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TO: HQ FROM: Belfast - 8 January, 1992 PAGES: 10
FOR: A/Sec O hUiginn FROM: Joint Secretary

SUBJECT: MR. BROOKE'S MEETING WITH THE UNIONIST LEADERS,
STORMONT, 7 JANUARY, 1992

1. Further to my oral report, Mr. Brooke met Messrs. Molyneaux and Paisley at Stormont at 2 p.m. yesterday afternoon. The meeting lasted the best part of two hours. Following later discussion between Mr. Brooke and his officials, I was briefed by the Deputy Secretary in charge of Political Affairs, Quentin Thomas, at 5 p.m. Robert Alston was also present. As on previous occasions, Thomas' account was detailed.
2. The meeting began with quite a long presentation by the Unionists on the security situation. Thomas did not give details. He said their concerns were, of course, genuine but as they had pointed out themselves, they could not have met Mr. Brooke in the wake of two major explosions in Belfast without being seen to take up security policy.

Molyneaux's suggestion for briefing

3. Molyneaux opened discussion on the political talks saying reflectively and amiably how like the position was to a year ago when Unionist leaders had met Mr. Brooke on Christmas eve. It had been hoped then that discussion would get underway very early in the new year but there had been difficulties and agreement had not been reached until 26 March. We now seemed to be on the same sort of roller-coaster. He was worried about the shorter timescale if talks were to be got underway before the Election. He was worried too about the amount of work to be done. He had put his people back to work over Christmas and they had quickly realised how much they needed to do. He assumed the other

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parties were in the same position. He wanted to make a suggestion that the (British) Government should offer presentations to the parties on such topics as how Government worked, the Northern Ireland Departments, financing, the IDB and what arrangements there might be between Local Government and any new institutions. In response to my question, Thomas said that Molyneaux seemed to be envisaging separate briefings for the parties although this was not completely clear. I noted that the matters mentioned were all Strand One matters. Thomas said he had not personally focused on this and offered the comment that the Government would not be in a position to provide briefing on issues arising outside Strand One (?).

4. Brooke told Molyneaux there should be no problem about briefings but they would take a little time to prepare. The NIO would also have to brief the other parties. He suggested that Minister Mawhinney might chair an exploratory meeting with the parties to see how the briefing would be done and with whom (Molyneaux having indicated that he would not be attending the briefings himself).
5. Thomas thought the briefing would be purely informational and would not get into policy. He expected it would be the type of briefing that would be offered to an Opposition MP visiting the North. (Comment: The Unionists may well expect something more substantial.)

Unionists' Irritation with Hume

6. Brooke said he had hoped to have seen John Hume by now but he was in Europe (Brussels?). This drew an effusion from Paisley. Hume did not need to be in Brussels and he was not running for the Presidency of the European Parliament whatever the press might think. He added comments which were repeated throughout the meeting to the effect that Hume did not really want talks. There was some discussion about the interviews given by Hume, Paisley and Molyneaux to Radio Ulster on 2 January. The Unionists were resentful of Hume

for saying that they were making four if not five new preconditions (they argue that their proposals for venue, size of delegation etc are organisational ones which are desirable because of experience (this does not apply to Paisley's problem with Stephen) and that their difficulty with the possibility of a change in administration arises from the British proposal that the talks should straddle the Election.) The Unionists were also resentful of the BBC for the way it handled the interviews. They had gone to the interviewees telling them what the others had said and getting them to comment. It had been very unhelpful.

Meeting of the Parties?

7. Later in the meeting, Brooke asked if the leaders had talked or would talk to Hume directly. They replied that they saw no purpose in this. Molyneaux said "more in sorrow than in anger" that there had been contact with the SDLP at second level but it had been blocked by the leadership. He and Paisley again asked if Hume was serious. Brooke said that he was now hoping to see Hume on Friday (Thomas said it has now been settled that the discussion with the SDLP will take place at 2pm on Friday via the video conferencing facilities which exist between the NIO offices in Whitehall and Stormont). He asked Paisley if he could delay his departure for Strasbourg on Monday in order to accommodate a multilateral meeting at 9.30 a.m. if everybody thought that useful. Paisley agreed and a provisional arrangement was made to this effect.

Molyneaux's query about Strand Three

8. Molyneaux asked how much thinking the two Governments had done about a new agreement that would be acceptable to both. Molyneaux's question seemed to derive from his interest in the East-West relationship. He remarked that the Anglo-Irish Intergovernmental Council was a better model than the Agreement because it included East/West relations and he went on about the importance of Maastricht to both countries. There would be merit in the two Governments

working up the issues although it was important that they should avoid precision. (Thomas explained that, of course, Molyneaux would not want such a discussion taken to the point where a new agreement would have been negotiated over his head.)

9. These remarks allowed Brooke to suggest that the Strands could start in parallel rather than proceed sequentially. Molyneaux then turned to Paisley: "Ian, you agree with all of this, don't you?" Paisley said yes, Strand Two could be started with Strand One (sic). Brooke asked him what he meant. Paisley said it would be important not to muck-up Strand One with Strand Two. They had to be kept separate. Brooke said that if Paisley was suggesting that Strand One could start without agreement on the modalities for Strand Two, that would not work. For reply, Paisley put heavy emphasis on his view that these were new talks. He had been talking to Hume who did not seem to understand this point. Molyneaux intervened emolliently: "let us leave our absent brother out of this". This provoked some "ranting" from Paisley to the effect that Hume was not his brother, that he did not really want talks etc. The discussion did not reach a conclusion but the British are clearly interested in reopening the idea of parallel discussions in the three Strands.

Unionist difficulty with two Conferences

10. Molyneaux asked if the two Governments had thought further on the Unionist difficulty with the proposal for a Conference after the Election as well as before it. Brooke said he had not yet had views from the Irish Government and the subject was left aside. I asked Thomas if the Unionists had made any other comments on their position. He said there was no change, certainly no hardening in their view. There was however a further exchange about the SDLP. Paisley said everything depended on them: "We (Unionists and British) have an understanding." Brooke said firmly no, that was not the case; and he repeated that it was not on to

seek to negotiate modalities for Strand Two in the margins of Strand One; everybody would have to be satisfied before the talks started.

Sir Ninian Stephen

11. Paisley's problem with the choice of Ambassador Stephen to chair Strand Two came up again. Brooke repeated that if Paisley insisted on this point he could kiss goodbye to talks until after the Election. Paisley said he had "reservations" but they were not a "precondition" (referring to Hume's argument on Radio Ulster that the Unionists were putting forward four if not five new preconditions). He wanted to know more about the candidates who had been considered and how Stephen had come to be chosen. Brooke gave a cautious indication that he might be able to meet Paisley on this (Molyneux made it clear that he did not want to be involved.) He made it absolutely clear to Paisley however that any information that might be given would have to be kept in confidence. Thomas said that as the information requested involved confidential exchanges between the two Governments, Brooke would not do anything without our concurrence. His judgement is that Paisley would respect the confidence and that the provision of information would bring him to accept Stephen. He was contemplating giving him the names of the candidates formally proposed on either side, pointing out that Stephen had been a British suggestion (which would be an advantage with Paisley) and saying there had been no Irish veto on any name. He would not go into any great detail. Again, Brooke believed that Paisley's request was in fact a signal that he would not stick on the point.

12. Venue/Size of Delegation

Brooke said he was waiting to hear from the SDLP on the question of the venue for Strand One. Paisley had told Brooke on 19 December that if the SDLP were insisting on meetings in Belfast, they would have to be at Parliament Buildings rather than Stormont Castle as he and Molyneux

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had previously wanted. Paisley made clear this time that he was talking of Parliament Buildings because the SDLP were insisting on delegations of ten which could not be accommodated in Stormont Castle. Thomas commented that this seemed to confirm that Paisley did not have a problem with Belfast as a venue; London was a Molyneaux point. It might also show that Paisley would not stick on the issue of size of delegation. Molyneaux intervened to ask "you won't need a lot of meetings, will you? There can be informal meetings." Brooke replied that it depended on numbers, if there were three to five per delegation ... (Brooke seemed to be implying that small numbers would lend an informal atmosphere.)

Change of Administration after the Election?

13. There was not a great deal said on this matter. The Unionists expressed the thought that if there happened to be a new Irish Government the SDLP would want to check its views; it was reasonable that they should want to check the views of a new British Government. Mawhinney noted that the SDLP might well want to check the views of a Conservative Government kept in power by the Unionists.

14. Thomas said that the text of 18 December referred to the question of a change of administration but was silent about what would actually happen if there was a change (Comment: except of course that there would be a Conference whether or not there was a change). He thought language could be worked into the text to indicate a wish in principle on behalf of all parties to continue the talks but also a wish to consult to establish that it would be possible to do so. In conversation, Thomas pulled back a bit from this line of drafting on the grounds that it would be too strong for the Unionists. He then suggested an indication of a wish to consult following the Election in the hope that the continuation of the talks would be possible. Molyneaux said something along these lines. (He also said publicly in his interview with Radio Ulster of 2 January "that one

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Government doesn't bind another. One Government doesn't have to carry forward the policies of another. It would make sense then that everybody would engage in stocktaking immediately after the election".) Thomas said that of course everything depended on the strength of the SDLP's concern on this issue. If they could be got to drop the point, the text of 18 December could be left as it was. I said no doubt the SDLP would be putting forward their views to the Government on Thursday but I understood they had already indicated their strong concern to us and indeed had done so publicly in Hume's Radio Ulster interview.

15. McNamara

Thomas said that Brooke proposed to tell McNamara that it was obvious that the parties would want to check out the views of any new Secretary of State. A draft letter was now with Mr. Brooke. I noted that in the Irish Times of 4 January, McNamara was reported as warning Brooke "not to agree to the Unionists' precondition that any resumed talks would only continue as long as a Conservative Government was in office in London". He was quoted directly as saying "I am surprised that a member of the British Government involved in negotiations with a substantial international dimension could appear to countenance such a requirement". Thomas argued that McNamara's comment was based on a misunderstanding, that it was a matter of consultation after the Election not a halt in the talks if the Government changed. Comment: This is not quite accurate. At the Conference, the British rejected our proposal for a simple and appropriate confirming arrangement after the Election and pressed instead for a formula which would tie in the Unionists to proceed unless there was a change of administration, making it apparent in so doing that the Unionist difficulty lay with the Labour Party. Perhaps because of McNamara's reaction, the British appear to have had a change of mind and have moved to Molyneaux's position which also happens to fit with the proposal we put forward at the Conference. I mentioned to Thomas in passing that

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Minister Mawhinney was now saying a la Molyneaux that "constitutionally, and I make a constitutional and not a political point, no Government can bind its successor" (Inside Politics, Radio Ulster, 4 January). Thomas noted that in his public remarks Paisley had been more open and honest than Molyneaux in identifying the Unionist difficulty as with the possibility of a Labour victory.

Press Line

16. As on previous occasions there was some discussion of the press line. The Unionists said that they had come to an agreement and it was now for others to fall in with it. Brooke said this was not true and certainly not helpful. He was trying to get a basis agreeable to everyone. He was dealing with everyone's concerns. Thomas said that Brooke made a strong effort to dissuade the Unionists from any such talk with the press but he expected that the flavour of the attitude would come through. Thomas also thought it conceivable that Molyneaux might mention his suggestion of briefing for the parties. (In the event, as you will have seen from the reports sent to you this morning, the Unionists appear to have been fairly restrained in their comments. They spoke of having made a good deal of progress and having cleared up misunderstandings. Paisley did however take a swipe at Hume saying he was "not prepared to come" to a multilateral meeting arranged for yesterday and that the Secretary of State agreed that "we did not put any preconditions and we are cooperating fully". The NIO spoke of making progress and expressed the hope that further progress would be made when Mr. Brooke meets the SDLP.

17. Molyneaux's Constructiveness

In post meeting analysis, it was again remarked on the British side that Molyneaux had been consistently constructive throughout the meeting. They hoped this constructive spirit was genuine but they had no doubt that Molyneaux had a cynical eye on election prospects (Comment: It is remarkable that Molyneaux who was rubbishing the talks

only a couple of months ago is now expressing optimism in public that they will take place). Thomas noted Molyneux's response on Radio Ulster to a question asking if he would be prepared to get into Strand Two before the election. Molyneux said that "we have made that clear that it was all of a piece. We recognise that Strands One, Two and Three would have to be tackled at the appropriate stages and we haven't in any way retreated from that position". I pointed out that in the same interview Molyneux had again referred to the Prime Minister's remarks at the press conference after the Summit in Dublin in a mischievous way notwithstanding that he had been told by Brooke that the Prime Minister's mention of Strand One had been meant to convey that the talks as a whole should get going as soon as possible. Thomas acknowledged that this was so. He said Brooke took the occasion to ask Paisley about remarks attributed to him in the Sunday Tribune of 22 December to the effect that the talks would not reach Strand Two before the Election. Paisley denied such a comment saying that on principle he did not speak to Sunday newspapers, least of all the Sunday Tribune in view of its ownership. (Note: The Tribune claimed to be reporting what Paisley was saying to fellow Unionists.)

Mr Brooke's Requests

18. As Mr Brooke is to talk to the SDLP at 2 pm on Friday he asked Thomas to say that he would greatly appreciate a briefing from us pretty quickly after the SDLP's meeting with the Government on Thursday. He also asked to have a reaction as quickly as possible on the two options that were suggested to us for getting over the Unionist problem with a second Conference after the Election, ie, a meeting outside the framework of the Conference or a resumption of the pre-Election Conference which would be regarded as adjourned. I said I had no instructions as yet. We continued to want to be helpful and were considering the two suggestions but both suggestions were of course departures from the text of 18 December. On a personal basis, I said that the suggestion

of a meeting outside the Conference framework did not meet our concerns at all and that the adjourned meeting might be seen as a very pointed expectation that the Conservative Government would be reelected.

19. Mr Brooke asked Thomas to convey to us that he was trying to carry forward the text of 18 December in its entirety and that in doing so he was assuming we were doing likewise with the SDLP and would try to bring them along.

20. Lastly, Mr Brooke asked for our agreement to his briefing Paisley about the selection process which led to the choice of Stephen to chair Strand Two.

HOUSE OF COMMONS
LONDON SW1A 0AA

Rt. Hon. Peter Brooke, PO MP,
Northern Ireland Office,
Whitehall,
London SW1

3 January 1992

Dear Secretary of State,

I am writing to you to ensure that you are clear about the position of the Opposition on the negotiations in which you are presently involved.

As you know, the Opposition has supported your initiative in bringing the political parties in Northern Ireland and the British and Irish governments to the negotiating table. You will also be aware of our determination not to do anything which might undermine your efforts.

However, I now understand that a pre-condition is being suggested for the resumption of talks, namely that they should only continue while there is a Conservative government in office. I must say that I am surprised that a member of the British government involved in negotiations with a substantial international dimension could appear to countenance such a requirement.

I therefore want to put on record the view of the Opposition. If talks resume on a mutually agreed basis but are subsequently suspended for an election which leads to a change of government, a Labour government would take up where the outgoing government left off and continue the talks process. We are firmly committed to a policy of securing agreement between the political parties and the two governments on new and more acceptable political structures.

I hope this clarifies our position.

I am copying this letter to Jim Molyneaux, Ian Paisley, John Hume, John Alderdyce and the Irish Ambassador in London so that all the parties to the talks are clear as to where the Opposition stands. Given the reports which have already surfaced in the press, I will also be releasing this to the media later today.

Yours sincerely,

Kevin McNamara MP