



An Chartlann Náisiúnta National Archives

Reference Code:	2021/93/45
Creator(s):	Department of the Taoiseach
Accession Conditions:	Open
Copyright:	National Archives, Ireland. May only be reproduced with the written permission of the Director of the National Archives.

Telefón }
Telephone } (01) 780822
Telex 25300

Tageirt }
Reference }



AN ROINN GNÓTHAÍ EACHTRACHA

Department of Foreign Affairs

BAILE ÁTHA CLIATH, 2.

Dublin 2.

6 February, 1991.

Mr. Dermot Nally,
Secretary to the Government,
Government Buildings,
Merrion Street,
Dublin 2.

Dear Dermot,

At the Conference on last Thursday, the Minister promised to let Peter Brooke have an alternative paper to the text which was handed over to us in London on the 10th January. I am now enclosing a possible draft for this (with the 10th January British paper attached as Annex A). It would be important, given the Secretary of State's meeting with the Unionist leadership tomorrow, that we hand over our paper either late today or early in the morning.

While there are textual changes in quite a number of paragraphs, the most significant changes are in paragraphs 2, 6 (para 7 of the British text) and 8 (para. 9 of the British text); because of the crucial importance of paragraph 8, which concerns the key conditionality issue, we are putting forward two alternative drafts for consideration.

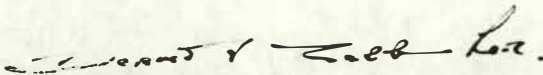
Para 2: We have tried to broaden the language of the British text in order to get away from any notion that this exercise is simply about the "replacement" of the Anglo-Irish Agreement. Instead, we suggest it should be an ambitious and imaginative exercise which could lead to the two Governments contemplating "a new and more comprehensive agreement or structure".

Para 6: We have added a new second and third sentence to replace a reference to "the United Kingdom team". Our draft makes clear that all the Northern parties will participate actively and directly in the North-South talks; at the request of the Unionists, who wish their "participation to be formally associated with his presence", the Secretary of State will attend the talks, as opposed to leading the UK team.

Para 8: This is the key conditionality/specific timeframe paragraph. Because of its importance, we have drafted two texts - (a) which plays it very safe and sets a specific timeframe for North-South talks, and (b) which, while falling short of total certainty, will still give us a high degree of assurance about the timing of these talks. The advantages of each paragraph, as we see them, are set out at the end of the attached paper.

I will be in touch by telephone this morning to discuss how we might take this further.

Yours sincerely,

A handwritten signature in dark ink, appearing to read "Dermot Gallagher". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Dermot Gallagher,
Assistant Secretary.

cc: Secretary

(Tavne's amendments on
the 10th copy)

Alternative Text

(To Replace British Text of 10 January)

1. Mr Speaker, I am pleased to be able to inform the House that, following extensive discussions with the constitutional political parties in Northern Ireland - the Alliance Party, the Social Democratic and Labour Party, the Ulster Democratic Unionist Party and the Ulster Unionist Party - and with the Irish Government, a basis for formal political talks now exists. I frankly acknowledge to the House that this would not have been possible without the goodwill and determination of the Northern Ireland parties and the helpful and constructive approach taken by the Irish Government. The stated positions of all these parties ^{are} ~~is~~ well known.

2. The endeavour on which we have all agreed to embark is an ambitious one - we are setting out to achieve a new beginning for relationships within Northern Ireland, ~~between both parts of Ireland~~ ^{between the parts of the island} and between the peoples of these islands. While a successful outcome cannot be guaranteed in advance, I am confident that all the potential participants are committed to an imaginative and open-minded approach. For their part, the two signatories of the Anglo-Irish Agreement - the British and Irish Governments - have made clear that they would be prepared to consider a new, more comprehensive and more broadly based agreement or structure if this can be arrived at through direct discussion and negotiation between all of the parties concerned.

3. To allow an opportunity for such a wider political dialogue the two Governments have decided not to hold a meeting of the Anglo-Irish Conference in the period between [x and y]. All of the parties concerned will make use of this interval for intensive discussions to seek the new and more comprehensive Agreement which I have just described.

4. As the Conference will not be meeting between the specified dates the Secretariat at Maryfield will accordingly not be required for that period to discharge its normal role of servicing Conference meetings provided for in Article 3 of the Agreement.

5. It is accepted that discussions must focus on the three main inter-linked relationships: those within Northern Ireland, ~~including the relationship between any new institutions there and the Westminster Parliament,~~ ^{within the island of Ireland} ~~between both parts of Ireland~~ and between the two Governments. Some arrangement will be needed for liaison between the different strands of these complex discussions. It is common ground between all the parties that hope of achieving a new and more comprehensive Agreement rests on finding a way to give adequate expression to the totality of the relationships I have mentioned and to their inter-linkage.

6. Talks will accordingly take place in three strands corresponding respectively to the three relationships. All + the Northern Ireland parties will participate actively and directly in the ^{NS} ~~discussions on the relationships between both parts of Ireland.~~ In accordance with the particular request of the Unionist parties, who wish their participation to be formally associated with my presence, I will attend in my capacity as Her Majesty's Secretary of State for Northern Ireland.

7. It is accepted by all those involved that, so as to make full use of the interval between meetings of the Conference to achieve an overall agreement satisfactory to all, it will be necessary to have launched all three sets of discussions within weeks of each other.

8. [A first step towards getting related discussions under way in all three strands will be the opening, as soon as possible, of substantive talks between the parties in Northern Ireland under my chairmanship. These will continue over a period of [three] [x] weeks in order to allow for a thorough discussion and airing of all the issues. It has been agreed by all the participants that I will then propose to the Irish Government that the other two strands should be launched; all three sets of discussions will then proceed in parallel.]

OR

[A first step towards getting related discussions under way in all three strands will be the opening, as soon as possible, of substantive talks between the parties in Northern Ireland under my chairmanship. Shortly thereafter, when I judge that an appropriate point has been reached, I will propose to the Irish Government that the other two strands should be launched. My judgement as to timing will be governed by the fact that all involved have agreed that the three sets of discussions will be under way within weeks of each other.]

9. The internal talks, like the talks in the other strands, will follow a demanding and intensive schedule. In order to ensure a full airing of the issues, the talks to take place in each strand will be without preconditions as to subject matter. All concerned have assured me they will participate in good faith and will make every effort to achieve progress.

10. It is accepted by all the parties that points discussed at the earlier stages of the talks process will need to be re-examined, refined and confirmed in the light of progress in the later stages; nothing will be agreed in any strand until everything is agreed in the talks as a whole and confidentiality will be maintained thereunto. [In the final analysis the outcome must be accepted by the people]

Option A - Advantages

- (i) the text gives us absolute certainty about the timing of North-South talks;
- (ii) it is completely consistent with the stance we have taken since the beginning of the talks;
- (iii) if, as may well be the case, the present process is coming to an end, there may be much to be said for ensuring that there is no fudge in our position on this key issue.

Option B - Advantages

- (i) This text will be seen by the British as a genuine effort on our part to keep the ball in play and to find a basis to allow the talks process to go forward;
- (ii) a combination of the approach in this paragraph, together with the text of paragraph 7 (i.e. "it will be necessary to have launched all three sets of discussions within weeks of each other"), gives us a fairly high degree of assurance that North-South talks will take place at an early date.

[If we wished to strengthen the degree of certainty in this paragraph, we could consider seeking a private assurance from the Secretary of State that, within X weeks, he will propose that the move to North-South talks should take place. Brooke's rejection up to now of our suggestions about a private assurance has been on the basis that he could not actually guarantee the delivery of the Unionists to North-South talks; this would not arise, however, with the proposing (as distinct from delivering) suggestion, as this would be a matter exclusively within his competence].

DRAFT STATEMENT

1. Mr Speaker, I am pleased to be able to inform the House that, following extensive discussions with the constitutional political parties in Northern Ireland and with the Irish Government, a basis for formal political talks now exists. I frankly acknowledge to the House that this would not have been possible without the goodwill and determination of the Northern Ireland parties and the helpful and constructive approach taken by the Irish Government. The stated positions of all these parties is well known.

2. In the light of my discussion with Mr Collins, the Irish Foreign Minister, on [] January I can confirm that Her Majesty's Government and the Government of the Republic of Ireland would be prepared to consider a new and more broadly based agreement or structure to replace the Anglo-Irish Agreement if such an arrangement can be arrived at through direct discussion and negotiation between all of the parties concerned. This is in accordance with the position of both governments that Northern Ireland's present status as a part of the United Kingdom will not change without the consent of a majority of the people who live there. I refer the House to the relevant passage of my speech on 5 July.

3. To allow an opportunity for such a wider political dialogue the two Governments have decided not to hold a meeting of the Anglo-Irish Conference in the period between [x and y]. All of the parties concerned will make use of this interval for comprehensive discussions to seek the new and more broadly-based agreement which I have just described.

4. As the Conference will not be meeting between the specified dates the Secretariat at Maryfield will accordingly not be required for that period to discharge its normal role of servicing Conference meetings provided for in Article 3 of the Agreement.

5. The parties involved in this process will be the two Governments and the Alliance Party of Northern Ireland, the Social Democratic and Labour Party, the Ulster Democratic Unionist Party and the Ulster Unionist Party.

CONFIDENTIAL

6. It is accepted that discussions must focus on three main relationships: between both sides of the community in Northern Ireland, including the relationship between any new institutions there and the Westminster Parliament; between both parts of Ireland; and between the two Governments. It is common ground between all the parties that hope of achieving a new and more broadly based agreement rests on finding a way to give adequate expression to the totality of the relationships I have mentioned.

7. Talks will accordingly take place in three strands corresponding respectively to these relationships. In discussions on the relationship between both parts of Ireland, the Unionist parties will be part of the United Kingdom team.

8. It is accepted by all those involved that, if full use is to be made of the interval between meetings of the Conference to achieve an overall agreement satisfactory to all, it will be necessary to have launched all three sets of discussions by approximately halfway through the interval.

9. A first step towards getting related discussions under way in all three strands will be the opening, as soon as possible, of substantive talks between the parties in Northern Ireland under my chairmanship. These will commence with a round of bilateral meetings between the individual parties and myself before moving, when I believe an appropriate point has been reached, to plenary sessions. The other strands, both of which will of course involve the Irish Government, will be launched when I judge, in consultation with the parties, that the time is right in the light of progress already made.

10. The internal talks, like the talks in the other strands, will follow a demanding and intensive schedule. All concerned have assured me they will participate in good faith and will make every effort to achieve progress.

11. It is accepted by all the parties that nothing will be finally agreed in any strand until everything is agreed in the talks as a whole and that confidentiality will be maintained thereunto. However, in the final analysis the outcome must be accepted by the people.