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Mr. Keenan

Confidential

dated 14/10/97

by Hare

S. Hare

Multi-Party Talks

PSM; PSMOS; PSSG;
S/S Gallagher; Mr Teahon;
Mr Dalton; Dr Mansergh;
Ambassadors Ottawa and
Helsinki; Counsellors A-I Div;
Section; Box

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Daily Report - 14 October 1997

1. In summary:

16.10.97

- A three-hour meeting of Strand Two ranged widely across key nationalist and Unionist concerns in relation to identity and allegiance;
 - The SDLP and the UUP also made trenchant presentations on their respective approaches to Strand Two institutions. The SDLP underlined their need for significant North/South bodies with executive powers. However, the UUP were willing to contemplate these only as a by-product of a considerably expanded East/West relationship (and in strict subordination to a future Assembly); *and with their authority coming strictly from*
 - There was a sense of genuine engagement, however, and the debate produced some interesting exchanges between the SDLP, Sinn Féin, the Loyalist parties and the UUP. The UUP resisted repeated efforts by Sinn Féin to draw them into direct dialogue, though they did move from an initial posture of refusing to answer any Sinn Féin question to one of doing so through the chair;
 - A brief Strand Three meeting agreed a joint paper for circulation to the parties (in preparation for a liaison session next week). Strand Two will meet next Monday, Strand One will meet on Tuesday and the Business Committee will meet on Wednesday.
2. The Government delegation today was led by the Minister for Foreign Affairs, who was accompanied by the Minister of State. At the meeting of Strand Two, the Minister was welcomed to the talks by the British Government, the UUP and other delegations. He also took part in the subsequent Strand Three meeting and had a round of introductory meetings with the Chairmen, the SDLP, Sinn Féin, the UUP, Alliance and the NIWC.
 3. Opening the Strand Two meeting at 10am, Senator Mitchell invited delegations to present orally the papers which each, apart from the UUP, had earlier submitted under agenda item 1 (Principles and Requirements). Following brief remarks by Minister Murphy on behalf of the British Government, the Minister for Foreign Affairs delivered the attached statement.
 4. In the course of the subsequent presentations, the SDLP (Mallon) warned that the issue of equality of allegiance would have to be addressed in Strand Two as well as in

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Strand One. An all-Ireland institution with executive powers was a sine qua non for the SDLP. If Unionists did not take this requirement seriously, there would be knock-on implications for agreement in Strand One (because of the interlocking nature of the three strands). Mallon recalled that the Sunningdale Agreement, supported by the major Unionist party of the time, had involved a Council of Ireland with executive powers greater than those proposed in the Framework Document.

5. The UDP (White) responded that North/South institutions of the kind envisaged by the SDLP would be anathema for Loyalists. A solution could only be found within the "broader context of the British Isles". North/South relations would have to be on an entirely voluntary basis. Articles 2 and 3 and the Anglo-Irish Agreement would have to be superseded.
6. The UUP (Taylor) said that the Unionist objective was to achieve a replacement for the Anglo-Irish Agreement. Rejecting the Framework Documents, they insisted that North/South relations must be based on mutual respect and recognition and wished Articles 2 and 3 to be addressed by the Irish Government as a priority. Lamenting the decision by "the Irish" in 1921 to separate themselves from "our nation" (the Union), Taylor noted approvingly the greater cooperation underway since 1973 in the EU context. The UUP supported cooperation within the island of Ireland but attached greater importance to East/West cooperation and wanted to see this taking place "in parallel with" North/South cooperation. They would not subscribe to any cooperation which weakened the Union.
7. In a subsequent exchange of views around the table, Sinn Féin asked whether the UUP agreed that there was a need for equality of treatment within Northern Ireland, to be spearheaded by British legislation. They also asked whether the UUP would be tabling a paper under item 1. With Donaldson replacing Taylor, the UUP initially refused to answer any questions from Sinn Féin. Later, under pressure from continuing Sinn Féin questions, Donaldson replied through the chair to the effect that they did not regard "IRA/Sinn Féin" as a constitutional party and would not engage in discussions with them for as long as steps were not taken (such as the beginning of decommissioning) to build Unionist confidence.
8. Sinn Féin put a series of questions to the British Government, including whether it accepted the need to promote equality of rights in Northern Ireland and whether it recognised its own particular responsibilities (which marked it out from all other participants).
9. In response, Minister Murphy said that, while the British Government obviously had a great interest in seeing agreement emerge, a leadership role in this respect could be seen as an attempt to impose a settlement and could be counter-productive. Legislation such as the Fair Employment Act already demonstrated the Government's determination to ensure equality of treatment for as long as it was administering Northern Ireland.

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10. The SDLP challenged the British Government to accept that, above and beyond the search for consensus, the two Governments had a wider responsibility to solve the problem. Murphy agreed that it was the responsibility of Governments to govern but underlined the importance of doing everything possible to obtain consensus and continued to resist efforts by the SDLP and Sinn Féin to highlight the particular role to be played by the British Government.

11. The SDLP asked the UUP why, given their emphasis on the importance of East/West relations, they were unwilling to join the British-Irish Interparliamentary Body. Donaldson replied that the UUP would not participate in an institution designed to support a "failed Agreement" but would consider doing so in the context of a new agreement.

felt compelled by reality

12. A further SDLP question asked whether Unionists ~~accepted the need~~ to establish and develop relations with the people in the rest of the island. Donaldson replied that they did not feel compelled to do so (though they would like to have good-neighbourly relations). They would not, however, agree to abandon their British citizenship so that nationalists in Northern Ireland "could have their Irish citizenship". The UUP would not agree to all-Ireland institutions with executive powers whose purpose was to achieve Irish unity. In this respect, they recalled a SDLP description of the Council of Ireland in 1974 as a means to achieve Irish unity.

13. Asked by Mallon whether they could accept all-Ireland institutions with executive powers which were not for the purpose of achieving Irish unity, Donaldson said that they would consider that as the negotiations evolved and that the context would be very important. The fundamental flaw with the Framework Document proposals was that they did not reflect the "totality of relationships" approach to which the UUP were wedded. Instead, they foreshadowed the notion of an all-Ireland Government. Donaldson asked nationalists to accept that an "island of Ireland" framework would deny Unionists the expression of their own identity and allegiance, for which they looked to the wider framework of "the islands" (including the changes already underway through devolution) and the European Union.

and focused only on intergovernmental arrangements

14. The UUP position was echoed by the PUP (Ervine), who suggested it was inconceivable that they should surrender their own identity "so that somebody else could feel better about theirs". Ervine agreed, however, that a range of equality issues mentioned by Sinn Féin would have to be addressed in detail.

15. Developing the need for equality of allegiance to be reflected in Strand Two institutions, Mallon emphasised that a "limp and anaemic" Strand Two would be totally unacceptable for nationalists.

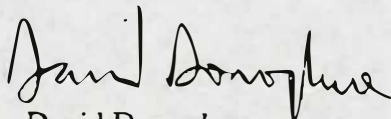
16. Senator Mitchell concluded the meeting by inviting papers under the next agenda item (Constitutional issues) to be submitted by 2pm on Friday. Strand Two will meet again at 11.30am next Monday. The Senator also asked delegations to consider (a) whether, as we proceed down the agenda over the coming weeks, it might be

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profitable to combine some agenda items; and (b) whether the prior submission of papers under each item (which is becoming a burden for some parties) remains important.

17. After the Strand Two meeting, there was a brief meeting between the two Governments in Strand Three, at which Ministers agreed the terms of the joint paper (subsequently circulated to the parties).
18. There was also discussion of the current position on the Public Processions etc (NI) Bill. The Minister for Foreign Affairs emphasised the Government's profound concerns about the controversial provision. We proposed an amendment which would make clear that it did not cover sporting events and the Secretary of State undertook to seek the Prime Minister's agreement to include this.
19. In the course of the day, the Minister had a positive private meeting with David Trimble which lasted for half an hour. He also met the SDLP twice (an initial private meeting with John Hume, followed later by the full delegation) and had meetings with the Sinn Féin, Alliance and NIWC delegations.



David Donoghue
14 October 1997

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Strand Two Negotiations, 14 October 1997Introductory Remarks by theMinister for Foreign Affairs Mr. David Andrews, T.D.

Mr. Chairman,

May I take the opportunity of this, my first intervention at these negotiations, of conveying my greetings to the other delegations around the table and my thanks, Mr. Chairman, to you and your colleagues for your enormous commitment to this negotiating process.

As many of you will recall, I was involved in the previous round of negotiations in 1991-1992. Although we did not succeed on that occasion, there is no doubt that progress was achieved. The three-stranded format on which those talks were based has been carried over, as has the concept of negotiations involving both Governments and the eligible parties.

However, there are a number of innovations over the 1991-1992 talks which, I believe, give us grounds for greater optimism this time around.

First, is the fact that as a result of the loyalist and IRA ceasefires these negotiations take place against a background of peace. Second, and very importantly, the parties around the table represent almost the full range of public opinion in Northern Ireland. And thirdly Mr. Chairman, we have an expanded international involvement, in the person of yourself, Prime Minister Holkeri and General de Chastelain. I would like to express my appreciation for the generous and active support of the US, Finnish and Canadian Governments, both in the negotiations and in respect of the Independent Commission. In short, we now have a democratic political framework, with ceasefires in place, within which our differences can be negotiated.

Mr. Chairman,

Along with other participants, the Irish Government has responded to your invitation to submit a paper on the Principles and Requirements that we believe will be necessary to secure an

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effective agreement on Strand Two issues.

In crafting these principles and requirements, we were not working in a void. We had available to us a series of documents, including the report of the New Ireland Forum, the Anglo-Irish Agreement, the Downing Street Declaration, the Joint Framework Document and the final paper of the Drafting Committee of the Forum for Peace and Reconciliation. Each of these papers has marked a stage in the evolution of a position which the Irish Government believes can provide a basis for the lasting political settlement to which we all aspire.

Those who have had the opportunity to read our paper will see that the very first principles which we have identified are "that all the people living on the island of Ireland have the right to peace, based on justice"; and "that the most urgent and important issue facing the people of Ireland, North and South, and the British and Irish Governments together, is to remove the causes of conflict, to overcome the legacy of history and to heal the divisions which have resulted". This is fundamental to the entire approach of the Irish Government to agreement on the future structures to be negotiated in this Strand.

I would emphasise also that lasting peace, if it is to be achieved, cannot be based on the assertion of the rights of one community over the other. It must be based on justice, parity of esteem and equality of treatment for all, including equitable treatment of the political loyalties and aspirations of each community. In particular we insist that stability and well-being will not be found under any political system, now or in the future, which is refused allegiance or rejected by a significant minority of those governed by it.

In our view, North/South institutions will form a crucial element of any agreement, not only because of the compelling economic justification which exists for them, but also because they will allow Northern nationalists the chance to share with unionists the sense that their aspirations and identity are reflected in the governance of their home place.

The principle of consent in all its aspects is, of course, crucial to this exercise. We will expect, therefore, any movement towards reconciliation on this island to be achieved openly and with the support of both communities and of a majority in both parts of the island.

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Mr Chairman

I look forward to exploring with you and the other participants in the weeks ahead the various proposals which have been tabled on this and, indeed, all the agenda items in this Strand.

Thank you.