

# An Chartlann Náisiúnta National Archives

Reference Code:	2021/95/29

Creator(s): Department of the Taoiseach

Accession Conditions: Open

Copyright:

National Archives, Ireland. May only be reproduced with the written permission of the Director of the National Archives.



### MEETING\_OF\_THE\_ANGLO-IRISH\_INTERGOVERNMENTAL\_CONFERENCE\_ LONDON. 10 SEPTEMBER 1993

Dr. Mang.

### Introduction

The 48th regular meeting of the Anglo-Irish Intergovernmental conference was held in London on 10 September 1993. The Conference was attended, on the Irish side, by the Tanaiste and Minister for Foreign Affairs, Mr Dick Spring T.D., the Minister for Justice, Mrs Maire Geoghegan-Qwuinn T.D., Mr Noel Porr, Mr Tim Dalton, Ambassador Small, Mr Sean O hUiginn, Mr David Donoghue, Mr Fergus Finlay and, from the Secretariat, Mr Declan O'Donovan and Mr Michael Mellett.

On the British side, the Conference was attended by the Secretary of State for Northern Ireland, Sir Patrick Mayhew M.P., Minister of State Sir John Wheeler M.P., Michael Ancram M.P., Parliamentary Under-Secretary of State, Mr John Chilcot, Mr David Fell, Ambassador Blatherwick, Mr John Steele, Mr Peter Bell, Mr Graham Archer, Mr Jonathan Stevens, Mr Chris McCabe and, from the Secretariat, Mr Martin Williame, Ms Christine Collins and Mr David Kyle.

Also present for discussion of security matters were Mr Patrick Culligan, Commissioner, Garda Siochana and Sir Hugh Annesley, Chief Constable of the RUC.

The Conference began at 11.20 a.m. with a tete-a-tete between the Tanaiste and the Secretary of State for Northern Ireland (who were joined later by Minister Ancram). The Minister for Justice had a tete-a-tete with Minister of State Wheeler. This was followed by a restricted security session (recorded separately). The Plenary session ran from 12.30 pm until 2.30 pm.

. . . .

The following account of the Plenary proceedings is in the form of direct speech and is based on detailed notes taken during the meeting. (It does not, however, purport to be a verbatim record nor is it exhaustive of all the exchanges).

### SECURITY MATTERS

Secretary of State: You are all very welcome. While you and I talked, Tanaiste, the Minister for Justice and Minister of State Wheeler had a meeting and there was also a meeting with the Garda Commissioner and the Chief Constable. Let us ask them what went on.

Minister of State Wheeler: We had a very useful meeting and a good exchange of views. We were delighted that the senior police officers were also present. We discussed the following subjects:

- (1) The current security situation
- (2) Impending extradition legislation in the Republic
- (3) Money laundering
- (4) Section 31 of the Broadcasting Act

Of these, our discussion of the current security situation was the most important. We deplored the recent killings of Catholics in Northern Ireland. We discussed the measures the Chief Constable has undertaken to deal with that threat. We reminded ourselves of the <u>successes</u> we are enjoying (which never receive the same degree of publicity as the threats but which are very real and continuing).

We reminded ourselves also of the excellent cooperation between the two police systems. I want to thank the Garda Commissioner for his excellent cooperation with the RUC. We reminded ourselves also of the importance of maintaining the highest degree of control over our frontier policies.



We looked at the impending extradition legislation. I am delighted to hear that the Irish Parliament will shortly consider extradition legislation. I was very glad to hear of that progress. I undertstand the difficulties you may face.

The early prospect of legislation in the Irish Republic to deal with money laundering is very welcome. I drew attention to my own experience in pioneering such legislation in the House of Commons.

We looked at the broadcasting restrictions. We are at one in maintaining the present policy and the success it is having in ' terms of damaging terrorists and enemies of democracy.

It was a very useful meeting. We were able to reassure ourselves about our policy initiatives. I particularly welcomed the Chief Constable's review of his efforts to deal with the present situation and the arrests which have been made.

Secretary of State: I would like to add my personal thanks to the Garda Commissioner for the brilliant finds at Ballybofey involving 1500 lbs of home-made explosives and a quantity of arms and ammunition. I greatly admire what was done.

Minister for Justice: I agree with Sir John's account of our meeting. We had an open and frank discussion of those four issues, and in particular the current security situation, security developments since our last meeting and the escalating violence on the Loyalist side.

We had a lengthy discussion about the Chief Constable's assessment of the Loyalist capacity for launching attacks on the South and the supporting intelligence available to him, i.e., what new information he has obtained since the last

conference. I was personally glad to be reassured by the Chief Constable that no new information has come to light since the last meeting. I explained to the Chief Constable and Sir John that the Chief Constable's press conference comments have caused concern at political level and in the community over the last forty-eight hours. I am reassured by his threat assessment that the (Loyalist) danger exists at all times but that cooperation between the police forces is at an all-time high and that any information is immediately passed on to the Garda Commissioner. It is important that that

should be known at political level in Dublin. We shall be

indicating this to the media afterwards.

I raised the matter of the "pan-nationalist" threat, now extended also to civil servants involved in North/South cooperation work. I asked if there are areas of security we need to look at in order to ensure their safety. I was assured that the Chief Constable had met the people involved. He is aware that Maryfield could be a symbolic target and he will do all possible to secure it. I was reasssured to hear that.

As regards the Provisional IRA, I would like to thank the Chief Constable for his threat assessment. Thanks are also due to the Garda Siochana for their success (with recent arms finds).

We had a worthwhile, open and frank meeting which enabled us to clear-up doubts on a number of points. It was very important to have the Chief Constable's reassurance that there was no further information available to him which would cause more concern than we already had about the possibility of Loyalist activity in the South.

<u>Secretary of State:</u> The Conference has therefore done exactly what it should do. It was clearly a fruitful discussion. The

Garda record of success in relation to arms finds is very encouraging. (I wrote to you after one find).

I understand from the Chief Constable that his observations (in response to a specific question) merely reflected what he had already said last June and in his Annual Report. I was therefore not surprised to hear that no new information lay behind his comments.

Tanaiste: I am grateful for these reports. It is timely to have this meeting and to enable the security chiefs to go over the ground together. There has been considerable fear in recent weeks and months.

Progress is being made on the issues as stated. As regards the Chief Constable's statement, I am relieved that there is no new information about the threats either to Catholic estates or to the South. There is also considerable anxiety from Catholic estates. I wonder if it is wise to make such comments. We exchange information on the basis of the best knowledge available to us. We must do all possible, both North and South, to keep the Loyalist threat under control. I urge caution in relation to public suggestions that this threat is in some way imminent. We are getting questions, for example, about whether the Loyalist paramilitaries have access to Semtex. It is necessary to exercise great caution about what the public is told.

Secretary of State: I understand the concern, but the Chief Constable is in a dilemma. If he doesn't hold a press conference at a time of rising anxiety, he will obviously be criticised. If he is asked a specific question and does not answer, he could find people complaining that 'they don't seem to know much about what is happeniung'. I understand your anxieties. However, it is important to note that the information was published as long ago as June. Let's take

©NAI/TSCH/2021/95/29

.

note of the different sensitivities which exist here and recognize that we must look all around the compass in anticipating the consequences our remarks may have.

Tanaiste: OK.

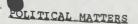
Chief Constable: It is important to reiterate that the comments I made had been repeated three times over. It cannot be laid at my door if the press make something of a particular remark. I do indeed pass information to the Garda Commissioner. As I have made clear in the four most recent Restricted Sessions, the Loyalist threat is incrementally increasing. The Loyalists are on an upwardly sliding scale towards achieving their desired capacity. I cannot go back on comments I have made in the past. And I cannot pick the timing either - if something like this should happen just before an IGC.

Tanaiste: I have said a lot of good things about you in public over the past few days. But my worry is that creating an impression that you expect a threat to increase is almost like posing a challenge. I know that is not your intention.

<u>Chief Constable</u>: We have had to make statements about PIRA's intentions also. It is important to have balance. Sections of the media are trying to make something out of something which is not there.

<u>Secretary of State</u>: This was a useful ventilation of views. Our thanks again to the senior police officers.

At this point the police chiefs and several officials withdrew.



Secretary of State: Let us discuss where we are politically.

I would like to re-emphasize the British Government's commitment to the talks process, especially its three-stranded character. None of the arguments which made it valid in March 1991 have lost their validity in any way. That goes for the three-stranded approach.

I read criticisms that I am alone and whistling in the wind, that the talks process is dead and so on. In our judgment, it is not dead. The round-table format ceased last November. There was a lot of disappointment. Some said "It's all up". But that was a misreading in our view.

If I felt that the process was dead, I would say so to you because we would then need to think urgently about how to fill a dangerous vacuum. I hope we can both use this Conference to express the view that the talks are not dead.

I am satisfied that the Unionists, especially the UUP, wish to see this process through and want to contribute to a peaceful solution of the Northern Ireland problem. I say that particularly of Molyneaux, who is less complicated, but also of Paisley, according to his own very complex lights. I think Paisley would say genuinely "I wish to contribute and want to see a peaceful solution". The task for us is to ensure that the DUP leader does not box himself comprehensively into a corner. If we can show signs that the process is thriving, A he and others behind him will wish to come in.

We are behind the process because it is inherently the right approach. It offers the best prospect - even the only one of achieving what we want. I will not say that there can never be an alternative which would offer sensible chances of Access. If either of us hits on one, he should tell the other.

We believe that the two Governments should work closely together at official level to "suss out" what offers the best shape of a solution likely to be acceptable to all. That would include constitutional balance.

If we were to decide that it was all too difficult, we would have to face up to that. But we must sit down and try.

If we were to reach a conclusion, we could avail of it, in a different type of document, to show the Unionists that we had (as they had urged) addressed between ourselves the constitutional aspects of the process. That would give them "cover" for joining.

This is not a new idea. We broached it at the 25 May Conference. Our understanding was that officials would be working out ideas of their own.

It is important that the talks take on increased urgency. Time is not on our side. There are dangers in a vacuum. This has a bearing on Loyalist violence and probably on PIRA violence also. The men of violence thrive on instability.

Tanaiste: It is extremely important that we have this opportunity to take stock of where we are going. Obviously the matter is urgent, particularly in view of the recent escalation of violence and threatened further escalation.

For me, there is a credibility problem at the moment in terms of the media queries we will be facing later today. We must think long and hard about how to restore the credibility of the process. Can we really be optimistic about the prospects?



In relation to constitutional balance, we have always said that we will work for a new arrangement but that this must be on a large canvas, not the minimalist approach. This requires great work on the part of <u>both</u> Governments. We are ready, willing and prepared to talk. Our biggest problem is credibility.

<u>Secretary of State</u>: I agree. And we may have to accept that at the end we <u>cannot</u> see anything which would be acceptable to all. If so, we will have to face that. But we should arrive at that position only on the basis of a full exchange of views in intensive discussions.

We are very ready to amplify the idea we sketched out in the Liaison Group.

<u>Minister Ancram</u>: I spent July carrying out confidential meetings with all the party leaders.

My summary of the outcome is that there was a unanimous consensus that the statuc quo is not an option, that a solution is needed and that flexibility is required to achieve that. There was general agreement that nothing was agreed until everything was agreed. There was general agreement that certain elements from the previous talks are "bankable". There were differences in substance from party to party (and even between individual politicians within the parties). There was a very strong feeling that round-table talks would fail if they were reconvened at too early a date. It was also felt that the price of failure measured in terms of the security implications would be very high.

The majority view was that an effort should be made to establish areas of agreement. The minority view was that the British Government should put its views forward to the parties; however, those who expressed this view have now agreed on a purely bilateral contact with the British Government.

We now feel that the next phase should be bilateral contacts (involving either the party leaders or persons nominated by them) in order to explore areas which could be a basis for negotiation. The questions to be asked of the parties would be:

(i) What is "bankable" from the last talks?(ii) Clarify areas of disagreement, including any areas of absolute disagreement

(iv) Clarify those areas where concessions were required of other parties which would be a <u>sine gua non</u> of any final settlement.

The purpose would be to identify what is common ground and what are areas of disagreement.

We must exercise a degree of confidentiality. The parties would say very little to us if they thought that what they were saying was to be revealed.

I will tell the parties that these are not formal negotiations and that we are not asking them to sign up to negotiations at this stage. We will allow them to come forward with "bankable" elements and areas where they think that there could be movement.

I have invited the parties to meet me. Three have readily agreed and arrangements are underway.

The DUP are negative but I believe that their position was not a firm "No". I think that some DUP members could put pressure on the leader to come into the process in due course. Partiey said "No" because an <u>Irish Times</u> report suggested that he (Ancram) would give a full report on the confidential meeting he had had with Paisley during the summer. The DUP leader also had concerns about the Hume/Adams talks. He was also concerned that, given current speculation about a peace envoy, he might appear to be entering negotiations under duress. I do not think that these are final difficulties in terms of getting Paisley back into talks.

The bilateral talks are restricted to Strand One and those parts of Strand Two which impinge upon Strand One. I hope that the discussions between the two Governments would coverin Strand Three and those parts of Strand Two which cannot be divorced from Strand Three.

I hope that we can bring the parties to the point where we have a clear idea of what we need in order to reconvene talks in a more public way.

Tanaiste: I understand that the content of your talks should remain confidential - but surely not the fact that they are taking place?

Minister Ancram: It is best that, if the talks are to become public, this should happen in a structured way and by agreement between us.

<u>Tanaiste</u>: You mentioned the need for "flexibility". Is there anything new in that respect on which we can focus?

Minister Ancram: I asked each of them if they accepted that a settlement could come about only through the sacrifice of certain important principles on the part of all concerned. Words like "exercising acquiescence in certain areas" and "concession" were used. There was general acceptance that movement is needed, as long as it is matched by equal movement

from the opposite direction.

1 .....

Tanaiste: One difficulty we have is that we never hear anything from the Unionist parties in terms of a readiness to move. I do not detect any will on the part of the Unionists to come forward.

Minister Ancram: We can say that the Unionists are prepared to talk to me on an exploratory basis and to look at areas where concessions need to be made and the price to be paid. Each party I talk to says that the other party is not prepared to move. The only way to break the logjam is to sit in the middle in order to create a relief map and to form an assessment of what is needed and in what direction.

<u>Secretary of State</u>: Molyneaux in a Belfast Telegraph article last July said that the UUP paper of 9 November last remained the party's position and could even be expanded.

Minister Ancram: I have had indications that this could be one of the "bankable" areas.

<u>Secretary of State</u>: We must work on them to try to fill the gap.

Tanaiste: Paisley seems to be getting himself more up a gumtree on a daily basis in relation to his preconditions (Hume/Adams, the suspension of the Secretariat, etc). How does he get himself down? Are the European Parliament elections a factor?

Minister Ancram: He has boxed himself into a corner with his stated unwillingness to talk because of the Hume/Adams talks. We are trying to get him to a point where he states his position "below the table" and not publicly. We have detected distinct unease within the DUP about their leader's

approach. The two Governments should not do anything to make matters more difficult for Dr Paisley.

<u>Secretary of State</u>: We cannot allow Paisley to say that talks will not happen, especially given the practical possibility that the DUP may want to come in if there are signs of something happening.

I hope that we will instruct the Liaison Group to work intensively over the next four to six weeks in a private and confidential way in order to prepare a "joint framework statement". If that comes to fruition, the product can be used in a very different type of document in the political development process. It will help to allay Unionist fears and ' to make it easier for Paisley to come in, as it would demonstrate constitutional balance and give the Irish Government an opportunity to show that it is very positive about the constitutional issue - even more so than in your March speech.

Tanaiste: Yes. We should get down to the work that needs to be done. It is a question of concitutional balance and of institutions. That work should continue.

Secretary of State: I believe that these arrangements provide the nexus across all three strands of the talks. We cannot get agreement in Strand One unless there is agreement at the same time on constitutional issues.

Minister Ancram: I hope that the process between the Governments will be carried on with the same urgency as my talks with the local parties. Otherwise there will be a dangerous hiatus.

<u>Sean O hUiginn</u>: There is no problem about urgency. However, some matters are of the deepest import and require careful

political consideration before any position can be taken. The Tanaiste has a very tight schedule at present. I could not envisage taking the very major decisions without the Tanaiste being on hand for the closest possible consultation. While some preparatory work could be done, these decisions are not for officials to go freelancing on.

<u>Tanaiste:</u> We could use the next three to four weeks for preparatory work.

Secretary of State: We need the Irish Government's view, initially in broad brush terms, of what could be acceptable. This idea has been on the table since the 25 May Conference. Progress has been held up. We must now get down to the horses because of the dangers associated with a vacuum. Let us agree that this work should proceed in parallel with Michael Ancram's work. We should put a timescale of four to six weeks on it with a view to further consideration at the next IGC.

#### Tanaiste: OK.

<u>Sean O hUiginn</u>: There would certainly have to be a progres report to the next Conference.

Secretary of State: We need to re-emphasize confidentiality.

Tanaiste: I would like to raise another matter in the political domain, namely the Westminster voting situation last July. I accept the assurances you gave me on the phone and those which the Prime Minister gave to the Taoiseach. However, there is a <u>perception</u> that a deal was done. There was a certain Unionist demeanour which conveyed the impression to us that business had been done. I accept the assurances given but we will be asked about this today. Secretary of State: That is not the only perception about which has no basis in fact. I asked the Prime Minister at the time if there was anything I did not know about and he gave me the same assurance. You will recall that Molyneaux nodded in vigorous agreeement in the House of Commons. I have given you my word and it represents the truth. There are possible explanations for why the Unionists would not wish to secure the fall of the present Government. To counter what I recognize to be a perception (which has led to suggestions that talks are now off the boil). I want to demonstrate that the British Government are patently on the boil. We will indeed be asked about this by the media. The key to this is our joint conviction that, as Sir Ninian Stephen said last November, the objective remains valid and is achievable. That does not mean, of course, that it will be achieved. But we will put our whole hearts into the effort.

Could I raise the Clinton "peace envoy"? I think it is wise for us to major on what the President said in his St Patrick's Day address, i.e. that the best way the United States can help is by encouraging a resumption of talks and helping to stimulate economic activity. I had a good and constructive meeting this week with Bruce Morrison and his colleagues. I told them that, while I recognize that an envoy would be offered only out of friendship and a desire to help, there would be a downside in practical terms. It would lead some, if not all, Unionists to retreat behind the battlements. The practical consequences of the idea must therefore be looked at. That was understood. They subsequently said that it had never been their intention that the envoy idea should supplant talks. It had been represented to the President as a useful tool for use in circumstances where it might help. The more desirable the envoy appears in the media, the greater the downside. That goes even for references to it being "on the backburner". I understand the Irish-American community's interest in the idea. The change in their attitudes over the

years owes a lot to Irish Government intervention and work. I do not want to arrest or reverse that progress. Let us bear these considerations in mind.

Tanaiste: I also met the Morrison group. They are very reasonable people and it was a very refreshing meeting. All of the statements made by the Taoiseach and myself have been prefaced with our desire to see talks resumed. The U.S. has been a valued friend to both of us for many years. President Clinton has stated his commitment and has reiterated at his meetings with the Taoiseach and the Prime Minister respectively that the first option is to try to get back to talks.

I am very grateful for your remarks about what the Irish Government has done in the United States over the past twenty years. We want them to be supportive and we want to ensure that their ideas receive careful attention and reflection, as otherwise NORAID would be strengthened. To the average American, the envoy idea is akin to what is happening elsewhere, for example, Norway's mediation in the Israeli/Palestinian conflict.

One heartening thing which I heard from Morrison is that they would not want an envoy unless he or she was wanted and asked for by the communities across the board. The idea would come into play only if we are at a crossroads. It is not in the interests of either of us to play it up. We will anchor our views today on the need for talks.

### Secretary of State: I entirely agree.

To be clear about the "framework statement":

We have a timescale. I understand the position regarding your absence for the next two-and-a-half weeks and the need for

political direction. But it is important that we commission today more than a "progress report", that we have as our objective a draft statement.

Tanaiste: We should not underestimate the difficulty of arriving at a joint statement in four to six weeks. Michael Ancram is having his round of contacts. I have to report back to Government and we will need access to a lot of information before we can reach any decisions. Four to six weeks could therefore be difficult.

Sean O hUiginn: Let's say a document is agreed. What status do you envisage for it? Would it be just for the two Governments or would it be presented to the parties for further negotiation?

No. I want it in order to focus our own Secretary of State: minds on an outcome which has the best chance of being acceptable to all. It will not be a blueprint to be presented to the parties. We on our side hope that, by working together, the two sides would advance matters by a consolidation of the issues involved, including the question of constitutional balance. If it comes to fruition, we will then know how we can put matters to the other participants in the course of the discussions which will hopefully follow. It will not be the document to be put to them but rather a means of eliciting information which will form the substance of what we put to the parties at a later stage, in the hope that it will find favour. It would reassure the Unionists that the Governments had done what they wanted us to and it would give cover to those who needed it.

<u>Sean O hUiginn</u>: So it would be an informal understanding between the Governments of the outcome which they envisage?

John Chilcot: It would be something to which neither of the

t . . . .

Governments would be committed, either among themselves or in public. Rather, it would be our best assessment of where agreement is possible across all three strands. We could also find formulations in some of the key areas of difficulty. It could well be that the result would include a number of areas in square brackets and alternatives. It would not be necessary (taking up Sean's point) to tie down the really deep political questions. We would aim to produce a document in the next four to six weeks for the Secretary of State and the Tanaiste to look at and to see in the round.

Sean O hUiginn: We can look at that, but I reiterate that these are very weighty political matters and that we need a very close pattern of consultation. We can do some preliminary work and I could brief you, Tanaiste, on your return.

David Fell: I agree that there is a need for political direction. The same holds true for us. But we would be looking for broad principles rather than detailed language (for example, on institutional matters).

<u>Tanaiste</u>: I agree that preparatory work should be done and that the matter would then come back into the political domain.

Secretary of State: We have been looking at this idea since 25 May last. We really must get on. I endorse John Chilcot's description of the document. We are aiming at more than preparatory work. I hope that our best endeavours will produce a framework in broad terms for our next meeting.

Tanaiste: What is the point of departure for it?

John Chilcot: The discussions which we have already had in the Liaison Group and our joint experience of the talks

1 54 2 💼

1 1 1 7 🔘

hitherto. There could be formulations which might survive into subsequent documents or maybe would not.

Tanaiste: To get down to brass tacks. There is always a presumption that we have an easy option in relation to saying something about Articles 2 and 3. Can we turn that around and say what you will do?

Secretary of State: We recognize that you need constitutional balance. We feel that it is necessary for you to be more explicit than you can be at large. We need to get down to brass tacks.

John Chilcot: It would be a political steer, but with absolutely no commitment.

Minister Ancram: Yes, a commitment only really comes at the end when the whole map is clear.

<u>Secretary of State:</u> Nobody will say later that "you've gone back on what you said". We need it as a tool for our future discussions.

Minister for Justice: The status of the document is Confusing. Where does it go after it has been prepared? What is it to be used for? We are skirting around this point. These documents have a tendency to get out of control. This is a very important and sensitive matter.

John Chilcot: I understand the question. I accept that an exercise of this kind is very sensitive. I see it as a piece of work commissioned by both Governments in order to produce a paper of no standing. It would not be a joint paper by both Governments. It would be commissioned by both Governments and it would come back to them. It should be set alongside Minister Ancram's work. It would be our "bilateral". <u>Secretary of State</u>: If we knew what was acceptable to the Irish Government in relation to constitutional balance, we would have a better chance in our bilaterals with the parties.

Tanaiste: Would constitutional balance apply to <u>both</u> Governments?

Secretary of State: Yes, that is understood.

. . . . .

David Fell: Articles 2 and 3 have been over-emphasized. We are conscious of your need for constitutional balance. However, we don't have a clear sense of where the balance lies for you. This would give you an opportunity to explain to us , precisely what you have in mind.

Minister for Justice: So it would be a document which would not only secure agreement among people but would also secure peace?

Secretary of State: Yes. I hope it will lead to peace but I would remind the Conference that the political talks are not peace talks.

Sean O hUiginn: The Secretary of State referred to "best endeavours". There will be ways in which we can clear the ground in order to focus on areas which need to be looked at in a political way. We could have an initial Liaison Group meeting to tease that out. We could report back to you, Tanaiste, and you could instruct us on your return.

<u>Secretary of State</u>: I would hope for more than a clearing of the ground for when we next meet.

<u>Tanaiste</u>: Let us have the Liaison Group sit down and identify areas where we need to work together.



Secretary of State: I do not want a dispute about the minutes. We share the same objectives. It seems that there are no objections on your side to a "framework statement". How do we express, for ourselves, what we have agreed?

<u>Sean O hUiginn:</u> Maybe that we will use "our best endeavours"...?

<u>Secretary of State</u>: How about something on the following lines:

"We recognize the value of formulating a joint framework document which would address itself to both Governments' ideas . as to what would be generally acceptable as an overall accommodation to all the participants. We recognize that such a document would not have a standing of its own. It would be constructed for our own advantage. It would inform us better about how we can carry matters forward bilaterally. We instruct the Liaison Group to use its best endeavours towards the construction of such a document which, it is accepted, would have many square brackets. We lool for the product of these efforts at our next meeting. We recognize the difficulties represented by the Tanaiste's absence".

Noel Dorr: Part of the problem about constitutional balance is a lack of symmetry. Constitutional balance on our siudein relation to Articles 2 and 3 is the most basic issue affecting the State and would involve a referendum. It is very difficult for officials in a period of four to six weeks to shape up in a symmetrical way a document with a strong component in terms of constitutional balance. There is some scepticism on our side, therefore, about what could be achieved between now and the next Conference. If Articles 2 and 3 are involved, such a major political judgment would be very difficult in the absence of the Tanaiste.

<u>Secretary of State</u>: I understand. It seems to me to involve a clarification of what the Tanaiste said last March about Articles 2 and 3 "not being set in bronze". What would be required of <u>us</u>, furthermore, would not be negligible.

John Chilcot: I recognize that the Irish would need an interim approach if you encounter areas of difficulty in making progress, but these could be put in square brackets and identified as areas where something was still needed. We could write down a description (not in very detailed terms, just the key principles) of what is needed on constitutional balance - just as Minister Ancram is doing in his bilateral talks with the parties.

Ambassador Blatherwick: There are other things to discuss apart from constitutional balance. We are equally anxious to hear your views on other Strand Three matters and on Strand Two. We might have a general clearing of minds on where we see the way forward.

John Chilcot: "Do your best" should be the approach.

<u>Secretary of State</u>: Nobody will wave this at you in the future. We need a tool for this process.

Tanaiste: OK, let us try to clear the ground. I have to say that we will be anxious to know what is happening in the bilaterals.

Minister Ancram: We want to avoid getting to the round table without the major issues having been resolved. We've got to clear the air beforehand.

<u>Secretary of State:</u> Yes - otherwise the head of the pin could become infested! The Liaison Group should use its best



endeavours to formulate a joint assessment of what may prove to be acceptable to all participants in relation to the objectives of the process.

Minister for Justice: And to secure peace.

Secretary of State: Yes.

<u>John Chilcot</u>: I envisage a framework document outlining key principles and providing formulations of language where possible.

Tanaiste: I agree. We can work on that.

### DATE OF NEXT CONFERENCE

It was agreed that the next meeting of the Conference would take place on the morning of Wednesday <u>27 October</u> in Belfast.

### DRAFTING OF JOINT STATEMENT

The draft Joint Statement was discussed and finalised.

The meeting then adjourned.