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*Taoiseach*  
*You may wish to*  
*glance over this. It shows*  
*how the talk*  
*process is*  
*developing.*

SECRET

Round-table Talks, Strand One  
Meeting of Business Committee, Monday, 4 May 1992  
Parliament Buildings, Stormont

Mr Donoghue

1. I was briefed this evening on the above by Denis Haughey, Mark Durkan and Sean Farren of the SDLP. The meeting was chaired by Jeremy Hanley, with the other attendees being Peter Robinson/ Denny Vitty (DUP), Josiah Connyngnam/ Reg Empey (UUP) and Seamus Close/Addie Morrow (Alliance). Haughey, Durkan and Farren alternated as the SDLP representatives (only two representatives per party permitted at any one time). This note summarises the main points to emerge, together with the assessment of Haughey/Durkan/Farren of the likely course of the Talks over the next week or so.

*McKewen*  
*on*  
*15*  
*in the party*  
*huh*  
*8.5.92*

British Common Themes Paper

2. The pre-lunch session (11.30-1pm) was taken up with a discussion and revision of the Common Themes paper prepared by the British side after the last meeting of the Business Committee on 29 April. There was a paragraph by paragraph discussion of the paper, leading to an agreed version (copy at Annex 1 attached) which will be tabled at tomorrow's (Tuesday) Plenary Session for noting and possible discussion.
3. Durkan took me through the main points of the discussion on the British paper. There was a lengthy exchange on para 3 (Identities), with the DUP expressing unhappiness with the SDLP formulation "there are..two distinct communal identities in NI". The DUP wished to either replace "distinct" with "main" or else to say "there are two distinct identities within the NI community". Morrow

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of Alliance argued that he did not belong to either, that there was a third identity in Northern Ireland. (Durkan told me that, to general laughter, he suggested to Morrow in response that Alliance's identity was not, however, distinct!) In the event, the DUP did not get their way on this point and the SDLP formulation remains in the text.

4. On para 6, ("Wider Relationships") there was some discussion of the term "Republic of Ireland". The SDLP were unhappy about its inclusion, but eventually reluctantly conceded, on the basis that what was at issue was "geographic delineations" (the paragraph talks about the "EC", "UK", "Northern Ireland"). (Note: this is an issue that will recur and the SDLP and ourselves will need to agree a line on it; you will recall that the Forum Report refers to the "South")
5. The longest exchange was on para 10 (security). The version being debated read:

"Law and order could more effectively be maintained in Northern Ireland if there were a greater basic political consensus leading to wider public support for, and confidence in, the security forces".

The DUP argued strongly that "leading to" should be replaced by "and". The SDLP, supported by Alliance, disagreed, arguing that the DUP formulation suggested that there was no "consequential connection" between political consensus and support for the security forces. This was a proposition with which the SDLP could in no way agree. Hanley in the end rowed in behind the SDLP and the final agreed formulation saw the replacement of the word "leading" with "which should lead". The SDLP were satisfied with this outcome.
6. The final contentious section was para 14 (endorsement/validation). The UUP said that it "jarred with the overall structure" of the paper to have a paragraph devoted to the views of one party (the SDLP -

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on the need for a "broader endorsement of any political accommodation affecting NI"). At Hanley's suggestion, the paragraph was "softened" by adding a first sentence containing language from Brooke's statement of 26 March 1991 on the need for the outcome to be "acceptable to the people", ie turning the SDLP's call for a "broader endorsement" into an echo of Brooke's own language.

7. As mentioned, the British side later produced a cleaned up version of the paper, incorporating the above amendments and this will be presented to tomorrow's Plenary for noting and possible discussion.

#### Afternoon Session

8. The afternoon session was devoted to the agenda for the Plenaries tomorrow (Tuesday) and Thursday. The following were the main points agreed in this regard:

#### Tuesday, 5 May

- Common Themes paper to be tabled (for noting and possible discussion);
- Realities paper prepared by British side to be tabled for noting, with invitations to parties to respond, either in writing or orally, on Thursday. [This paper was prepared by British side on 1 May offering their view of "some of the key political realities" facing the Talks participants, as the latter outlined them in their initial presentations - and the subsequent exchanges on them - last year. The paper was handed over to each delegation at today's meeting of the Business Committee (copy attached at Annex 2), but there was no substantive discussion on the matter. (Farren mentioned to me that the SDLP could use some help from us in drafting an analysis of the British paper - as mentioned, they are expected to present an initial response by Thursday. I will seek to discuss this with you on the phone in the morning.)]

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- Tabling of SDLP identities paper, "Agreeing the Nature of the Problem" (copy attached at Annex 3). This paper is in follow up to an undertaking given by John Hume at last Wednesday's (29 April) Plenary. Hume reiterated at that meeting the SDLP's view that it was essential that before one moved to substantive discussions on institutions and models, there had be agreement on the nature of the underlying problem. The British side at the Plenary suggested that it might be useful if the SDLP were to table a paper on this idea. It is expected that delegations will need time to study the SDLP paper and that discussion of it will be held over until Thursday;

- Tabling by the British side of their paper "Options for New Political Institutions" (copy at Annex 4 attached). There was no substantive discussion on this document at the Business Committee meeting. Hanley said that they would hope to begin discussion of the first section of the document (on principles/requirements for new institutions) on Tuesday, with the discussion continuing on Thursday.

Thursday, 7 May

- Discussion of SDLP Identities document.
- Further discussion of British Options paper, followed, time permitting, by opening presentations by other delegations on their models for institutions.
- Meeting of Business Committee to take place after Plenary.

SDLP Assessment of Meeting and likely next developments

9. The view of Haughey, Durkan and Farren was that the

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meeting had gone reasonably well from their point of view. Farren told me that he had raised at the outset the issue of the changing nature of the work of the Business Committee, which seemed to be taking on a more and more substantive role (my note to you this morning refers). The issue was defused quickly by the fact that the other delegations supported Farren, with all saying that they would not be comfortable negotiating on substance without a specific mandate from their own delegations and without a change in the remit of the Business Committee. Hanley accepted this readily and while there was a substantive discussion, as arranged, on the Common Themes paper, the remainder of the meeting was primarily administrative.

10. Hanley once again came across sympathetically from an SDLP perspective. Durkan told me that over lunch he reminisced on his many visits to Croke Park during his Dublin sojourns! (No doubt this is already known to you, but Hanley told them that "during a previous assignment" he spent five weeks per year in Dublin over a 15 year period; he was apparently a regular attender in Croke Park during this time.) Farren - supported by his two colleagues - said that Hanley was a very much easier figure to deal with than his predecessor Mawhinney.
11. All three felt, however, that the SDLP was going to come under increasing pressure in the coming days to get down to specifics on institutions. Durkan said that Chris McCabe of the NIO said to him this morning that Mayhew hoped to "crack" the process along at a rapid pace and that "they were all greatly looking forward to the SDLP's proposals"! The assessment of Haughey/Durkan/Farren was that discussion of the requirements for institutions could at most probably only be "dragged out" until Thursday - or next Monday/Tuesday at the latest. That meant that the party - and Dublin - would have to make hard decisions on the route to go down in this regard in the next few days. Much of the work on their Commission-



style paper is already done, but it awaits decisions by the leadership before it can be finalised.

12. None of the three were particularly pessimistic about this scenario. Their sense was that they have a strong rationale for the approach they are going to propose and that it can be tied back clearly and rationally to the analysis they have been putting forward of the nature of the problem and the requirements for its solution. Moreover, Durkan made an interesting comparative point in relation to recent developments in South Africa - he suggested that the proposal for a five-person (cross-community) Interim Executive, reporting back and accountable to the Constitutional Conference, to run the country pending a final outcome of the Conference, has an interesting resonance for the Northern Ireland situation. Haughey added that the EC's current involvement in Yugoslavia - while not particularly successful to date - was a useful and recent precedent in terms of establishing the principle of a role by the Community in conflict resolution.

*orc*

T O'Connor  
4 May 1992

cc Joint Secretary ✓

Revised version of British paper ("Common Themes" section) - prepared in Business Committee on 4 May

POLITICAL TALKS: COMMON THEMES

(4 May 1992)

Introduction

1. This paper seeks to identify common themes which emerged from the previous talks.

Constitutional Status and Guarantee

2. It is accepted by all the talks participants that Northern Ireland is de facto a part of the United Kingdom; that there should be no change in that position without the consent of a majority of the people who live here; and that at present a majority of the people who live here do not wish for any change. More discussion may be needed on the way in which the 'constitutional guarantee' is worded.

Nature of the Northern Ireland Community

3. There are, at least, two distinct communal identities within Northern Ireland, both of which need to be given respect and recognition by the other so that they can be appropriately accommodated in the political system, taking account of the wider framework of relationships within these islands.

Local Institutions

4. There is a need for greater direct local political involvement in the business of governing Northern Ireland. This is a large and complex subject which will need to be addressed on several levels and in considerable detail, including in respect of both legislative and executive responsibilities.

5. Any new local political institutions should be workable and likely to prove stable and durable; they should command widespread support and provide an appropriate and fair role for representatives of both sides of the community.



Der Relationships

6. Northern Ireland's relationships with the EC, with the rest of the United Kingdom and with the Republic of Ireland, have an important bearing on Northern Ireland and its people. Real progress will only be possible through finding ways of giving adequate expression to the totality of the three main relationships mentioned in the statement of 26 March 1991.

7. As Northern Ireland remains a part of the UK, the relationship between Northern Ireland and the UK Government and Parliament continues to be of central importance. The relationship between the UK Government and Parliament and any new institutions will need to be carefully delineated to ensure that the proper interests of the UK Government, in relation, for example, to financial matters, and its obligations under various international instruments are taken fully into account.

8. Ideally, there should be good and harmonious relations within the island of Ireland and practical co-operation between the respective authorities should be developed in their mutual interest. The extent to which new relationships (the parameters of which will be discussed in Strand 2) might help to resolve political tensions and difficulties within the Northern Ireland community needs further consideration.

Constitutional Politics/Defeating Terrorism

9. All the participants in the Talks are united in their opposition to terrorism and in their determination to resolve political problems through constitutional means.

10. Law and order could more effectively be maintained in Northern Ireland if there were a greater basic political consensus which should lead to wider public support for, and confidence in, the security forces.

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11. It would be desirable to secure local political input into security policy.

#### Individual Rights

12. The establishment of machinery to deal with and correct grievances and to entrench individual and community rights, including the possibility of a Bill of Rights, requires further detailed consideration.

#### Endorsement

13. Any political accommodation affecting Northern Ireland should be subject to endorsement by the people of Northern Ireland.

14. There needs to be further discussion of the arrangements for ensuring that the outcome of the Talks is acceptable to the people. The SDLP have expressed a firm belief in the requirement for a broader endorsement of any agreement. The Unionist parties recognise the strength with which this view is held but have some concerns on the matter. They have, however, undertaken to consider and draft further proposals in an attempt to establish how it might be possible to address this issue.

#### Commitment

15. All involved acknowledge the need for realism, commitment, hard work and compromise if suitable institutions, within a wider framework of stable relationships, are to be established.

A2/833

*Handwritten initials and scribbles*

4th May 1992

# DUP PAPER ON UNDERLYING PRINCIPLES

*Handwritten notes: "by 'Lansbury' here" and "7-5-92"*

## GOVERNMENT PAPER

The DUP found the government paper "Options for new Political Institutions" a useful guide to the issues to be discussed in greater detail by participants.

We found no major disagreement with the skeleton of "Underlying Principles" nor with the list of issues to be faced in shaping the "Institutional framework".

## DURABLE AND WORKABLE

The DUP view that political institutions formed from the talks process must be durable and workable has already been given expression in the Common <sup>Themes</sup> Issues paper tabled today.

Yet durability does not mean inflexibility. Every political institution must be sufficiently flexible to the extent that it should be capable of moving with the political realities of the time. However we suggest that it should be incapable of change by any means other than the consensual process through which it was produced.

The institution must be more than durable and workable, it must produce structures that encourage and ensure proper "parliamentary accountability".

## SELF-SUSTAINING

The institution must not be reliant on a particular electoral result. It must be able to provide automatically for any outcome and not be vulnerable to being overturned at an election.

We have already voiced the opinion that our task should not be to seek some temporary expedient. We are not in the business of building a half-way house. One can not cross a chasm with two steps. We must have the courage to complete the task in a single process.

## ACCEPTABLE

It must take account of the community divisions. The institution must be acceptable to both sections of the Northern Ireland community. Both should be able to identify with it and feel their representatives have a meaningful role to perform within the structures.

The agreed structure must not be seen as a victory or defeat to any party. It must not be the "1992 model" of a past failed system. It must be sufficiently innovative to ensure that it is not written-off before properly considered. Ultimately the people will make their judgment so the Institutions must be capable of gaining public endorsement.

We feel that we should aim for maximum delegated authority and seek maximum consensus.

The most stable institution will be one reached through agreement by the representatives of both traditions in our divided community.

The system must not be, nor appear to be, rigged in favour of any sectional interest.

## DEMOCRATIC STRUCTURE

The new structure must be democratically based, bring political stability to the province and make government accessible and accountable to the people.

## WITHIN THE UNION

The institution must not imperil Northern Ireland's place within the United Kingdom and will be a body subordinate to the Westminster parliament.