



An Chartlann Náisiúnta
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Meeting of Liaison Group

Belfast, 15 May 1992.

1. The Irish side was represented by Declan O' Donovan and David Donoghue. Present on the British side were Robert Alston, Peter Bell, David Brooker and Marcus Dodds.

Strand One meetings.

2. Alston reviewed developments up to and including yesterday morning.

In the course of the sub-committee's consideration of the four papers last week, the Alliance paper was criticised for its reliance on failed models. The UUP paper was faulted for being insubstantial and leaving many questions unanswered. The DUP paper came off best, primarily because the party had made a greater effort to address issues raised by the SDLP.

The SDLP paper encountered three main objections. First, it raised fundamental questions about the Union and sovereignty. Second, claims were made that it did not satisfy the criterion of democratic principles (because three of the six Commission members would be non-elective). And third, the introduction of externality (in the presence on the Commission of Irish Government and European Commission nominees) went well beyond what was in the Anglo-Irish Agreement.

It was agreed at the Secretary of State's meeting with the party leaders on Friday morning that the areas of

divergence between the parties would have to be faced up to, and probably in Plenary. In a short session on Friday afternoon, the Plenary "noted" the work done by the sub-committee and agreed on a full discussion of the papers on Monday and Tuesday of this week.

The SDLP paper was debated yesterday. During the morning session, Hume was cross-examined by the other party leaders. Alderdice delivered a particularly cogent critique of the paper. Molyneux used "more lurid language", expressing general anxiety about the implications for the Union and indicating that he had not anticipated discussion of a proposal of this nature in Strand One. Paisley relied on rhetorical flourishes, claiming that the SDLP proposals not only failed to satisfy many of the agreed criteria but threatened the very basis of Northern Ireland's existence. Towards the end of the morning, there was a more balanced intervention from Reg Empey (who made Paisley visibly impatient by speaking in conciliatory terms and addressing some of the detail in the SDLP paper).

The British assessment at this stage is as follows. On the positive side, as the Secretary of State indicated in Plenary yesterday, the discussions have been serious and searching and the substance of the various proposals has been examined thoroughly. On the negative side, a difficult and complex problem is posed by the vehement opposition of the other parties to two aspects of the SDLP paper: (i) the non-elective nature of half of the proposed Commission (which runs counter to the policy of seeking ways of devolving power to elected representatives); and (ii) the external element in the Commission's membership.

It is quite conceivable, Alston commented, that these

difficulties could prove to be the reef which holes the vessel irreparably. The Secretary of State would have to take stock after this week's Plenary discussions. Alston went on to suggest that the apparent impasse might have a bearing on the timing of the transition to Strand Two and, indeed, on the timing of Sir Ninian Stephen's arrival.

Alston also complained about an article by Liam Clarke in this week's Sunday Times, which, he suggested, lent credence to claims by Sammy Wilson that the confidentiality obligation was not being respected. (In response, O'Donovan discounted any Irish Government involvement in the story and noted that the journalist in question was not particularly reputable and, furthermore, was on friendly terms with Sammy Wilson).

3. Bell commented that the most interesting exchanges in the sub-committee were those between the DUP and the SDLP. Robinson was unquestionably the star of the proceedings. The DUP proposals did not differ fundamentally from those of the UUP but Robinson defended them in an intelligent and robust way and he was also able to cross-examine the SDLP effectively on the detail of their paper. Bell indicated that he had found much of Robinson's argumentation persuasive, in particular his suggestion to the SDLP that the DUP proposals held out the prospect of more jobs than their own paper did; and a further query as to why Northern nationalists would wish to be represented by, say, "people from Dublin or Cork". (A SDLP answer to this query came during the Friday session of the sub-committee, when Sean Farren pointed out that there are two dimensions to their "Irish identity", an internal and an external one).

In general, the British team were struck by what they

saw as the DUP's desire to do a deal, influenced no doubt by an interest in jobs and by the party's traditional commitment to devolution but also by what the British believed to be a genuine concern on their part about a rise in support for Loyalist paramilitaries should the talks fail.

4. Bell noted that, while there was still a fundamental chasm between the parties ("to the extent that the SDLP's paper is their bottom line"), the SDLP did try to achieve a meeting of minds on certain aspects yesterday by e.g. deliberately fleshing out the role which their Assembly would play. He also noted that, while the SDLP had earlier referred to the Irish Government "representative" or "appointee" on the Commission, this was adjusted yesterday to the Irish Government's "nominee". Hume also emphasized that the person concerned would in no sense be Dublin's "stool pigeon" and that Dublin's interest in him or her would end with his/her appointment. He also noted the possibility that an Ulsterman (or Ulsterwoman) might be nominated.

5. In discussion, O' Donovan questioned the objection to the SDLP paper "going beyond" the Anglo-Irish Agreement. He observed that, as the present talks were taking place outside the Agreement at the express insistence of the Unionists, there was a heavy irony in the Unionists complaining that the SDLP proposal went beyond, or fell outside, the Agreement. Asked by Donoghue how there could have been any genuine surprise on the British side about the SDLP paper, Alston indicated that they had not been expecting the element of externality. Bell remarked that, as this element had no hope of winning widespread acceptance, the proposal failed to meet one of the agreed criteria for new institutions. Were it not there, Alston continued, it would be possible to distill

from Strand One three alternative structures for the governance of Northern Ireland: (i) authority vested in an elected Assembly (UUP); (ii) a separation of powers between an Assembly and an Executive (SDLP); and (iii) an Assembly with power vested in a system of committee chairmanships (DUP).

6. O' Donovan observed that, in tabling their paper, the SDLP were putting their cards on the table - as the Unionists had long been demanding of them. Responding to a British suggestion that (were it not for this paper) the Unionists were almost ready to accept a deal on the lines of Sunningdale, he pointed out that a number of important issues, such as the European dimension, had arisen in the period since Sunningdale. The SDLP had presented proposals of contemporary relevance whereas the other parties were bringing old baggage with them.

7. Asked whether the Unionists had focussed on the provision in the SDLP proposals for the elected member with the highest number of first preference votes to become Chairman of the Commission, Bell replied that Paisley had been dismissive in Plenary yesterday of the "insulting" suggestion that he might receive this role under the SDLP scheme.

8. Regarding the view which the Secretary of State was likely to take once the Plenary discussion concluded, Alston remarked that "we don't see the kind of progress being made" which would enable the transition to Strand Two to take place. Reminded that no condition of "progress" applied to the transition to Strand Two under the terms agreed for the talks, he amended this to an observation that there was at present "no forward momentum" because of the fundamental division between the parties. Bell added that it was not clear how one could

plan for Strand Two if one did not even know whether the parties would turn up for (Strand One) talks tomorrow.

9. As regards Sir Ninian Stephen's visit, it had been envisaged that the Secretary of State would alert the parties today. Alston, however, did not see how the Secretary of State could do this under present circumstances. While they had not yet had an indication of his thinking in this regard, it was possible that he might conclude that further contact with the Irish Government was required in relation to the timing of Sir Ninian's arrival. O'Donovan responded that the Irish Government would be disturbed by any suggestion that the principle of the visit had to be "cleared" with the parties or that the latter had any element of veto in this regard. A furtive approach to this visit, furthermore, would not be helpful - it should be presented to the parties as something entirely natural and straightforward.

Visits by George Thompson and Sir Ninian Stephen

10. The programme for the advance visit by Mr George Thompson to London, Dublin and Belfast this week was discussed.
11. With a view to preparing Sir Ninian Stephen's visit, which will take place next week, it was agreed that information would be exchanged on dates convenient to both Governments for meetings with Sir Ninian. As regards publicity for the latter's arrival (at Heathrow early on Sunday 24 May), it was agreed that a low-key approach was desirable. Media queries might be answered with a short press release (to be drafted jointly) which would confirm simply that Sir Ninian had arrived to take up his duties. (However, a curriculum vitae and library pictures of Sir Ninian might be obtained on a contingency

basis through George Thompson).

12. Banking and credit arrangements for Sir Ninian and Mr Thompson were also discussed.
13. As regards the note-taking Secretariat, the British will be proposing two individuals of Principal or Deputy Principal rank (i. e., First/Second Secretary). Brooker recalled an agreement that the British would also provide Sir Ninian with a personal assistant. He also brought up the question of other support staff for administrative/photocopying purposes and said that thought was being given on the British side to the possibility of supplying an administrative clerk. It was agreed that the question of support staff for Sir Ninian at the three venues would be considered further on both sides.

Strand Two venues

14. Dodds indicated that Lancaster House would be available for the first two weeks of June. Should a later opening of Strand Two arise, Spencer House could be used. Admiralty House would be available as a fall-back at all times but it suffers from the drawback that it can offer space only for plenary sessions. It was agreed that, as soon as the Secretary of State gave his definitive approval to Lancaster House, an inspection visit would be arranged for the Irish side. (The Irish side has already indicated its readiness to arrange a similar visit in respect of Dublin Castle).
15. O' Donovan asked whether it was established that the two Governments would be identical in size. He pointed out that it might on occasion be necessary for the Irish Government to bring along additional Ministers. Alston

replied that it was recognized by the various parties that demands may vary.

Next meeting

16. The next meeting of the Liaison Group will be held in London on Friday 22 May (beginning at 11 a.m. and followed by lunch). The British hope to have our views at that meeting on how Strand Two might unfold in practice and on its relationship to Strand Three.

David Donoghue
David Donoghue

19 May 1992

cc PSM

PSS

Mr. Nally

Mr. Brosnan

Joint Secretary

Ambassador, London

Ambassador, Washington

Ambassador, Canberra