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May 12 1992
14.5.92 13/5

cc PSS
Mr Nally
Ambassador London
Counsellors A1

I M M E D I A T E - Wednesday morning.

SECURE FAX NO. 561

12 May 1992

TO: HQ FROM: BELFAST Pages: 2
FOR: A/Sec O hUiginn FROM: Joint Secretary

Political Talks : Strand One

1. Robert Alston telephoned at 9 p.m. following a session with Mayhew and Hanley. He gave the following account of today's sessions of the sub-committee considering the papers put in by the parties on Government structures. The sub-committee decided to take the papers seriatim beginning with the Alliance paper. The SDLP paper was examined this afternoon and the Unionist papers will be examined tomorrow.

Alliance Paper

2. The Alliance paper was taken this morning and was subjected to "a severe roasting" on the grounds that it was old hat and too like the Sunningdale model.

SDLP Paper

3. The questioning of the SDLP went on for three hours in the afternoon. Alston said it was evident to the British side that a great deal of detail had not been thought through. Nor had the presentational impact on the other parties. In the British view, the paper was subject to such criticism that it is unlikely to stand. I was told, however, that the exchanges were good natured, good humoured and serious throughout.
4. The British expect that the two Unionist papers will be disposed of at tomorrow morning's session and that in the afternoon the sub-committee will consider what report it can make to Plenary and in particular how it will handle divergences. They expect Thursday to be a day of reflection before the Plenary session on Friday which will be a critical day in the talks.
5. Perhaps surprisingly, Mayhew's view this evening is less pessimistic than it was last night. Today's sessions, in his view and Hanley's, went considerably better than expected in the sense that dogs had not barked and abrasive styles and tones had not been adopted by the parties. However, Mayhew is not yet convinced that the reef (of the SDLP paper) will not tear the ship apart. The British were very concerned about the leak of the SDLP proposals but were comforted by Jim Dougal's account on the early BBC bulletin this evening drawing attention to the serious discussion this afternoon. (They had not seen the RTE bulletin at 9 p.m. which

described the Unionists as "livid" and suggested there would be trouble.)

6. I asked if there was any particular point the British would highlight in the Unionist questioning of the SDLP paper. Alston said the SDLP themselves seemed to be genuinely surprised at the concerns created in Unionist minds about sovereignty and the position of Northern Ireland within the United Kingdom. In this respect, the main feature was the implication in the SDLP paper, as the Unionists saw it, that an unelected body with at least one outside agency sitting on it, ie, the Council of Ministers, would have important legislative as well as executive functions. Alston added that in the British view, the SDLP had mishandled the presentation of their paper putting it in very baldly and without seeming to realise that it would cause alarm among the Unionist parties. The British side believed however that today's cross-questioning session had repaired some of the damage done.

Comment

7. The British assessment has lurched from positive (Yesterday morning's message to the Minister) to very concerned (this morning's message to me) to less concern this evening notwithstanding the leak of the SDLP proposals. Although the British present themselves here as being neutral, their briefing this evening identified with the Unionist reaction. I pointed out to Alston that the SDLP have always argued that the structures of Government in Northern Ireland could not be purely internal, that their paper, therefore, could not have been a surprise and that the initial reaction of the Unionists and the British yesterday may have seemed to them to be calculated to put them under pressure before their proposals were even discussed.
8. The leak of the SDLP proposals may have been intended to put them in the doghouse in the expectation that public opinion will blame them for over-ambition and help to shape future discussion more to the liking of the other participants.

Postscript

Alston called again at 10.30 p.m. in a more pessimistic mood. He said the leak of the SDLP proposals is now causing reverberations and there may be absenteeism at the sub-committee tomorrow morning. Ministers are working on the parties to try to prevent this. In aid of these efforts, the Secretary of State has issued a statement condemning the leak. Alston added that Frankie Millar of the Irish Times seems to have a complete set of the papers and is planning to write them up.



cc PSS Mr. A. Donoghue
Mr Nally Ambassador, London
Councillors AM
Tassinari
This is the latest
amount of the current
talks process. 50

SECURE FAX NO. 536
12 May 1992

TO: HQ
FOR: A/Sec O hUlgin

FROM: BELFAST Pages: 2
FROM: Joint Secretary

12/5/92

Political Talks : Strand One

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1. Robert Alston visited this morning with further information about yesterday's proceedings (I might mention that I had expressed some dissatisfaction with the rather bland briefing we received early yesterday afternoon). Alston said the Secretary of State had asked him late last night to give the following supplementary message to the personal message he sent the Minister (drafted yesterday morning) and the "bare bones briefing" given to me after lunch.
2. The four SDLP MPs saw Mayhew and Hanley before lunch. The two Unionist Parties (not the leaders) saw Hanley in the afternoon and there was also indirect contact with John Alderdice. These contacts caused the British side to consider that the process was now being put to its first severe test. The two Unionist Parties and the SDLP were both very critical of each other and expressed pessimism about the feasibility of making common ground. In crude terms, the Unionists were saying that the SDLP had gone too far and the SDLP were saying that the Unionists had not gone far enough.
3. Alston said the Unionists were dismayed about two points in particular, first, the SDLP proposal to introduce outside agencies, ie, the Irish Government and the EC in their Executive Commission for Northern Ireland and, second, the absence of reference to a law-making function which they thought implied that the Council of Ministers of Ireland, made up of the Irish Government and the Executive Commission, would have that power. The British thought Molyneaux had been helpful in avoiding a potentially rancorous discussion in plenary by suggesting there was no need for introduction of the papers and that they should be sent straight off to the sub-committee.
4. What concerned Mayhew was that in his discussion with the SDLP MPs, Hume adopted a "take it or leave it" attitude to the Unionists. He said their proposals were not serious as he had known they would not be. They were not innovative in respect of the guiding principles agreed last week. In relation to the appointment of a Commission on the EC model, he said that if the Unionists were not interested in that proposal they could forget about the whole talks process.
5. I questioned Alston about how Hume came to make these comments. He said it was in response to a question from Hanley about what the SDLP's position would be if the Unionists could not accept their proposals. As I

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reported yesterday, the British side see themselves as behaving neutrally so far but, as Hanley's question implies, they do not see the SDLP proposals as realistic and they want to know how far the SDLP will back off. Alston regarded the question as "clarifying" in nature. I thought the SDLP could scarcely be expected to see it as such or to respond to probings about how far they would be prepared to retreat from a paper they had just lodged. They would naturally draw appropriate conclusions if the Unionists were not prepared to discuss their proposals. The issue was not one of whether the SDLP were prepared to retreat from their paper but rather whether all the Parties were prepared to discuss each other's proposals. Alston readily agreed that point.

6. The conclusion the Secretary of State drew from the contacts with the parties is that we shall not achieve the transition to Strand Two unless there is serious discussion of the models for structures of Government in Northern Ireland put up in Strand One. At the moment, he sees only a modest common ground in the idea of an assembly which is present in all papers.
7. I drew attention to the fact that today's supplementary message is very different to yesterday's. I thought it would be wise to wait and see what takes place in the sub-committee before drawing conclusions. It would be for the British Chairman (in the person of Mr Hanley) to encourage the parties to talk about each other's proposals. Alston said Mayhew was taking the line that they (as Chair) should simply try to clarify what the proposals meant. Privately, however, he thought the SDLP proposals had implications for both Governments which might need to be set out.
8. The British are aware that the Minister has travelled from Brussels to Oman. I said he would be considering a reply to Sir Patrick's message. The Secretary of State is visiting Fermanagh today, notably Fivemiletown where there was an incident last week, and one or two PVCs. I hoped that he would take the opportunity to look at one or two of the closed border roads and expressed regret when I was told that was not on his programme.