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Round-Table Talks, Strand One.

Plenary Meeting, Wednesday 1 July 1992.

Parliament Buildings, Stormont.

1. Denis Haughey and Sean Farren briefed the under-signed on today's Plenary meeting.
2. Following the Strand Three formation meeting held in London on 31 June, a Plenary Session was convened by Sir Patrick Mayhew for 14.30 this afternoon but with the suggestion that the Party leaders might arrive in advance for consultations as to the way forward. In the event, John Hume was the only leader to arrive before lunch with the others arriving shortly before the Plenary session was due to start.
3. An informal meeting of the Party leaders was then suggested by Mayhew and the leaders met for a short private session. Molyneux and Paisley urged Hume to lift the SDLP reservations on aspects of the sub-Committee report of 10 June. Hume replied that he was unable to agree to this and argued that the work of Strand One could not be taken further at this stage. Paisley said the agenda headings now agreed for Strand Two were very general and that it made sense to try tie down decisions in Strand One before moving to the wider aspects to be discussed in Strand Two. Hume said that the view of his party was that as much work as possible had now been achieved in Strand One and that additional consideration of the sub-Committee report would be of no real value for the present.
4. The meeting of Party leaders ended on this note and Mayhew, who had not attended the meeting, then asked to meet the leaders separately. Hume met him first and reported back to the SDLP delegation that Mayhew had indicated that nothing more could be "squeezed" out of strand One at this stage and that he intended proposing a move to Strand Two.
5. Following meetings with the other Party leaders, Mayhew proposed a Plenary meeting for shortly before 16.00. The meeting was chaired by Mayhew with the four party leaders and their delegations attending.
6. Mayhew welcomed the delegations and said he wished to read a statement. The statement, attached at Annex A, formally proposed the launch of Strands Two and Three. Mayhew indicated [paragraph five] that the Government "would be willing to facilitate the implementation of the institutional arrangements outlined in the sub-Committee report...including those aspects not at present universally agreed....if, but only if, they came in the light of

further exchanges in the Talks, whether in Strand One or in other Strands, to attract the support of all four parties". He went on to state [paragraph six] that as to the basis for entering Strand Two "we take the view that discussions in Strand Two are likely to take place on the premise that any new political institutions in Northern Ireland would be based on the structures outlined in the sub-Committee report. The Government is ready to enter and participate in discussions in Strand Two on that basis.....". The phrase "discussions in Strand Two are likely to take place.." was later changed to "could be expected to" and the text was amended accordingly at the later Plenary session to agree the press statement. This change was apparently made to reflect DUP concerns.

7. Mayhew in his statement went on to address the constitutional position [paragraph seven]. He stated that "...I do not wish to go further than saying that I believe it is in everyone's interest that the Talks process as a whole should achieve an unambiguous consensus on the constitutional position of Northern Ireland and produce a framework for relationships which will be genuinely acceptable to all the Talks participants and to the people. That may have implications for Articles 2 and 3 of the Irish Constitution...I do not believe such a consensus to be beyond our grasp and I shall argue for it".

8. At the conclusion of his statement, Mayhew proposed that the Business Committee should meet to draft the text of a press release outlining the decision to launch Strands Two and Three. This was agreed with no other comments being made by the party leaders.

9. The text of the Statement drafted by the Business Committee is attached as Annex B. Paisley proposed the insertion in paragraph two of an additional phrase to the effect that Strands Two and Three were being launched on the basis outlined by the Secretary of State in his statement. The SDLP and Alliance objected to this on the basis that the Mayhew statement was not being made public and, therefore, that such a reference would create confusion.

10. Plenary re-convened shortly before five o'clock to approve the draft press statement. Mayhew first indicated that paragraph six of his earlier statement was being amended [as outlined above]. He then invited comments.

11. Paisley asked for clarification on the Secretary of State's statement. He said that paragraph five indicated that the Government would be willing to facilitate the implementation of the institutional arrangements outlined in the sub-Committee report (if they came in later exchanges to attract the support of all four parties). Paisley asked whether the undertaking in paragraph six ("...we take the view that discussions in Strand Two could be expected to take place on the premise that any new political institutions in Northern Ireland would be based on the structures outlined...") also applied to the aspects of the report on which agreement had not been reached by all sides. Mayhew confirmed that this was the case.

12. In relation to paragraph seven of the statement (that, inter alia, it is in everyone's interest that "the Talks process as a whole should achieve an unambiguous consensus on the constitutional position of Northern Ireland.."). Paisley asked what was meant by the word "consensus" as this would be unattainable because there would always be a group of people who would never accept Northern Ireland as part of the UK. In place of "consensus", Paisley suggested the word "agreement". Mayhew said that, in his view, it was not unreasonable to suppose that agreement could be reached on the status question given the general acceptance that this status could not change without the consent of a majority of the people. He proposed leaving the language as it stood. Paisley then asked if Mayhew would confirm that references in his statement to the sub-Committee report included references to the additional supplementary report of 16 June [on, inter alia, relations of new institutions with Westminster]. Mayhew replied that this was the case.

13. Hume then made a statement criticising the breach of confidentiality by the DUP over the weekend in relation to the Talks. Paisley replied that if the Taoiseach and the Irish Government made comments about the Talks, his party was entitled to reply. He presumed the Irish Government would be bound by the confidentiality rule once Strands Two and Three begin.

14. Peter Robinson of the DUP asked what papers Sir Ninian Stephen would receive from Strand One. Paisley said this also applies to the Irish Government and he presumed agreed papers would be handed over. Mayhew said it might be helpful to provide papers that had been "banked" or agreed in the sub-Committee in order to assist the Strand Two process. Queried by Robinson, he agreed to notify the parties as to which papers were handed over. Paisley then asked the timing of the first strand Two meeting and Mayhew replied that Sir Ninian might be in a position to call the first meeting as early as next monday, 6 July. The meeting then adjourned.

15. In a subsequent conversation with Permanent Under-Secretary Chilcot, Denis Haughey was told that a meeting of Strand Two on Monday was "very likely" and that it would probably take place in Lancaster House. Chilcot said that he envisaged meetings being held until Wednesday but hoped that Sir Ninian would then allow a break "for a few weeks". Haughey interpreted this as referring to Plenary rather than the substantive negotiations in Committee. Seamus Close told Haughey that Alliance hopes Sir Ninian will allow a sub-Committee to work over the summer with Haughey saying the SDLP has no information on what working arrangements are likely to be proposed.

Assessment.

16. The reaction of Haughey and Farren was one of considerable elation at the Mayhew announcement but allied to some concern at the implications of paragraphs five and six of his statement regarding the Government's attitude to the sub-Committee report.

Farren was especially concerned at the UTV reports that "sources" close to the talks viewed the Government as having accepted the Unionist position on the paper. Haughey said he had asked Chris McCabe of the NIO if any Government briefing had been given to this effect. McCabe denied this emphatically and later gave Haughey the text of Mayhew's comments to the press [attached, Annex C].

17. Both Haughey and Farren expressed concern at the evidence of private understandings between Mayhew and the DUP in relation to the substance of to-day's statement while accepting that Mayhew felt the need to ensure Paisley's acceptance of his proposal. That said, Haughey added that there are clear risks in such a strategy and that these were illustrated by the UTV report. His own feeling is that the DUP were probably responsible for the briefing but that the SDLP cannot politically be placed in a position where they are perceived to be in a weaker position than the Unionists.

18. As regards next week's meeting in Strand Two, Haughey said the SDLP will maintain close contact with Dublin so as to ensure a similar approach is taken on broad policy issues and tactics. As matters now stand, he envisaged the SDLP delegation consisting of Hume, Mallon and McGrady and with Durkan, Haughey and himself acting as general back-up in London.

en. 1/7/92

Annex A

SECRETARY OF STATE'S STATEMENT TO PLENARY, 1 JULY 1992

1. When we last met around this table, on 12 June, I was able to make a statement which described the widespread agreement which existed on what the next steps in the talks process should be. There were three elements;

- first, that the Strand 1 Sub-Committee should be invited to continue its work, concentrating in particular on the points listed in paragraph 8 of the Sub-Committee report of 10 June. A supplementary report was duly produced by the evening of 16 June for which I believe the Sub-Committee deserves our thanks. I trust we can now formally take note of it.

- Second, that Sir Ninian Stephen should be invited to convene a meeting the following week to which he would invite representatives of the two Governments and of the four Northern Ireland political parties participating in the talks to discuss a possible agenda for Strand 2 of the talks. That meeting was duly held on 19 June and completed consideration of a possible agenda for Strand 2. We all owe a debt of gratitude to Sir Ninian for the way in which he chaired that meeting, and the possible agenda which it produced - while it has yet to be ratified - has helped to illustrate the pattern of discussion which might be expected in Strand 2.

- Third, that the two Governments should hold a meeting in Strand 3 formation which observers from each of the parties would be invited to attend for at least part of the time, to give preliminary consideration to the issues likely to arise in that strand. That meeting took place yesterday. The two Governments give preliminary consideration to the issues, took careful note of the views of each of the parties and agreed a framework for substantive discussion in Strand 3, including an agenda.

2. We have agreed a number of Common Themes and a set of Common Principles which all agree should be the criteria against which any proposed arrangements should be judged. We also agreed a number of statements relevant to the need to protect, respect and express the identities of those from each of the main traditions within the community in Northern Ireland. A certain measure of agreement on new political institutions was recorded in the Sub-Committee report of 13 May. A number of other important principles were acknowledged in the further Sub-Committee reported noted by plenary on 1 June. The Possible Outline Framework for new political institutions in Northern Ireland which was first considered by plenary on 3 June indicated a wider and higher level of provisional and conditional agreement. The Sub-Committee report of 10 June further expanded the amount of common ground, clearly identified the areas of disagreement and reached a measure of agreement on a range of other matters, especially the future relationship between any new political institutions in Northern Ireland and the Westminster Parliament. That was supplemented, as I have mentioned, by the further Sub-Committee report of 16 June.

3. It is clear we are not collectively able to move towards a greater degree of consensus on new political institutions for Northern Ireland at this stage. It is, however, my judgement that developments in the other strands of the talks would enable one party or another to shift its position and enable further progress towards full agreement on arrangements for the government of Northern Ireland.

4. Against that background, it may be helpful if I say something about the attitude of Her Majesty's Government to the Strand I sub-Committee report, consistently with what the Permanent Secretary, Mr Chilcot, said during the meeting to discuss a possible agenda for Strand II, on 19 June.

5. HMG, for its part, would be willing to facilitate the implementation of the institutional arrangements outlined in the sub-Committee report of 10 June, including those aspects not at present universally agreed, if, but only if, they came in the light of further exchanges in the Talks, whether in Strand I or in other strands, to attract the support of all four parties.

6. As to the basis for entering Strand II, I can say on behalf of the Government that unless and until the four parties agree on a different approach, we take the view that discussions in Strand II could be expected to take place on the premise that any new political institutions in Northern Ireland would be based on the structures outlined in the sub-Committee report. The Government is ready to enter and participate in discussions in Strand II on that basis, not having at this stage a basis in any of the proposals in the form originally submitted by any of the parties in Strand I because none of those can be regarded as having sufficient general support.

7. There is one particular point of concern to some around this table, on which I should speak. I do not wish to go further than saying that I believe it is in everyone's interest that the Talks process as a whole should achieve an unambiguous consensus on the constitutional position of Northern Ireland and produce a framework for relationships which will be genuinely acceptable to all the Talks participants and to the people. That may have implications for Articles 2 and 3 of the Irish Constitution. That there are now different views on whether a consensus is to be found is both undeniable and unsurprising; it is why we need to talk. But I do not believe such a consensus to be beyond our grasp, and I shall argue for it.

8. I have now reflected on the position which has been reached in the Talks and on the points made to me by the party leaders [and other delegates]. My conclusion is that there is no more work that can usefully be done in Strand I at present, though in due course there certainly will be, and that the most constructive route forward is to build on the work done in the preparatory meetings for Strands II and III and to move forward now into those strands of discussion. I therefore now formally propose that the later strands of discussion should be launched. I do so with the agreement of each of the party leaders.

9. I will communicate the fact that I have made this proposal to the Irish Government and to Sir Ninian Stephen whose responsibility it now is to convene the opening meeting in Strand II.

Annex B

TALKS STATEMENT

The Secretary of State and Mr Hanley held a number of meetings with the party leaders.

There was a plenary meeting in the afternoon. The Secretary of State announced that, after consultation, he was formally proposing the launch of the later strands of the talks.

In the light of points made by the Secretary of State during consultation and in plenary, the party leaders indicated that they accepted the proposal.

It is understood that the Irish Government has also accepted the proposal.

The Secretary of State is informing Sir Ninian Stephen, to whom the convening of the opening meeting of Strand 2 now falls.

1 July 1992

Amrit C.

I N T E R O F F I C E M E M O R A N D U M

Date: 01-Jul-1992 05:56pm GMT
From: Mark mccaaffrey
MCCAFFREY
Dept: Government Information Service
Tel No:

TO: See Below

Subject: SoS announces move to Strand Two

Comments by Sos - Stormont - I July 1992

PM Good afternoon - nice to be able to talk to you - I'm afraid it's going to be rather brief but it's good news - the plenary met this afternoon after I had had consultations with part leaders and had heard the points that they wanted to raise and at the plenary I was able to announce that I thought the time had come when we should now proceed to Strand Two of these talks. As you know it's always been the agreement between the parties that that matter should be left to me and I've come to that conclusion. But the good thing is in particular that I was able to reach that conclusion with the agreement of the party leaders on the basis of the consultations that they'd had with me and on the basis of the understandings that we have arrived at together. So the position is that Strand One is for the moment now concluded and we go into Strand Two. But as has always been the case it is possible for the parties if they wish to do so to come back and give further consideration to Strand One topics in the light of the progress that we make from now on.

Q Did you bridge the gap between the Unionist position and the SDLP position in strand one to bring you into Strand two or do you just take the bull by the horns and move straight to Strand Two

Sir P. Well I think the important point is that the party leaders have all agreed - no dissenters - to the transition to Strand Two which I have announced. It was left to me to decide when the appropriate moment had arrived and I was able to do so with their agreement. So that is very good news.

Q Did you have any consultations with your counterparts in the Irish Government today

Sir P I have had no consultation with my counterparts in the Irish Government today - I've consulted with the party leaders, which is what the agreement that my predecessor Peter Brooks achieved over fifteen or sixteen months ago - that it would be for the Secretary of State, after consulting with the part leaders, it would be for the Secretary of State to decide if the appropriate moment moment had come for transition to Strand Two and that's what's happened.

Q Could you clarify: you had a divided house - the sub committee's report whereby the SDLP had one position and the Unionists had another position - are

you using that report as a basis for moving to Strand Two despite the disagreements

Sir P I hear what you say about that Mr Mallie - but I'm not commenting on it in one way or another: I've come simply to announce that the transition has been made and that' it's been made for the reasons I have given.- that I think the appropriate moment has arrived and I've been able to make that decision with the agreement of the party leaders and we've all of us agreed that it is sensible to keep up (I'm sorry from the journalists' point of view) but it is sensible to keep up the confidentiality that we have agreed upon.

I'd like to say that Jeremy Hanley who played such a tremendous part in the sub-committee's in this process over the last couple of months. He has been part of these negotiations all along and he was with me today when we consulted with the party leaders and its been very much a team effort. Party leaders, Ministers and officials - all have combined to bring this rather successful conclusion to this stage of a very arduous process.

Q: Do you regard this as the most significant moment of the Talks process?

Sir P: Well it's the best moment so far.

Q: How do you interpret what Dr Paisley says though that unless there is agreement on Government structures in Northern Ireland you couldn't move to Strand 2.

Sir P: Well I think its up to you what interpretation you make... no I'm not going to give any interpretation on anything at all.....I have come just to let you know that we have reached this stage now with the agreement of all the party leaders and that's a very happy conclusion to what has it been now 8 or 9 weeks and now we move forward to the next stage which will take place in London under the Chairmanship of Sir Ninian Steven.

Q: Was there a formula... did a formula emerge either by the good offices of Mr Hanley or in plenary session that allowed this to take place. Presumably something changed over the last couple of weeks to allow this dramatic transition to take place. Did you present a formula.

Sir P; Sometimes the appropriate moment is recognisable when you see it and sometimes you have to wait a little for it to come along. But that has been the formula that my predecessor with the agreement of all the parties achieved some sixteen months ago that when after consulting with all the party leaders the Secretary of State believes the appropriate moment has come for transition to Strand 2 and indeed to Strand 3 because that also takes place at the same time relationships east west as well as relationships North South when he thinks appropriate moment has come then he will make that transition.

I understand that that has been accepted in Dublin.. I have just spoken to Sir N Steven whose very pleased that he will now be able to take on the Chairmanship of Strand 2.

Q: Timing?

Well that's for Sir N but I daresay that it will be sooner rather than later and indeed I hope as I'm sure everybody in NI and more widely hopes it will be soon.

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