



An Chartlann Náisiúnta
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4 August 1992

CONFIDENTIAL

Mr. Sean O hUiginn
 Assistant Secretary
 Anglo-Irish Division
 Department of Foreign Affairs

Mr. Cribbin
M. Kerwan
AM
3/19

cc PSM
 PSS
 Mr Nally
 Mr American
 Amb London
Edw
 17/8

Dear Assistant Secretary

Dinner with the Secretary of State

The Secretary of State came to dinner here last evening before the Summer break (he goes to France next week). He was in animated form, dealing humorously with the popular perception of him as a tough-minded Unionist (the impression is misguided but has its uses) and expressing views on a wide variety of subjects from his role in the Westland Affair (he acted as independently then as he did in the Stalker case) to a Bill of Rights for Northern Ireland (he will not stand in the way) to the new army base at Cloughoge (going ahead). Two points of importance in relation to the Talks emerged in discussion, one of them an unwelcome surprise.

Doubt about the timing of the next Conference

The Secretary of State expressed himself pleased with the progress of the Talks so far. He felt the lengthy question and answer session last month in Strand Two had been very valuable in testing the process and he again paid compliments to our Ministers for their handling of Paisley's boorish behaviour. The conversation naturally led on to what could be expected in September. Sir Patrick was fairly optimistic that Paisley could be got off his demand for a unilateral commitment to act on Articles 2 and 3.

There was a general view around the table that given our experience of the process to date, there was little or no chance of a successful outcome to the Talks by the end of September and that more time would be needed. On the Irish side, we spoke in the belief that the Conference postponed from the end of July would be held at the end of September, as Sir Patrick appeared to agree at the Strand Three meeting in Dublin last week; and we thought the two Governments would need to consider the handling of Unionist reactions so as to provide the best chance of an early resumption.

That was not, however, the Secretary of State's line of thinking. He described the idea of a fixed Conference at the

end of September as "wanton" and he was clearly of the view that if any kind of reasonable progress was being achieved in September, the Conference should be postponed. If not, there would be great difficulty in arranging for a resumption of the Talks in reasonable time, or even at all; and the certain prospect of a Conference would also significantly affect the chance of achieving progress in the four weeks available. Sir Patrick believed the two Governments would need to look again at the date of the Conference in the light of developments in the Talks. We showed surprise, but in turn Sir Patrick said he had already expressed his views privately to our Ministers at Hillsborough last month (this flies in the face of the Strand Three discussion last week when the Minister for Foreign Affairs said the Government regarded a Conference on 29 or 30 September as immutable).

Robert Alston explained further today that the Secretary of State was conscious that Strand Two was still in the preliminary phase. There were three agenda items to get through before the first of the operational items was reached (possible institutional arrangements). Unionists would expect the Governments to give more time for the Talks. If they understood that a Conference was fixed for end September, they would behave as they thought the SDLP did last year when it became apparent that the time was too short for serious discussion, ie, they would not put down proposals. They might not even come to Dublin for the Strand Two meeting agreed for the week beginning 21 September. I responded in strong terms to Alston and asked about the Secretary of State's apparent agreement last week to a Conference on 29 September. He gave the casuistic reply that the British view of the exchange was that the 29th (or the 30th) would be acceptable to them if a Conference was to be held at the end of September.

Comment

We did have the sense here that the British wanted to keep their options open on a late September Conference, although the issue seemed to be settled last week. You will recall that the furthest they would go in drafting was that the Conference would not take place "before the week beginning 28 September" (statement agreed by the Business Committee of Strand Two and released by the Chairman on the last day of session, 24 July). That suggested but did not guarantee a Conference in that week.

It seems to me that we will have to nail the British to an unbreakable commitment as we did last year, otherwise the Conference will be in drift. The present position is that we do not have a firm agreement to hold a Conference at the end of September, nor on the basis of last evening's discussion is there a likely prospect of getting one. Under the Agreement, we could insist on a Conference unilaterally, but in that case, the talks could well break down on that ground, quite possibly in the first week in September. We could expect to hear the argument that four weeks was never sufficient to make

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firm
commitment
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to
a
Conference
at
that
time*

*See
17/8*

real progress and that our insistence on holding a Conference had ended the Talks. That is an argument with which our public opinion might sympathise, as the British have no doubt calculated.

To judge from conversation with Alston today, the British think it possible that a period of eight weeks rather than four could produce a rough outline agreement sufficient to get the Talks through a Conference. He thought they might be prepared, therefore, to commit themselves to a certain Conference at the end of October. I think we should consider that possibility: the extra time would appear reasonable and deprive the Unionists of a basis for their inevitable complaints when the Conference was held. In any event, it would be important to settle the issue with the British immediately on the resumption of business in September.

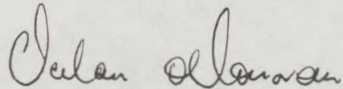
A much better offer?

You will recall that at the Strand Three meeting in Dublin on 28 July, the Secretary of State said that institutional arrangements were on offer that would give the Irish Government "a much better role" than under the Agreement. There was a turn in the conversation and the Secretary of State did not expand on his remark, so when an appropriate opportunity arose last evening we invited him to take his suggestion further. So far as we could make out - and our understanding was confirmed today by Robert Alston - what the Secretary of State has in mind is the influence which our Government could exercise on transferred powers through whatever machinery was established for North/South cooperation and joint action with the devolved administration. Under the Agreement, we cease to have the right to put forward views and proposals on matters that are transferred to a devolved administration. Sir Patrick's point seems to be that under new arrangements we could retain that right and quite possibly increase it. N/B

Whether this would be done in a new tripartite conference - as Sir Patrick's remarks might suggest - or in a Council of Ireland or North/South body was left unclear, as was the extent of transferred powers which under the scheme outlined in Strand One would involve executive authority only in certain economic and social matters with consultative arrangements for some other powers withheld by the British Government. However, there have been indications at official level that there is much to be played for yet on the extent of the transfer of powers and Sir Patrick has spoken publicly (Financial Times) of giving a new Northern assembly at least as much power as the old Stormont parliament which would include control of the police (although not of the British army, the judiciary or the intelligence services). Sir Patrick's ultimate calculation may be to trade the greatest possible transfer of powers, thus pleasing most of the Unionists (not Molyneaux), for significant Irish Government

influence on the exercise of transferred powers within Northern Ireland as well as a high level of cooperation and joint action on an all-Ireland basis.

Yours sincerely

A handwritten signature in cursive script, appearing to read "Declan O'Donovan".

Declan O'Donovan
Joint Secretary