the move to them could only be interpreted as a British endorsement of their position. That would give the unionists an unhelpful message and have a significant - and negative - impact on nationalist perceptions as well.

7. If the move to Strand Two has been proposed the Taoiseach may wish to exchange views on whether formal involvement at Prime-ministerial level is appropriate. The argument for formal involvement is that it would take the talks out of the NIO sphere and establish their relevance at the highest level. The argument against is that if the talks are on a doubtful basis (the unionist veto likely to lead to a "lowest common denominator" outcome, or failure) the prestige of the Prime Ministers should be kept in reserve to launch a new process on a better basis, not to shore up the present one, as they might have to do if they were strongly associated with its launch. A more reserved position at the beginning of the talks would not of course preclude a more public involvement later, if they developed in a promising way, or at their conclusion. A hedging of bets is probably the preferable course.

8. Perhaps the most important point the Taoiseach could make is that a narrow internal approach is unlikely to succeed, and if the NIO are pursuing this approach under the cover of the talks, the entire process will end in failure. **Internal solutions have not worked in the past.** If the Irish Government are called on to make changes in the Agreement, or even in the Constitution, they cannot do so on that basis. A bold and imaginative approach is called for, if we are genuinely to achieve "a new beginning" in our relationships. If the Talks process is unable to cater for this the two Governments should draw the necessary conclusions and begin work on a new accommodation, which they could then use the process of dialogue to persuade both peoples to accept and endorse.

Possible points to make to Mr. Major

- The extent of genuine dialogue in strand one has been very encouraging. Clearly all parties sense a strong public desire for agreement. The two Governments should respond to this in a bold and imaginative way
- We are concerned about the SDLP perception that the NIO in strand one were yet again trying to make the problem fit their solution of an internal settlement. That has always failed before and will fail again. We must now try and make the solution fit the problem, not the other way round.
- If the basis of our approach was a move to Irish unity you would rightly expect me to concentrate on how unionists might identify with that situation.
- If on the contrary we are assuming that Northern

Ireland remains part of the UK unless or until a majority decides for unity, then I have a right to ask 'what are you proposing in that situation which will enable nationalists to accept it?'

- Nationalists have three problems with the creation of Northern Ireland: it denied their aspiration to independence, it cut them off from the rest of Ireland and it condemned them to permanent minority status.
- Powersharing addresses the problem of minority status within Northern Ireland, but it is not enough, and probably not politically sustainable for nationalists, because it does nothing about the other two aspects of the problem.
- We know there are two conflicting aspirations which cannot both be satisfied at once. We accept in the Agreement that both are legitimate and both must be accommodated.
- If we could establish a truly "level playing field" between them and agree the rules for change we could go a great way towards a real solution.
- Even Sinn Féin justify their position by reference to British support for partition. A situation which demonstrated that the kernel of the problem was a unionist refusal of nationalism would make it more difficult to maintain support for violence, or easier for them to end it. (The Taoiseach may wish to amplify this aspect).
- In practical terms that would mean reassuring the unionists on the issue of consent, but reassuring the Northern nationalists about parity of esteem and equivalence of treatment in a real and practical way,

as far as their aspiration is concerned. That requires a symbolical shift from "neutrality" towards an acceptance that the status quo works both by inertia and the active impact of British administration in favour of the unionist status. A true neutrality on the issue would seek to balance these inbuilt forces in other ways, without violating the principle of majority consent.

9. If we could use the talks process to work towards this outcome we will be going in the right direction and the Irish Government will make every contribution it can. If the Talks are incompatible with tackling the real dimensions of the problem the two Governments should take stock of how they can do so.

8 June 1992