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Prospects for Political Progress

1. This note is an effort to assess the situation following the latest round of talks at official level held in London on Thursday 11 October 1990.
2. Over the nine months since the initiative began agreement, at least in outline, has emerged on all sides on certain elements as a basis for getting talks underway:-

- (a) The concept of an interval between meetings of the Conference.
- (b) A formula, which is in effect a fudge, on the Secretariat - to the effect that since the Conference will not be meeting between x and y it will not be necessary for the Secretariat to carry out the function assigned to it under the Agreement of servicing meetings of the Conference during that period.
- (c) A willingness by both Governments to contemplate a new and better structure to transcend the present Agreement if this can be reached by direct discussion and negotiations between all of the parties involved.

While not all of these formulations have been agreed in detail, it seems likely that any outstanding points could be resolved without too much difficulty.

3. On the other hand two issues have not so far been resolved:-

- (i) The issue of "conditionality" in regard to the opening of North/South talks - that is the Unionists insistence that North/South talks would begin only when "substantial progress" had been made in the internal Northern Ireland talks.
- (ii) The question of whether the Unionist parties would attend any such talks in their own right or as members of a delegation led by the Secretary of State.

4. Of these two issues, the second would seem to be easier to resolve. While John Hume has so far made a point of his wish to see the Unionists attend North/South talks in their own right, and the Taoiseach has on several occasions invited the Unionists to come and talk with him as the leader of the Irish Government, nevertheless I would suggest that in the last resort we could accept attendance by the Unionists under the formal leadership of the Secretary of State (but speaking in their own right) if this is what is

needed to get them to the table. After all I think it is the case that the "round table" which the Taoiseach has called for at times in the past would, in his thinking, have brought together all the main parties to the problem (except those engaged in violence). This would include representatives of the British Government whose writ runs at present in Northern Ireland and whose acquiescence (and agreement to withdraw) would be necessary if the kind of settlement which Irish nationalism has hoped for is to be achieved.

5. If a framework for talks is to be established, it seems likely from our perspective at least that the North/South talks would be much the most important since it is there that the fundamental problem in the island of Ireland would be addressed. It seems unrealistic at the present time to say that the British should not be present at such talks; and from there to allowing the Unionists the "cover" of saying that they form part of a British delegation should not be too great a step. It seems in any case obvious that the Unionists would wish to speak vigorously on their own behalf and would not in practice allow their case to be presented by the Secretary of State. Thus in a practical sense they would indeed be present in their own right and their position as members of the Secretary of State's delegation would be at the formal level only.
6. On the other hand the first issue mentioned above - the requirement, however defined, for "substantial progress" in the internal Northern Ireland talks before North/South talks begin is a much more fundamental issue and one on which we appear now to have reached an impasse which the British want us to surmount by an active political faith in the Unionists desire to get talks underway.
7. The British position is that the Unionists do genuinely want to get into discussions; that they have come, however reluctantly, to accept that nothing can be settled within Northern Ireland unless provision is also made for the relationship with the South; that they thus have a powerful incentive to move fairly soon to the North/South phase since they know that nothing will be agreed until everything is agreed. Mr. Brooke urges therefore that we should not seek at this point to get a timetable explicitly defined but should see that once internal talks get underway they will evolve naturally and organically fairly quickly to a stage where North/South talks become necessary.
8. The Irish side's view on the other hand is that to arrive at a new arrangement which could transcend the existing Agreement is a major, historic task; and that it would be vitally important in beginning the process to ensure that the framework is right. Since the aim is to work towards a settlement which will give expression to the three sets of relationships it is important that the framework for discussions set at the outset be such as to address those

three relationships. It was to the extent that the Unionists accept the concept of addressing those three relationships that we are ready to contemplate an agreement transcending the existing Agreement. But if they do accept this as fundamental it is not easy for us to see why they should refuse to accept an explicit and objective timetable for engaging in the second strand of talks - granted that, in an effort to be helpful, we have already accepted that there could be a short interval between the beginning of the internal talks and that of the North/South talks.

9. This whole point is not just one obstacle among others to be addressed. It goes to the heart of the issue in relation to Northern Ireland because it raises the very basic question of whether the Northern Ireland problem could be dealt with within the confines of Northern Ireland with the provision that whatever emerges would have an external relationship with Dublin; or whether the Irish dimension and the need to allow full scope to the aspiration of the minority are intrinsic to the problem and not simply something to be built on once a settlement begins to emerge.
10. We have now gone over the ground a number of times with the British side at Ministerial and at official level and it is beginning to be clear that there is an irreducible difference between us - as evidenced again by the latest British non-paper handed over on 11 October we seek, in various ways for something objective - a timetable for the opening of North/South talks. Mr. Brooke believes that he cannot deliver this but that we should be ready to bridge the gap (between an agreed timeframe and reliance on the logic of the process) by accepting his political judgement that there is a genuine desire on the part of the Unionists to get into talks and that they will be willing to recognise fairly quickly once the internal talks start that if they are to get anywhere they must also begin fairly soon to engage in North/South talks.
11. At the meeting of 11 October we reacted to the British paper offered to us by welcoming their willingness to engage in some fresh thinking at the formal level (in the sense that they are moving away from the idea of a speech by the Secretary of State) but we left the British side in no doubt that very many of the formulations in the paper give us major problems - all of them bearing in various ways on the central problem outlined above about whether North/South talks begin in accordance with an agreed timetable or only when sufficient progress however defined has been achieved in the internal Northern Ireland talks.
12. Notwithstanding this very negative reaction we agreed to take the paper away with us; and we suggested that it would be necessary to have a further official level meeting to tease out matters further before the Ministerial meeting which Peter Brooke is seeking. It is clear however that Mr. Brooke believes rather strongly that what is now needed is a

meeting between him and the Minister for Foreign Affairs rather than further effort at official level. He seems to believe that, speaking as one politician to another, he could get across his own convinced judgement that the Unionists are ready to engage in talks and his strong conviction that we should accept their bona fides to the extent necessary to bridge the gap between what we have been seeking and what, in his judgement, is the maximum they are able to agree to at this stage.

13. It certainly does seem as if the issue is no longer one of ingenuity in devising wording. Instead either the Unionists must be brought to agree to some kind of explicit timeframe; or, as Mr. Brooke urges, the Irish side, in line with his own political judgement, must accept the Unionists good faith in wishing to get into talks and trust that as the process begins they will be ready to follow where its logic leads.
14. It is hard to see how we could really accept Mr. Brooke's judgement on an issue which is so fundamental and integral to the problem of Northern Ireland leaving aside our own aspirations, it is precisely because every effort to address the issue as an internal Northern Ireland one failed that the British Government came to accept the need for an institutionalised role for the Irish Government as provided for in the Agreement. To begin now to work for something transcending the Agreement without providing clearly and explicitly from the outset for a framework for discussion that will address each of the three sets of relationships is to go a long way towards accepting a Unionist analysis of the problem - that it is essentially one of sorting out the problem internally and developing a "good neighbourly" relationship with the South.
15. Mr. Brooke, it seems to me, is a person of goodwill and well-intentioned. But what is in question here is not his integrity but his judgement. We already have many reasons to think that this is fallible - not least for example the fact that he found that the Agreement which he worked out with our Ministers on the 19th April was "more than the traffic would bear" so far as the Unionists were concerned. The difficulty we have had in dealing with him is that he has presented himself as a "facilitator" - an intermediary between Dublin and the Unionists who simply take stock of what they can accept and reports it back to us.
16. Even in this role there is reason to be doubtful about his abilities as a mediator and a reliable intermediary in conveying the views of one side to the other. It does also seem that his belief on 4 July that he could go ahead without acquiescence with a statement in the House of Commons on the following day which contained a great deal of language which we had not previously seen was, to say the least, naive.

17. If the foregoing analysis was correct the present situation might be summed up as follows:-
- (a) There is a fundamental point at issue which goes to the heart of the problem.
 - (b) We may have reached the limits of ingenuity in drafting with the British side since every formula they offer still contains a large gap which they believe should be bridged by an active political faith.
 - (c) Mr. Brooke wants to meet the Minister for Foreign Affairs to convince him as a fellow politician to step across that gap and trust in what will develop in practice.
 - (d) The British are reluctant to envisage a further official level meeting and Mr. Brooke thinks it important that he should now meet Mr. Collins.
18. Where do we go from here? On a procedural level while we might try for a further meeting at official level it seems to me that the Minister at this stage should probably give Brooke what he wants and agree to meet him.
19. Beyond this, it seems to me that we should now work to take ourselves out of a situation where Mr. Brooke is acting as a facilitator or intermediary between the Unionists and ourselves. We should also try to get away from a situation where we continue to work on a British text.
20. On the first of these points I have already suggested that while Mr. Brooke is well-meaning and in good faith he is not very reliable or adept as a mediator; and we should not have to rely on his account to us of what the Unionists will accept. It is in any case not a good posture for us to be relying on a British Secretary of State for our assessment of what the Unionists might accept.
21. I would suggest therefore that we look for some way to open up a more direct channel to the Unionists on these particular issues. One way to do this might be to use some kind of reliable but unofficial messenger to Messrs. Paisley and Molyneaux. Alternatively, and this might be a better way, we might consider using the John Hume channel to Paisley through Strasbourg but in that case it would be necessary to have some very explicit message worked out with Hume and perhaps to have an official work closely with him in any contact.
22. In addition to this I would feel that we should at this point formulate on paper an outline of the framework which we think would be desirable and necessary and pass it to the British. It is not a good situation for us to be continually in discussion on the basis of British texts as we are at present (at least since 19 April). It would also

be tactically a better situation for us to have submitted our own proposal if the whole effort should break down and public recrimination should begin. If this were to happen at present we would find ourselves in a somewhat more difficult situation of having to explain what we find wrong with, for example, the latest British text. On the other hand it seems to me that our position would be very much better and more defensible in public at a later stage if we were seen to have put forward our own very reasonable proposal and to have had this rejected (it could be said we are in this position to some extent already) since we can always fall back on the document of 19 April but I believe it would be helpful, if things do go wrong to be seen to have put forward a positive proposal which others rejected rather than to be explaining why we rejected what to the uninformed may seem also to be positive.

N. Dorr
Secretary
12 October, 1990