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 2-3-94
 Political Progress

2/3

- ### Status of the Papers

- ### British Speaking Note

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since the crucial papers were the following three.

PAPER I

Objectives in Bringing about Talks

4. The Irish side made a number of drafting points on this paper, including in particular on the final paragraph (which in its original form implied that an attempt might be made to implement a partial result of the negotiations, even in the absence of a fully agreed package). The attached text incorporates some minor revisions made by the British following the meeting.
5. The Irish side also argued at some length that the paper did little or nothing to clarify the likely direction and possible outcome of talks - there were a whole series of issues which the paper did not even attempt to address. (We instanced questions such as how the British assessed current Unionist thinking, whether Unionist and SDLP demands were likely to prove reconcilable, what powers the British envisaged being transferred to a devolved government, whether and how they saw power-sharing being implemented in practice, what they saw as the likely structures for the North/South and East/West relationship?) Mr. Gallagher emphasised that part of our current task is to "calculate the risks" in going down the path being proposed by the British - to do this, we needed some sense of what they saw as lying at the end of the path.
6. The British refused to be drawn on most of the above points, arguing that neither the Unionists nor the SDLP were willing to show their negotiating hands in advance and therefore it was impossible to predict the outcome of talks. (In response to some remarks which were particularly dismissive of the SDLP, Mr. Gallagher expressed serious concern at what

was perceived as a developing antagonism towards the SDLP on the part of some British officials. Mr. Burns said that there was great respect for the personal integrity and sense of responsibility of SDLP members; however, there was also a degree of frustration - the party "talks bigger than it performs").

7. Under further questioning, Burns would only say that (a) in terms of what Unionists might offer, he saw them as going beyond the three page document - published in the Irish Times that day - which they had submitted to Tom King in January 1988 and (b) any transferred powers would probably be much on the 1973 lines with two exceptions: a devolved government would have to have "some involvement" in security, and European Community issues would have to be treated differently than in 1973.

PAPER II

Unionist "Preconditions"

8. Discussion centred on the second and third pre-conditions ("non-operation" of the Conference and Secretariat respectively). The Irish side pointed to a number of inconsistencies and potential difficulties in the British treatment of both these issues - in particular the problem of having Unionists suggest that the Secretariat was non-operational with the Governments failing to rebut this (or the British government staying silent while the Irish government denied it).
9. On the question of the length of the "gap", Burns implied that the British are thinking in terms of two to three months. He said that "anything that is longer than any previous gap in Conference meetings is unnatural"; he also argued that "what is natural during the Presidency might be

unnatural at other times". The British repeatedly emphasised their absolute commitment to adhering to the date of the Conference meeting that would have been fixed in advance for the end of the gap. Burns said they would not countenance any request from Unionists to postpone this Conference meeting - to do so would be "a recipe for disaster"; the only request they might entertain would be one from John Hume.

10. On the Secretariat, the British side repeatedly said that absolutely no change in the substance of the Secretariat's work was contemplated. They had told Unionists frankly that they were "crying for the moon" in looking for concessions in relation to the Secretariat; all that was being offered was an opportunity for the Unionists to put the best face on the situation. However, the British regard it as crucial that the Irish Government would not make any comment on Unionist claims that the Secretariat would not be functioning normally during the gap period - a rebuttal from Dublin would, Fenn said, "shop the arrangement". What the SDLP said was a different matter and the British saw no difficulty with a public contradiction by the SDLP of any Unionist claims.
11. As to whether their suggestion in relation to the Secretariat was likely, if advanced, to prove an adequate fig-leaf for Unionist leaders, Burns said that their best judgement was that it would prove acceptable as part of a package (i.e. with the positions as outlined on the first and second pre-conditions). He emphasised that there would be absolutely no bargaining about pre-conditions - what the British had set out in their paper was the outer limit of what they were prepared to offer.

PAPER III

Format

12. The Irish side at the outset made clear that the role envisaged for the Irish Government in the British paper was entirely inadequate; the negotiating structures and the timing of the various sets of talks must reflect the interdependency of the three relationships (within Northern Ireland, North/South and East/West).
13. The British were adamant that they could not accept the concept of a "Steering Committee" or a Plenary Committee to which sub-committees would report; they saw the three sets of negotiations being dealt with in separate committees although with an understanding that there was a "contingent" relationship between the results achieved in each area and the possibility of what the British called a "Sunningdale-type" meeting at the conclusion. Burns said that an insistence by the Irish side on establishing a Steering Committee at the outset would be to "sabotage" the discussions.
14. After further lengthy discussion, the British appeared to move towards (a) a willingness to consider the establishment of some kind of "liaison group" or "inter-relationship group" - involving the two governments and the three political parties - at or near the outset of the negotiations and (b) an acceptance that consideration of the North/South relationship would begin no later than a week after inter-party talks had opened on devolved structures.

Timing

15. Burns emphasised that the Secretary of State feels that discussions have now reached the "put up or shut up" stage

with the political parties: when he meets the Unionists in mid-March, and the SDLP shortly afterwards, he wants to be able to indicate how he sees progress being made and "to talk with knowledge" of the Irish Government position. (It was clear from Burns' presentation on this point that the British are still thinking in terms of the "natural gap" beginning following the Conference scheduled for 19 April).

16. Given this sense of "proper immediacy", as Burns put it, the Secretary of State is most anxious to have a full discussion of the issues with Minister Collins - if this for any reason did not prove possible at Friday's Conference, the Secretary of State would be very anxious to schedule an informal meeting with the Minister in the week or two following. Mr. Gallagher said this would have to be considered in the light of events - our Minister fully shared the desire to make genuine political progress but it was in the interests of both governments that undue haste - in which the risks were inadequately weighed - be avoided.

Anne Anderson,
28 February, 1990.