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Meeting of Liaison Group
London, 28 April 1993

Meeting
Mr Dalton
Amb London
Amb Wash DC
Amb Leamster
Tom Sec
J Hayes
Councillors

1. The Irish side was led by Sean O hUiginn, accompanied by Declan O' Donovan, Joe Hayes and David Donoghue. The British side was led by Quentin Thomas, who was accompanied by Martin Williams, Peter Bell, David Cook, Graham Archer and Chris McCabe.
2. A summary report on the meeting has already been circulated. The following is a detailed account of the discussions.

GENERAL APPROACH TO NEW TALKS

3. O hUiginn began by underlining the political importance of the production of a British paper, irrespective of its contents. As both the Taoiseach and the Tanaiste had made clear, the question of consultation on this paper was of inordinate importance for the Government.

The Irish side considered that an approach of simply "stirring the pot and expecting something to bubble to the surface" was not realistic. The Tanaiste had suggested to the Secretary of State at their first meeting last January that both Governments should take stock on the avenue most likely to lead to a successful outcome and should try to steer the process in that direction. The open-ended, pragmatic approach would not work and was a recipe for misunderstanding.

4. Thomas accepted that the two Governments had a special relationship with each other and would need to help to

bring the process to a successful conclusion. A large degree of "transparency" was, therefore, required. However, the paper in question would be a British Government paper - not one drafted jointly by the two Governments. Ideally, however, it should be informed by a knowledge of the Irish Government's position.

The British Government's experience had been that, whenever they produced a paper which had been brokered with one party, others complained that it had not been brokered with them. While the production of a joint paper by the two Governments might be attractive for certain purposes, it would not, in their view, be helpful at this stage.

The British were prepared to "take the strain" of producing a paper with which others, perhaps even all others, would disagree.

5. O hUiginn said that the British Government's right to put forward a paper was unquestioned. However, it would be important in terms of the likely benefits of a paper that that right should be exercised in consultation with the Irish Government.

He suggested that a deeper debate would be required between the two Governments at political level (with preparation at official level) on the question of whether the partnership between them under the Anglo-Irish Agreement should be maintained in the search for a successor to that agreement. The alternative was for each Government to pursue its interests individually, possibly with resulting misunderstandings which would have an adverse effect on the situation. We believed that a more dynamic inter-Governmental relationship would be the motor for new talks.

The greater the degree of consultation with the Irish Government on the British paper, the more constrained we would obviously feel to reflect that consultation in our reactions. The greater our satisfaction on the paper's substance, the easier we would find it to cooperate in relation to its presentation.

6. On the broader issue raised by O hUiginn, Thomas commented that "the Agreement was one thing" but that the two Governments were now attempting something more ambitious (to get the Unionists on board).

On the paper, he said that the British envisaged sharing their ideas with us and showing it to us "in good time" (the words used by the Secretary of State to the Tanaiste on 31 March). However, a jointly agreed paper would not be the right approach. Others would react negatively and therefore the process would not be taken forward.

7. Donoghue observed that the DUP were already claiming that the paper would be jointly agreed with the Irish Government. It was important not to lose sight of political realities. Thomas hoped that it would be possible nonetheless to maintain a basis of truth for British denials of Irish Government involvement in the production of the paper.

8. O hUiginn remarked that he agreed with Jim Molyneaux in one respect: a new round of talks must be held on terms which were most likely to ensure a successful outcome. Following the general expositions of position during the last talks, the next round could be expected to enter a more serious and intensive phase. We must all work to ensure the right basis for those negotiations.

While nobody had a monopoly of wisdom in this area (as the Tanaiste had himself recognized), the Irish Government had serious doubts about an "open-ended" approach which involved the British Government simply "stirring the pot" and hoping for something to surface. With each resumption of talks, the stakes grew higher.

The Government would want to have a thorough understanding with the British Government which would satisfy them that a correct basis existed for new talks. If they were satisfied on the substance of the British paper, they could be supportive or appropriately reticent at the presentational stage. If they were not satisfied, they would reserve full freedom of comment.

Given the excellent personal relationships which existed between the Taoiseach and the Prime Minister, on the one hand, and the Tanaiste and the Secretary of State on the other, there were clearly strong arguments for the closest possible coordination between the two Governments to build on these close relationships.

9. Thomas enquired about an indication by the Taoiseach in the Dail on 1 April that the Government would have "its own proposals" to present when talks resumed.

Donoghue remarked that, if and when talks resumed, the Irish Government would obviously wish to set out its views at the outset on the right way forward.

Recognizing that consultation was a two-way process, Q hUiginn said that, while the Taoiseach and Tanaiste had their own ideas on the way forward, they had not, as of now, commissioned the preparation of particular papers in the context of new talks.

1 Asked by Q hUiginn about the likely content of the British paper, Thomas said that the paper would not be prescriptive. Rather, it would reflect a British judgment of where participants might be brought to converge. It would be a "framework document" which would aim at consolidating such agreed ground as there was from the last talks and developing areas where agreement had not been reached. It would give equal weight to all three strands. (The British Government had acknowledged that an internal settlement was not viable).

Recalling last year's Strand Three exchanges, Thomas noted that a Principles paper had been agreed, subject to one point which was still in brackets, and that our views were awaited on an Institutions paper. The British saw a case for granting a role of some kind to NI representatives (though not on a permanent basis) in a successor Anglo-Irish Conference.

On North/South institutions, he recalled the Irish Government papers of 23 and 29 September last. The British saw some prospect of agreement in this area in any resumed talks. Certain participants had been "frightened by words" on the last occasion.

The British envisaged a North/South body requiring the agreement of both sides, with decision-making powers in areas delegated by the two sides. It would have a capacity to evolve and develop. It would be able to set up subordinate structures. It would have a role in relation to economic and social matters.

Recalling last year's discussions about executive authority and autonomy, Thomas said that the British Government were ready to discuss these matters again. He wondered whether "autonomy" might in practice mean

simply a decision-making capacity.

LIVERPOOL SPEECH

11. O hUiginn raised the Secretary of State's recent Liverpool speech.

Although the Government's public response to it had focussed on its (few) helpful elements, unease had been occasioned on our side by a number of other elements. Setting out clearly to allay Unionist fears, the Secretary of State had lost sight of the other side of the equation.

His repeated emphasis on the maintenance of the Union (e.g., his ruling out of joint sovereignty) amounted to a narrowing of the 26 March terms in a way which was disquieting to Northern nationalists. The "out, out, out" approach was unhelpful. The borderline between analysis and prescription had been crossed to the benefit of essentially Unionist positions.

On the question of majority consent, it was likely the Anglo-Irish Agreement could have failed the test applied by Sir Patrick. Did this mean he would have opposed the Agreement had he been in a position to do so?.

The Secretary of State had also used minimalist language on North/South institutions. As we had pointed out last year, a "capacity to grow" would inevitably be subject to a Unionist veto; the powers granted to a North/South body at the outset would be the high watermark for that institution for a very long time.

As a matter of simple analysis, it did not seem to us that the approach indicated in the Secretary of State's

Liverpool speech and in the tenor of other recent statements could succeed. It was worrying that the British Government's position, which we considered to be of preponderant importance, seemed to be developing in a particular direction even before new talks got underway.

12. O hUiginn again emphasized the importance of consultation and coordination between the two Governments as a prelude to new talks. Secondly, if the basis for talks was progressively narrowed, as the Secretary of State seemed to be doing, there would be considerable disquiet on our side. The Irish Government would not be willing to go out on a limb for an agreement which stood no chance of attracting sufficient support on the nationalist side.

He underlined the need to find a basis for talks which would work. Further Liaison Group meetings would be very helpful for this purpose. Internal consultations would also be required on our side.

13. Asked whether we would consider it more helpful if the British did not table their "scheme", O hUiginn said that this would depend on the nature of what was envisaged. The Irish preference would be for something which was explicitly a joint approach. However, as long as they were satisfied on substance, our Ministers could be open to persuasion that a different presentation was desirable.

14. Thomas felt that too much had been made of the Secretary of State's recent Irish Times interview. The Liverpool speech, however, had been intended as a balanced presentation of the British Government's position.

The political context was that there was a clear need to get the Unionists into talks. The speech was not

intended to be prescriptive but amounted to a judgment on what might be an agreed outcome. The British Government had taken risks in offering this judgment. It had always made clear that it was ready to go along with any other proposals which won broad support.

15. Asked by Donoghue what tactical use the British intended to make of their paper, Thomas said that they would probably table it on the first day and give the participants time to reflect on it. They saw it as a guide for discussion which could provide a useful organizational structure for resumed talks.
16. O'Donovan expressed concern about the presentational impact of the Secretary of State appearing to limit new talks before they begin. The Liverpool speech confirmed a worrying trend. Having stirred interest by announcing a British paper and engaging in media activity of various kinds, the Secretary of State had probably raised public expectations about new talks and their possible outcome. On the other hand, his recent remarks would also have raised Unionist and Alliance expectations that the British paper would be directed towards their interests and may well have changed the Unionist attitude to talks in consequence.

All of this posed difficulties for the Irish Government, who might well find it necessary to indicate their own view of what should come out of talks. Close to the resumption of talks, a joint presentation involving a restatement of the 26 March terms would be needed.

17. Donoghue supported this by noting that Molyneaux had begun to "pull at the wool" of the 26 March terms (by endeavouring to dispense with the proviso that "nothing is agreed until everything is agreed"). It would be

necessary to reassert this principle. Thomas agreed.

CONTACTS WITH PARTIES

18. McCabe detected a more optimistic mood of late within the UUP, Alliance and SDLP. Individual UUP members such as Chris McGimpsey were expecting a resumption of talks after the local elections. Alderdice had been "reeled in" since his earlier erratic remarks. The SDLP were underlining the need to get talks underway again.

The DUP were still "sulking". However, in relation to the Hume/Adams controversy, they had not put themselves on permanent hooks. They were refusing to talk to the SDLP "while the Hume/Adams talks continued" - a concept open to flexible interpretation. Their attitude to renewed talks would depend heavily on their performance in the local elections.

The Secretary of State's Liverpool speech (which had been well received by the UUP and Alliance but attracted little response from the SDLP) had, in general terms, "done no damage". It had been obscured to some extent by the Hume/Adams controversy, the "Die Zeit" row and the City bombing.

19. There was some discussion of the reasons for the apparent optimism about talks. McCabe suggested that politicians had to some extent talked themselves into a state of despondency earlier on. In the meantime, Loyalist violence had tapered off to some extent. There had been some informal contact between the parties. Some Unionists were now revising their view of the Secretary of State's Coleraine speech and recognizing that it had not broken significantly new ground.

Thomas felt that the continued commitment of the two Governments to talks, and their clear determination not to be "blown off course", had also been an important factor.

Archer and Williams suggested that the announcement of a British paper might have helped to focus minds, including those of Unionist sceptics. The parties now had something to discuss if they got back to talks.

McCabe noted evidence (in Roy Bailie's CBI speech, remarks by Church leaders etc) that politicians were now coming under pressure from the public to get back into talks. (He added, however, that such a groundswell had not been particularly evident in his own contacts).

Bell mentioned a recent remark by John Hume to the Secretary of State about the amount of mail he was receiving on this subject. He also recalled that it had been pressure from the four Church leaders which had persuaded the Prime Minister to make a renewed push for talks last year.

21. O hUiginn summarised impressions from our own recent contacts.

The UUP, clearly nervous about the forthcoming elections, were uncomfortable about contact with Dublin for the time being.

Archbishop Eames had met the Tanaiste. The tete-à-tete discussion had apparently followed the lines of a recent conversation which the Archbishop had had over dinner in the Secretariat. It had mainly been useful for establishing a good personal relationship. Much of the time had been taken up with specific concerns such as the

Adelaide Hospital.

22. On the Hume/Adams dialogue, Thomas commented that the public dimension which this issue had acquired had the potential to "destabilize things". Q hUiginn noted the fairly general vote of confidence which Hume had won for this initiative in the South.

(It is worth noting that the British officials voiced no further concern about this development. Furthermore, in conversation with the undersigned at a social function later in the day, the Secretary of State emphasized that this was entirely a matter for Hume, on which he himself "wouldn't dream of commenting". He went on to make clear that, while it "might not necessarily be helpful" in terms of a resumption of talks, he was personally quite relaxed about it).

23. Asked by Q hUiginn to supplement the Secretariat briefing on Jim Molyneaux's recent meeting with the Prime Minister, Thomas said that what was clear from the note on the discussion was that the Prime Minister had given the talks process a strong push and had shown no inclination to be diverted onto alternative "wheezes" proposed by Molyneaux. Judging from the UUP's reaction to the Liverpool speech, the message that the Unionists must come on board seemed to have had an impact.
24. Donoghue noted that Molyneaux had joined Paisley in refusing to talk to the SDLP while Hume's talks with Adams continued. McCabe felt that the UUP leader had given himself enough latitude to get off that hook if required. Q hUiginn saw this as a skilful holding operation on Molyneaux's part to protect his and his party's position in the local election campaign.

POLITICALITIES

25. Thomas confirmed the British Government's commitment to the three-stranded process and said that no particular significance need be read into the phrase used by the Secretary of State in his Liverpool speech, "...in whatever format seems expedient".

The British Government wished to see talks resume as soon as possible after the local elections. They believed that a "gap" between Conference meetings would again be required. (From recent contacts, they judged this to be "absolutely necessary").

They envisaged a further round of talks in Parliament Buildings, with the size of delegations unchanged from last year. Talks might begin again in "Strand Four" mode (i. e., discussion ranging across all three strands in a relatively flexible procedure). This format had proved useful last autumn and could be developed further if there were a "scheme" (or "schemes") to focus discussion. There might be a small supervisory committee, consisting perhaps of Heads of Delegation. Sub-groups could be appointed to consider specific aspects.

Sir Ninian Stephen might be invited back in a chairmanship role.

The timetable which the British envisaged was as follows. The two Governments would agree their approach to new talks between now and the Conference scheduled for 25 May. At that Conference meeting, the Governments would formally agree to go for new talks, even if it was not clear whether all the parties would attend. In public afterwards, they might reaffirm their commitment to a

fresh round of talks but without giving a clear indication on timing.

They might then write to the party leaders to say that they envisaged a Conference meeting taking place around 8 June, at which they would declare a gap to facilitate fresh talks.

The British view was that the SDLP and Alliance would certainly respond to the invitation. There was also "a growing sense" that the UUP would come. The DUP remained, of course, the "wild card" but they would want to be there. It was painful when they took part but their presence provided for a more deliverable process.

26. O hUiginn noted that the principle of a gap had yet to be considered by the new Irish Government. While there was nothing to suggest that it would be fundamentally objectionable to the Government, careful consideration would nevertheless be required, particularly in view of the erosion which a gap could cause to the normal implementation of the Agreement. He cautioned against any premature offer of a gap (before it was clear that talks were a certainty), since it was most unlikely that the Irish Government would agree to a gap, so to speak, "on spec".

He also offered the personal observation that 8 June might be a little early for the follow-up Conference (as the outcome of the local elections might not have been fully digested by then).

27. Thomas said that talks would be proposed on the basis of the 26 March terms. However, the Governments might consider going ahead even if it was not absolutely certain that all participants would reappear.

On timing, he felt that an early start was desirable. Given the political pressures on both Governments, talks should not be let slip to the autumn. (August would probably have to be written off as a vacation period). The British favoured, therefore, a gap running from roughly 8 June to the end of September, with a break in August.

28. Underlining our concern about any possible modification of the 26 March basis for talks, O' Donovan asked whether the British planned to sound out the parties on this scenario. He suggested that it might be wiser to delay doing so until after the local elections.

Thomas was not sure when the most positive results would be obtained in this respect - before or after the elections.

29. Thomas observed that there might be scope for the Irish Government to repeat some of the things they had previously said on the question of Articles 2 and 3, particularly in the period between the local elections and a possible resumption of talks.

O hUiginn noted that, possibly due to the prominence which the issue had acquired during the talks process, a recent opinion poll had shown an increase in the number of people in the Republic who were opposed to amendment of these Articles.

30. O hUiginn observed that a problem was looming for the two Governments. The more we reaffirmed the 26 March terms as the basis for fresh talks, the harder it would be to counter claims by Paisley that talks proceeding without him were invalid. The DUP leader could raise procedural

objections, citing the reference to his party in the opening lines of the 26 March statement and claiming that no basis existed for talks if they proceeded without the DUP.

Thomas said that the British attitude would be that an invitation had been extended to all the parties and that it was a matter for the latter whether they accepted it or not.

31. Q hUiginn said that the Irish side would be content to see Sir Ninian Stephen back in a presiding capacity. Any alternative approach would require renewed negotiation and uncertainty. Sir Ninian's role was clearly that of a dignified President and not a "fixer".

Donoghue recalled that several meetings had taken place last autumn without Sir Ninian's involvement and wondered whether his reinvolvement would be absolutely necessary. He asked the British side to clarify the role which they envisaged for Sir Ninian (if, as seemed likely, talks began again in an informal "Strand Four" mode).

Thomas replied that Sir Ninian (whose continued availability had, of course, still to be ascertained) might again be invited to chair Strand Two, but with a hint that he might be asked to take over a different role in due course (as had happened last year). The British did not wish to tinker with arrangements and structures which had been painfully agreed for last year's talks.

32. Q hUiginn queried a British proposal for a joint letter from the two Governments to Sir Ninian. He thought that a coordinated contact by the two Heads of Mission in Canberra might be sufficient for the moment.

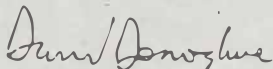
Archer mentioned that there was a need not merely to check Sir Ninian's continued availability (untested since last Christmas) but to bring both him and the new Australian Government up to date on developments.

It was agreed that an exploratory contact, to be prepared through the Secretariat, would be made by the Heads of Mission. The Governments would underline their interest in a new round of talks, provided the right basis could be achieved for them. They would hope to avail of Sir Ninian's services in that context, while noting, of course, that the prospects for talks depended on other participants and were therefore uncertain. They would make contact with Sir Ninian again very shortly.

It was also agreed that the Australian Government would again be invited to supply a personal assistant for Sir Ninian (or possibly two, in view of the demands made of Sir Ninian on the last occasion).

NEXT MEETING

33. It was agreed that the Liaison Group would meet again very shortly. We are to propose a date once we have had an opportunity to consult at political level on our side.



David Donoghue

5 May 1993