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ANGLO-IRISH SECRETARIAT
BELFAST

BÓCHT ANGLA-ÉIREANNACH
BÉAL FEIRSTE

BELFAST

27 October, 1992

Confidential

Mr Sean O hUiginn
Assistant Secretary
Anglo-Irish Division

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PSM
PS

PS Tassach.

Mr J. Brennan
Mr. J. Brennan
Tallerpatrick

Dear Assistant Secretary

Political Talks

I had a series of conversations with the British side today. The operational points have already been conveyed to you.

Developments today

I understand that Sir Ninian met a number of the parties yesterday and had a succession of meetings with all of the parties this morning. The British were represented by officials. Sir Ninian enquired shortly after noon about the availability of our Ministers this afternoon and for the rest of this week. The British side made a similar enquiry. We were passed other enquiries from the SDLP and the Alliance Party (the latter thought they had an arrangement for a bilateral with us tomorrow). We replied that our Ministers were unlikely to be present this afternoon and we would respond further as soon as we knew of firm arrangements.

The later information that our team would arrive early on Thursday morning drew an angry response from the British. They said Sir Patrick Mayhew had made our Ministers aware at lunch last Friday that Thursday was the one day he could not be present this week. He had a very important Cabinet ^{meeting} in the morning on the Maastricht bill which was threatening the life of the Government and he was first for PQs in the Commons in the afternoon. The delay on our side was "highly unsatisfactory" and made them wonder again about the seriousness of our commitment to the Talks (a reference back to previous comments - see report of 21 October). We seemed to have taken no cognisance of Sir Patrick's difficulties on Thursday and there would scarcely be time in these circumstances for the two Governments to confer adequately and speak to Sir Ninian before he reported on Friday.

I rejected the idea of lack of commitment to the Talks, pointing out that there were serious political issues requiring attention in Dublin also and that there was a need for careful consideration of the issues involved in the constitutional question. I suggested that Ministers could

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meet on Friday morning or any time on Thursday, say, as soon as Sir Patrick returned from London. We would be making arrangements for other meetings with the parties and with Sir Ninian in the meantime.

Proposal by the Secretary of State

The British came back later with a message from the Secretary of State confirming the concern felt on their side and asking in the circumstances if official channels could be used and, specifically, if they could have sight tomorrow of the response we were proposing to make on the constitutional issue. I said I would, of course, report the Secretary of State's concern and his proposal but I felt that given the difficulties that prevented our Ministers attending tomorrow and the delicacy of the response on the constitutional issue the British side should not expect a favourable answer.

X/

*late collapsed
confirms his
was for
discussion at
Ministerial level on
28/1*

British view of last week

In the British view, last week's session ended in a much healthier state than it began. They see the most important thing now as our production of a form of words on the constitutional issue. They are concerned to discuss our response with us as soon as possible. They are also interested to talk to our Ministers about a paper they understand we promised to give Sir Minian on the executive role of North/South institutions (?). Lastly, they understand the two Governments are to advise Sir Minian on how to craft wording on the question of confidence in the security forces.

I reported orally last Friday on the British side's account of the lunch meeting with our Ministers. In response to our Ministers' comments about the contrast between the UUP willingness to envisage a significant executive function in North/South institutions and the British refusal to contemplate such a role from the outset, I was told Sir Patrick had argued that it would have been unwise for the British side to lead on the issue, that it was a matter that the Unionists had to deal with themselves but that he had claimed some credit for the UUP's advance!

He had asked for an exact formula on the constitutional issue and he had been told we would respond this week. He had expressed the hope that our pitch would not be too high but had not offered any thoughts of his own.

It had been agreed that the Irish side would get the SDLP onside on security. (Alston said today that Mayhew had taken a clear signal from our side that there was no Irish interest in working Seamus Mallon's ideas on security into a package.)

Alston said the security issue came up at Mayhew's meeting with Hume on Friday afternoon. Hume asserted its importance

but a bit defensively in the British view. Notwithstanding the agreement that the SDLP's views on this matter would be left to the Irish side, Mayhew took them up and made some headway, he thought, in convincing Hume that Seamus Mallon's ideas were not realistic.

UUP Conference

Since the DUP jibbed at going to Dublin, the British have placed their hopes more and more on the UUP which has taken over the DUP/Robinson role as a motor of the Talks - indeed the British have begun to speak of doing without the DUP altogether. Last week they were worried about anything that might cause upset at the UUP conference. Post conference, they are pleased. British observers thought the party showed considerable self confidence. They detected a mood among delegates that the UUP had come quite a way, taken the initiative, developed ideas, gone to Dublin and "faced down" the Irish Government on the constitutional issue and, in all respects, demonstrated a more positive approach than the DUP. The self-promotion and implicit criticism of the DUP drew a fierce response from the DUP and volleys of insults were traded by the two parties' spokesmen at the weekend. There is now a widening gap between the two parties but it may not be wise to make too much of the weekend's exchange of fire. It is not unusual at party conference time and the two leaders did not get involved.

You will have seen that Molyneaux told his party that

It will certainly not be the (UUP's) fault if all the objectives are not attained before the cut off date set by the two Governments. Such has been the Unionist achievement that Ulster is not going to slide back to square one if we are deprived of total success . . . this time we shall not stall or falter just because another initiative has been only partially successful.

The British say that Molyneaux has aligned himself with Paisley on the issue of the Conference cutting off the Talks but he is not necessarily aligned on the cut-off date. They still hope that, if necessary, the Talks can continue for a couple of days beyond 9 November. In my letter of 21 October, I said the British side were thinking of reporting to Parliament on 12 November. This has now been adjusted to 11 November because the annual autumn statement on the economy has been fixed for that date, precluding other statements.

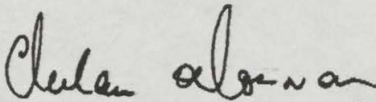
Alston said the British are persuaded that the UUP negotiators, with Molyneaux's support, are determined to make progress in the current phase of the Talks, although Molyneaux himself is characteristically lowering public expectations, and they can envisage the Talks continuing after 16 November but they will need some mechanism to distinguish the old from the new. There were options that could be considered. At one

end of the spectrum, the two Governments might say that the next Conference would be the last in the current format since 1985 and that, in future, for example, meetings between the Governments could follow the format of Strand Three by admitting the parties as observers from time to time and conducting a regular liaison arrangement with them. (Comment: Unless the Talks were very far advanced and we were fully confident of a successful outcome to them, any such scenario would be dangerous to the credibility of the Agreement and would be a means for the realisation of a limited settlement by incremental steps.) At the other end of the spectrum, the Conference would continue as before but with an attempt to negotiate a further gap for Talks purposes. As the mention of a spectrum suggests, the British are likely to argue that the low end will not work and that something more will be required to satisfy the Unionists.

The end game

Alston said the British were thinking of the end game and this too was a matter they wanted to broach with us. Not so long ago, they were telling us piously that Strand Two had an independent chairman, that the Governments were only two of the participants and that they could not run the process. Not now. They are distinctly nervous that Sir Ninian may mishandle his brief and they have become keen on meetings between the Governments as the best way of influencing him and the other participants. Their immediate worry is that he will attempt to give a substantive progress report on Friday which may only serve to collapse the Talks prematurely. Hence, part of the reason for the reaction which greeted the news we gave today. As to the future, assuming the Talks can be guided into safe waters before 16 November, Alston said the two Governments would need to assess whether it would be productive to continue to use Sir Ninian in his wider role as distinct from his role in Strand Two. As one alternative, he suggested that meetings might be held between the two Governments in the Strand Three format (without necessarily calling it Strand Three) and involving attendance by the parties as observers from time to time and/or discussion with the parties in a liaison group.

Yours sincerely



Declan O'Donovan
Joint Secretary