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Meeting with the UUP

17 November 1997

1. The Minister for Foreign Affairs, who was accompanied by the Minister of State, met the UUP at Castle Buildings yesterday afternoon.
2. The hour-long meeting took place in an unusually friendly and relaxed atmosphere. The UUP were represented by David Trimble, John Taylor, Ken Maginnis, Peter King, David Brewster and Sam Foster. Second Secretary Gallagher and the undersigned were also present.

Molloy remarks

3. Trimble and Taylor began by expressing deep concern at the weekend remarks by Francie Molloy of Sinn Féin. The Minister for Foreign Affairs said that he was equally alarmed. Taylor asked whether the various reports of Republican dissent were backed up by intelligence available to the Government, to which the Minister replied that we were not fully au fait with developments in areas such as South Armagh.
4. Trimble understood that Toby Harnden of the Daily Telegraph had been taken to a pub in South Armagh by a colleague, Fergus McAleer of the Irish News, who had "sneaked in" Harnden to the back of a room in which Molloy was addressing local Republicans. There was a fair chance that Molloy had not known of the presence of the journalists, whose subsequent accounts of his remarks had been strikingly similar.
5. Gallagher noted reports that a separate group was to be formed in the wake of recent resignations. He underlined our view that Adams and McGuinness were very serious about the peace process and "in it for a long haul".
6. Trimble suggested that the aim of the separate group would be to capture opinion within the Republican movement. His understanding was that McKevitt would not be

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joining the CAC. Kevin McKenna was a key person. Ken Maginnis had speculated to his colleagues that the "Tyrone crowd" intended to link up with McKenna and the South Armagh people. The UUP, who saw a link from McKenna through Pat Doherty to Martin McGuinness, had found the latter's tense body language last week significant, in contrast to a more relaxed Adams.

Decommissioning

7. Trimble said that the Molloy remarks presented a problem in terms of the review Plenary. The UUP could not ignore them and would have to do something about them (though they had not yet considered this in detail). Unless there were dramatic developments at the liaison sub-committee on decommissioning (which was meeting simultaneously), the review Plenary would be reached in a fortnight's time with absolutely nothing to show on the disarmament track. How could the UUP indicate, in these circumstances, that they had sufficient confidence to continue with the process? They had the impression that the two Governments had been making deliberate efforts to obstruct progress.
8. The Minister intervened to deny this. Trimble said he was reflecting Ken Maginnis' view (the two Governments "are bullshitting us"). The Minister said that any such charges were completely unfounded, given the efforts which the two Governments had been making since last July to move matters forwards. On the question of Sinn Féin's attitude, he emphasised the positive judgement he had formed from his own meetings with Sinn Féin to date (and which were based on 32 years of political experience). It was important to try to keep Sinn Féin inside the tent. We must seek a lasting solution in order to guarantee permanent peace.
9. Trimble contended that General de Chastelain's proposed schemes had been ready on 1 November and that Ken Maginnis had been promised that the report would be circulated to the parties by now. The UUP were not sure whether the delay was caused by the Irish or the British Government but the obstruction was certainly not coming from anyone else.
10. Gallagher mentioned that the complaint from Sinn Féin was that the two Governments had done nothing in the process but establish the Verification Commission. Decommissioning was a highly sensitive issue with the capacity to hold up the entire

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process. We would all dearly wish to see it happen but we had to live in the real world. A renewed preoccupation with this same ~~same~~ place Sinn Féin, and the Loyalist parties, in an impossible position.

11. Maginnis (who had joined the meeting at this point) recalled the UUP proposal of October 1996 that the two Governments should at least lay the two parallel tracks by appointing a Chairman-designate for the Commission who would be supported by technical experts provided by the Governments. This had been opposed by the former Tánaiste, who had emphasised that the legislation would be in place by the end of the year. In the event, the legislation had taken a bit longer (though the Irish Government was "no guiltier" in this respect than the British Government). Pressure had been needed in order to get people appointed to the Commission. Now it seemed that nothing substantive would be forthcoming in relation to the Commission until 1 December, when the parties would finally get the latter's report. The UUP could not "leap ahead" on the political track in these circumstances. When would the secondary legislation be introduced? He complained that the UUP had had very little help from either Government or the SDLP in relation to decommissioning.

12. The Minister asked about Trimble's hint that the UUP might consider withdrawing from the process following the review Plenary, claiming that not enough was happening in relation to decommissioning. Trimble said that he had not said this. Maginnis presumed that he would have said what Maginnis himself had told the Senator, i.e. that there would be pressure on the UUP to allow the decommissioning track to catch up before the political track could move ahead.

13. Trimble said that the purpose of the review procedure was to decide whether sufficient confidence existed to enable the process to continue. His understanding was that an affirmative decision would be needed to move matters onwards. He did not see at present a basis on which this could be done. Bricks could not be made without straw and the two Governments would have to find "some straw" over the next fortnight.

14. Gallagher observed that the first report of the Commission would be available for the review Plenary. Decommissioning, if it was to happen, would only happen on a voluntary basis. It must ~~not~~ be allowed to come back as a precondition. The Minister of State emphasised this point.

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15. Maginnis held that the "greatest precondition of all" was represented by Articles 2 and 3. North/South relations could not be legitimised until there was a political agreement which left in abeyance the issue of territorial claims. In relation to changing Articles 2 and 3, he indicated that the language disclosed in the Sunday Business Post last August would not be acceptable to Unionists.
16. The Minister of State made clear that the Irish Government could not become specific in relation to the possible amendment of these Articles unless the Unionists became specific in terms of agreeing to North/South institutions with executive powers.
17. Trimble reiterated familiar criticism of the position taken by the Irish Government on Articles 2 and 3 during the 1992 talks. The Minister and the Minister of State said that the Government had moved on since then and Trimble acknowledged this. He pressed again, however, for specifics of what would be done, complaining that the Government delegation in 1992 had withheld all information about its intentions and had offered nothing of any value in this connection.
18. The Minister said that various options were being considered and that the matter would be open for discussion during these negotiations. When Taylor asked when this would happen, the Minister replied: "When we know what your position is on North/South institutions". He pointed out that such institutions, with executive powers, would be required if the nationalist community as a whole was to support a future agreement.
19. Trimble said that the SDLP had not mentioned the word "executive" at any stage during their bilateral with the UUP earlier in the day. He suggested that they had "learned" since the previous bilateral. (Taylor interjected to advise that executive powers should be "forgotten about") Trimble said that Hume had referred to North/South bodies with a Council of Ministers analogy and that what he had said seemed to offer the prospect of a deal. Continuing in a lighthearted vein, he said that the UUP had no intention of denying Northern nationalists the chance of becoming President of Ireland.
20. Maginnis complained about people setting preconditions, to which the Irish side

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responded by recalling his own remarks about Articles 2 and 3. Pointing a finger in the direction of the Minister, he emphasised (to snuffaws from Trimble and the other UUP representatives) that he was not a "finger-pointer".

21. On the question of Articles 2 and 3, Trimble suggested that the solution might be to draw a clearer distinction between the nation and the State. References to the nation should not have a territorial specificity. Maginnis suggested that it would be helpful if this dimension could be brought out more clearly within the body of the Constitution (rather than simply in the preamble).

22. Trimble said that (to borrow a phrase from Reg Empey) the UUP needed to know whether the Irish Government were interested in "stability or conquest". The specifics of what the Government had in mind in relation to Articles 2 and 3 would be crucial in determining this. The former Tánaiste, he claimed, had thought in terms of conquest. They needed to know which road the present Government were going down.

23. The Minister replied that the Government had no interest in either conquest or threats. Trimble responded that this would be clear when the UUP saw the Government's papers, to which the Minister of State replied by asking whether we could see the UUP's papers on North/South institutions. She went on to compare the reciprocal process involved to "synchronised swimming". These were extremely difficult issues for the Government. The amendment of Articles 2 and 3 could not be sold to our electorate other than on the basis of North/South bodies with executive powers.

24. Trimble said that his party would be comfortable with a return to the "status quo ante" represented by the 1925 Tripartite Agreement and commended to our attention the schedule to this agreement. The Minister of State suggested that we should all be looking forward, not backwards. In response to a point from Foster, she pointed out that the Government, in sponsoring change to Articles 2 and 3, would be facing the same difficulties of diminished sovereignty about which Unionists were complaining in relation to North/South bodies.

25. Gallagher emphasised his belief that Sinn Féin were "in for the long haul" and the importance of seizing the opportunity provided by their participation to achieve an overall solution. Trimble said that, since the first rumblings after the Gweedore meeting, he had anticipated that pressure would be applied to the UUP to be indulgent

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towards Sinn Féin. Maginnis saw continuing evidence of an "Armalite and ballot-box" strategy and said that Unionists could not countenance the existence of illegal armies. The Minister and Gallagher made clear that the Irish Government were in complete agreement.

David Donoghue

David Donoghue

18 November 1997

