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FROM: PS/SECRETARY OF STATE  
22 NOVEMBER 1991

- cc: PS/Secretary of State (L&B) - B
- PS/Paymaster General (L&B) - B
- PS/Minister of State (L&B) - B
- PS/PUS (L&B) - B
- PS/Mr Fell - B
- Mr Thomas - B
- Mr Ledlie - B
- Mr Alston - B
- Mr Bell - B
- Mr Wood (L&B) - B
- Mr Cooke - B
- Mr McNeill - B
- Mr Petch - B
- Mr Archer (RID, FCO) - B
- HMA Dublin. - B

MR D J R HILL - B

*a Mr Haniffa* 25/xi

SECRETARY OF STATE'S MEETING WITH THE UNIONIST LEADERS:  
21 NOVEMBER 1991

The Secretary of State met Mr Molyneaux and Dr Paisley in the large Ministerial Conference Room in the House at 3.10 pm on Thursday 21 November 1991. Dr Mawhinney, Mr Thomas, you and I were also present.

2. Dr Paisley began by raising the report in that day's Irish Times about the prospective appointment of a special commissioner who would be responsible for monitoring interrogation at RUC Holding Centres. Mr Collins was reported as saying that this appointment would be a matter jointly for both Governments. This would be deeply resented, as such an appointment was the sole prerogative of HMG. Mr Molyneaux recalled that at the time of the signing of the Anglo-Irish Agreement there had been great concern at the prospect (which later proved unfounded) of the appointment of an Irish Judge. The Secretary of State emphasised that there was nothing new about the possibility of appointing such a commissioner. Lord Belstead had informed the House of Lords in May that HMG was considering ways of responding to concerns about RUC Holding Centres, including the possibility of

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an independent commissioner. While it was proper for the Irish to make comments on such a proposal, the decision on an appointment remained "absolutely and totally" with HMG. He doubted that Mr Collins had actually said that the appointment was a matter for the two Governments, but he would look at the transcript, and, as on a previous occasion when Dr Paisley had been concerned at what Mr Collins had been reported as saying, arrange for this to be sent to the Unionist leaders.

3. Dr Paisley then expressed concern at the proposal that candidates in an election would no longer have to give their addresses. This would benefit only Sinn Fein: no complaints about the current practice had been received from any Unionist candidates. The Secretary of State suggested that Dr Paisley put his concerns in writing. Mr Molyneaux said he had written to the Home Secretary about the question of polling agents identifying themselves by Party. A clear understanding on the position was needed. Dr Paisley supported the need for polling agents to be distinguished.

4. Turning to political development, the Secretary of State said that he had tried to explain publicly the difficulties about conducting large scale talks prior to the election. However, there was some risk of all politicians being criticised for the resulting political vacuum. It was therefore necessary to agree a practical way forward which would be publicly credible.

5. Dr Paisley agreed that it would be "disastrous" to allow a vacuum to develop. But first, as had been made clear in the DUP press release earlier that day, it was necessary to explore the basis of new talks. Firm preliminary investigation of this basis was now underway. He saw no reason why the first strand of the talks could not start. The agreement that nothing would be agreed until everything was agreed provided the necessary protection. In view of the uncertainty about the Taoiseach's position, and the proximity of a UK election, discussions between Dublin and the Northern Ireland parties and the two Governments might not be able to take place. But once talks had started on

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the first element, they must proceed to encompass the other two. The problem previously had been the insufficient time to complete the business. This must not be allowed to happen a second time, as would be the case if Mr Hume's calls for a continuation of talks on the previous basis was accepted. The Secretary of State recalled that he had reminded Mr Hume during Questions that because of the proximity of the end of the Talks, certain parties had been reluctant to turn their cards face upwards. Dr Paisley said that his recollection was that Mr Mallon had been the one who had said that matters could not be taken any further. Mr Molyneaux endorsed this recollection. He also agreed with Dr Paisley's views about the instability in Dublin. He noted that the Madrid talks had had to revert to bilateral discussions. While it was important to make progress where this was possible, it might not be possible to complete strand one prior to an election. It would still be an advantage if some genuine progress was made, even to a limited extent. This was better than allowing "the ship to sink".

6. In response to a question from the Secretary of State, Mr Molyneaux recalled that at the meeting in September with the Secretary of State they had discussed the Unionists talking to the SDLP with or without the Secretary of State. At that time, it was thought that a face-to-face meeting with Mr Hume might help to establish some common ground. An approach had not been made to Mr Hume because of time pressures, and the situation had also moved on since September. The Secretary of State was the key player. Dr Paisley added that while private meetings with Mr Hume were not ruled out, the Secretary of State's presence would generally be essential to the talks. He had talked briefly to Mr Hume, who was not in good health, and who planned to take a break after the SDLP conference the coming weekend. He would listen carefully to what Mr Hume had to say in his speech, but his understanding was that Mr Hume had no difficulty with the Unionists' prior conditions for talks. These were necessary, and he disagreed with those such as John Taylor who had stated that there should be talks with the SDLP with the DUP being brought in

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later. As before, the prior conditions for talking needed to be fulfilled, and without the talks being "stopped in their tracks again". It was a pity that the meeting on 16 July had taken place. Mr Molyneaux referred to the SDLP claiming that their shortage of funds resulted from the lack of local democracy in Northern Ireland. They therefore had an incentive to make some progress. Dr Paisley commented that the Unionists had some difficulties too,

Returning to the basis for further talks, he reiterated his wish that the first element should go ahead and progress be made.

7. The Secretary of State pointed out that, although talking at Westminster provided some protection from the media, there was a problem in that Dr Alderdice was not an MP. In seeking to agree a structure for talks, did the Unionists regard the Alliance as being a party to them? Mr Molyneaux's response was to refer to the North Down Conservatives. Dr Paisley repeated that he was negotiating about the basis for future talks, which would be held at Westminster. The Secretary of State reiterated his question. Mr Molyneaux said that would be much easier without the press conferences. It was Dr Alderdice who was particularly sensitive to not being an MP. Dr Paisley confirmed that he was not saying that the Alliance should not be present. But he did not envisage such high-profile talks, and they would be better kept to MPs. Mr Molyneaux added that the atmosphere built up by high profile arrangements would be damaging. Dr Paisley agreed.

8. The Secretary of State pointed to the infrastructure difficulties of holding talks at Westminster, particularly if significant numbers attended. Mr Molyneaux said he saw delegations being of 3-5 each. Dr Paisley said that the talks could be held in a Government building near to Westminster. The Secretary of State commented that once talks had been formalised, it was difficult to shield them from the media. Mr Molyneaux wanted more work to be done at the informal level. It would be

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better not to ask those taking part to set down their positions. Dr Paisley said that what had happened in the previous talks should be "taken as read". Matters should proceed forwards. More progress would be made, and there would be fewer leaks, if talks were conducted informally.

9. The Secretary of State said he assumed he could speak to Mr Hume and Dr Alderdice and inform them that the Unionists were content with the same three-stranded structure and participants as before. Again, no-one needed to decide finally until they had considered the totality of the proposals. There remained the question of handling the election period. Dr Paisley thought that the condition that nothing would be agreed until everything had been agreed was an adequate safeguard. Thus if one person walked out he could not be blamed for it. The key was to get away from deadlines, and move on from stage one when either there was consensus or the Secretary of State so decided. Mr Molyneux said that when common ground had been established, the Irish Government could be sounded out informally on the view they would take of the proposed internal arrangements. He saw the three strands as being self-contained and would not wish proposals for devolved Government in Northern Ireland to come apart during the second strand.

10. The Secretary of State said that it was necessary to manage an extended format for the informal discussions in relation to an agreed timetable. He assumed the Unionists were not asking for totally open-ended discussions. Dr Paisley said that the Conference had to be suspended. He realised that this could not be done sine die, but a less rigid approach than previously was necessary. The Secretary of State observed that whatever criticisms had been made of the outcome of the previous talks, the ending on 16 July had established that all concerned were prepared to act in good faith on the basis of agreements previously reached. Dr Paisley considered that approximately half the available time would be needed for the first strand. There seemed no point in suspending the IGC for the third strand, when all concerned were discussing matters together. It might be

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sufficient if the IGC were suspended for the first two strands. He asked if the third strand could be completed in two weeks. Dr Mawhinney wondered whether, on grounds of practicality, if a consensus had been reached towards the end of the first strand, there might be a gap before strand two took place, in which a Conference might be held. Dr Paisley thought not, but confirmed that he would accept a Conference after the second strand. But the talks should be less rigid and formal.

11. The Secretary of State suggested that the period before a General Election should be regarded as not being part of the period for the talks. The election period would therefore be "taken out" of the talks period and the two Governments could meet then. Dr Paisley thought that not holding an IGC until the election was called, and then having an interregnum in the talks could work. Mr Molyneaux was concerned lest a different Government emerge to drive the talks forward. Dr Paisley agreed that it would be very difficult if a Government was elected which was committed to a united Ireland. The current negotiations were with the present Government. Mr Molyneaux added that a form of words that related to suspension should be avoided. The Secretary of State thought that it would be easier to gain agreement from all concerned if a meeting with the Republic of Ireland could take place during the election period, which would be a non-period so far as the talks was concerned. Dr Paisley concurred on the basis that the process would end with the calling of an election and remain so until after the election. Mr Molyneaux said he would like to think about the wording of the proposition. The Secretary of State observed that matters would be made easier if the state of the discussions were not made public at the time that a General Election was called. Dr Paisley added that the same considerations applied to stage two as well as stage one. Stage two would similarly need to go into abeyance and be held over until after the General Election. But there was no point in putting stage three into suspension. Mr Molyneaux commented that there was no point in the parties kicking their heels at Stormont while "Big Brother" discussed matters.

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12. Dr Paisley said that his concept for the talks was for a less intense approach. He envisaged sitting down for, say, two days a week informally. In his view, this approach would better enable progress to be made with the SDLP. The previous Talks' statements were in print, and much of what had been said then could be taken as read. Mr Molyneaux agreed. Having previously put papers in, reconvening informal talks would enable the process to be taken beyond the previous Talks. It would be helpful to have HMG's considered view on the common ground that existed. He recalled that Dr Mawhinney had attempted to identify this towards the end of the previous set of talks. He wondered whether it would be useful to "suss out" in bilaterals the extent of this common ground. Dr Paisley added that it would be helpful to agree an agenda for the first meeting.

13. The Secretary of State then raised the question of the location for the second strand of talks. Dr Paisley said that the first part of it would have to be held in London. There could be discussion about venue nearer the time. The Secretary of State pointed to the difficulty of launching strand two without at least an informed idea of what was proposed. Dr Paisley responded that it should be on British territory.

14. The Secretary of State asked whether it would help if he were to obtain transcripts of Sir Ninian Stephen's interviews. Dr Paisley thought that would be helpful, but he had misgivings about Sir Ninian, and hoped that it would be possible to obtain the services of someone "nearer home". But most importantly, the talks must "never get against the wall again". His understanding was that Mr Hume saw the force of that consideration.

15. Mr Molyneaux asked Dr Paisley whether he intended to contact Mr Hume before the latter went away and suggest that he met with the Secretary of State. The Secretary of State said he would be willing to take forward such a meeting.

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16. Dr Paisley reported that Tom Kelly knew in advance about the Unionists' meeting with the Secretary of State. A statement had therefore been issued stating that the Unionist position had not changed with respect to the conditions for talks, and that the current meetings were seeking to establish a basis on which new talks could be held.

17. An agreed press line for the meeting was then agreed [since issued].

18. The meeting ended at 4.10 pm.

Signed

A J D PAWSON  
PS/Secretary of State  
OAB Extn 6462  
22 November 1991

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