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W. L. Murphy
14.3.91

Meeting with Mr. Brooke
London, 11 March, 1991

1. The Secretary of State was accompanied by Joe Pilling, Quentin Thomas, David Hill (NIO), Robert Alston (Secretariat) and Ambassador Fenn. The Minister for Foreign Affairs was accompanied by Secretary Dorr, Ambassador O'Rourke, Dermot Gallagher, Declan O'Donovan and Anne Anderson. The meeting lasted two hours, including a brief tete-a-tete at the outset.

Introductory remarks by the Secretary of State

2. Mr. Brooke indicated his regret at having had to seek a postponement of the Conference scheduled for 7 March (because of a Royal visit to Northern Ireland on that date). He also expressed appreciation for the "spirit and tone of what was said at the Fianna Fail Ard Fheis, which was thoroughly helpful to what we are about". He said he would describe the current balance sheet as follows:

- (i) the Unionists are re-engaged; it had seemed at one stage that they might be about to withdraw from the process, but they are now back in business;
- (ii) the proposition that there are three strands to be addressed is now universally accepted;
- (iii) running through his various conversations with the Unionists was a constant thread - their recognition of the need to reach an accommodation with the nationalist side of the community in Northern

Ireland, including in terms of political arrangements;

- (iv) before embarking on the current process, the idea of Unionists becoming involved in dialogue with Dublin was very hypothetical; we are now no longer discussing whether such dialogue will take place, but the circumstances in which it will get underway.
 - (v) the process is putting pressure on the terrorists - it is significant that Gerry Adams now spends a considerable amount of time in casting doubt on what we are about.
3. Mr. Brooke said we are now coming to a point where things must be brought to a conclusion. In his view, the credibility of the process requires that a decision be taken one way or another by the next Conference. (Note: a date of 9 April for the next Conference had been agreed at the tete-a-tete). The Unionists are already starting to make noises to the effect that perhaps other ways forward might be examined. For his part, Mr. Brooke would be quite prepared to consider other suggestions but only if they command widespread acceptance - that would be the continuing test. However, his preference remains to make progress on the basis of the three strands; agreement is more likely in this way and it is better than seeking piecemeal progress. He interpreted the "diligence, patience and stamina" which the Minister had brought to this process as indicative of the benefits which the Irish side saw in the current approach.
4. Turning to the Irish document of February 6, Mr. Brooke said he was extremely appreciative of the effort made to address the questions that were known to be difficult. He found it

"a thoroughly encouraging document - it cheered me up".
That said, he felt the document "did not absolutely take the
trick"; there were still gaps that needed bridging. |||

5. Mr. Brooke said that over the weekend following the Conference on 31 January, the Unionists had reacted quite strongly to the tone of what was said in briefings surrounding the Conference. They had sought an urgent meeting with him; he had felt it better to accede to this request rather than allowing their grievances to fester. Because of the disruption caused by the mortar attack on Downing Street, he had not been able to absorb and analyse our document in advance of the meeting on 7 February. In any event, given the behaviour, attitude and "assault" of the Unionists at that meeting, it would not have been productive to share the text with them.
6. There had been a subsequent meeting with the Unionists on 28 February. He was conscious of the "diplomatic discourtesy" in not informing us in advance of that meeting. However, given the extreme unionist sensitivities on advance publicity, he had wanted to protect the process from any perception that Dublin might be responsible for leakages to the media. In terms of substance, the net effect of the two meetings is that the Unionists effectively remain in play.

Minister's Response

7. The Minister said our paper of 7 February was a very serious attempt to bridge the outstanding differences; we had made a major effort to find formulae which would respond to Unionist sensitivities. We were of course very anxious to hear the detail of the Unionist response. He was very heartened by Mr. Brooke's comment in his letter of 4 March that he had derived reassurance from his second meeting with

the Unionists. For our part, we had found Paisley's public reaction to this meeting - in which he tended to rubbish our paper as being SDLP inspired and generally unhelpful - as extremely disappointing. However, it would appear that the Unionists had taken a somewhat different line in private.

8. The Minister added that while he very much appreciated the detailed presentation being made by Mr. Brooke, he felt it would be very helpful if we could have written formulations as soon as possible. Given the fundamental importance of these issues, the detail of the language is crucial and it is difficult to comment comprehensively in the absence of a text.

Comments by Secretary of State on Irish Paper

9. Mr. Brooke said that Paisley's comments should be seen partly as a reaction to remarks Hume reportedly made in Strasbourg to the effect that talks would not take place. Turning to the Irish paper of February 6, Mr. Brooke said he would like to go over - in a descriptive not evaluative way - the areas where he saw continuing problems:

- (i) the Irish paper avoids any reference to the present constitutional position of Northern Ireland and the principle of majority consent. This was of critical importance to the Unionists and had been contained in the paper which had emerged from his meeting with the Unionists on December 24th;
- (ii) the "fourth relationship" - that between Belfast and London - was not referred to in the Irish paper. This was a "subset" of the constitutional issue and is also of some importance to Unionists;

- (iii) on the central impasse - the circumstances in which North-South talks should start - Mr. Brooke said he was very grateful for the movement on the Irish side and felt there was now the potential for "taking this trick". At a certain stage in the internal talks, having taken views from everyone, he would reach a judgement that the time had come for North-South talks to begin and would make a public statement to this effect. It appeared to be a matter of some reassurance to the SDLP that he planned to proceed in this way;
- (iv) on the "UK team" issue, Mr. Brooke said he was appreciative of how this issue had been handled in the Irish paper. The Unionists only concern is the circumstances in which they will appear at the table for North-South talks; once there, they will behave as independent agents with no reference to the Secretary of State. The phrase "UK team" is as loose as can be; its importance is essentially as a "talisman" for Unionists;
- (v) the Irish paper had made no reference to bilateral meetings between Mr. Brooke and the parties at the outset of the gap. In the Secretary of State's view - and this had also been the Unionist position from the beginning - it was desirable that he should verify at the outset that the parties had enough in common "to enable us, in outline, to believe that we could move to the next stage";
- (vi) the Irish paper had re-introduced a reference (para. 9) to the talks in each strand being without pre-condition as to subject matter. This phrase would possibly be viewed as suspect by the Unionists - they

might see it as "having some retrospective effect on the Irish Government's involvement in the internal strand of discussions". The British side would therefore suggest a reversion to language used in an earlier Irish paper ["It will be open to each of the parties to raise any aspects of these relationships including constitutional issues, or any other matter which it considers relevant"];

- (vii) finally, the Irish paper had omitted the final sentence in the British draft: "In the final analysis the outcome must be accepted by the people". This referendum idea had been important to Hume throughout and it was also important to Paisley. Was there a deliberate purpose in omitting it?

Minister's Response

10. The Minister responded that the Secretary of State had raised a wide range of issues; for his part he wished to leave the distractions aside and concentrate on the key issue of timing of North-South talks. If we did not know the precise Unionist position on this issue, then we are only wasting time on the other issues. Can we take it that the Secretary of State is fully confident that the Unionists will sign up for the approach he had outlined - not just in general, but in detail? The OUP in particular has been adamant in its public statements that it will not give the Secretary of State a role as arbiter. Are we right in assuming that they have in fact changed their position on this?
11. The Minister added that he wanted to be quite frank as to his concern: if we were able to accept something close to what had just been outlined by the Secretary of State, it

would obviously be on the basis that this was a set of proposals agreed all round which would enable talks to get under way. We simply could not operate on a basis where our agreement would first be sought and the Unionists would then start to pick and choose among what they would and would not accept. The Minister said it has been a source of difficulty and frustration throughout that the Unionists will not talk directly to us; this can give rise to misunderstandings - such as, for example, Ian Paisley's reference in the House of Commons to a Unionist paper of whose existence we were previously unaware. At this stage what we need - and the SDLP also, who are equally unsure about this - is the clearest possible assessment from Mr. Brooke as to the detailed Unionist position.

Detailed discussion of Timing Issue

12. Mr. Brooke said that he would set out the scenario as he saw it. With the bilaterals quickly out of the way, the first strand of talks would begin. There would come a point in the internal talks where "we had been round the course"; his forecast that agreement was possible would have been tested; there would be a good idea all round of where matters stood. He would then have informal discussions with the parties and make a public statement as to his decision on timing. While he did not have the formal capacity to automatically bring everyone along with his decision, it would be foolish of him to make a public statement unless there was a reasonable chance that everyone would move with him. Anyone who was not prepared to come would have to justify their refusal to the public.
13. The Minister asked had the Unionists accepted that formula? Mr. Brooke said yes. It was accepted that he would make the announcement and that as a matter of courtesy he would talk

to the parties in advance. The Unionists had signed up for that principle on Christmas Eve. The wording of the 24 December document was intended to give them cover - it was not different from what he was now saying.

14. The Minister said that because of the absolutely fundamental importance of the timing issue if the process is to lead us forward, and to avoid any possibility of misunderstanding, he felt he should spell out precisely how he interpreted what Mr. Brooke was saying. (Note: The Minister's statement of the position is set out below with Mr. Brooke's responses in parenthesis):

- (i) The Secretary of State will exercise his judgement as to the appropriate timing for the move to North-South talks. While, in the nature of the process, he will be aware of the views of the parties, he will not be constrained by their views in reaching his decision. There is absolutely no question of a Unionist veto.

(Mr. Brooke responded: if I were to say that the time had come to move and the Unionists were to respond that I had made a mistake - that would be a fact of life but not a veto on my statement. My statement would be made).

- (ii) As to the timing, the Secretary of State's judgement will not be formed in a vacuum but will be governed by the fact that all involved have accepted that the three sets of talks must be under way "within weeks". There is no stipulation, explicit or implicit, about a degree of prior progress to be achieved in the internal talks.

(Mr. Brooke responded: There would be an exercise of

judgement on my part that we had got sufficiently far so that everyone would know approximately where they were. I would want a degree of understanding to have been reached. If someone asked the Unionists why they were going to North-South talks, the Unionists could respond that they had an idea of what might be on offer. There would be an approximate idea of what kind of structure might be envisaged - otherwise, in the second strand, everyone would be harping back to the uncertainty of the discussion on the first strand).

- (iii) When in the Secretary of State's view the appropriate time has arrived for the opening of the North-South strand, he will make a clear public statement to this effect - irrespective of the fact that the Unionists, if they do not share his judgement, are likely to be resistant to such a statement.

(Mr. Brooke responded simply: Yes).

Next Step

15. Following a short break, the Minister said it was necessary to have a document - on the main issues and perhaps on the other issues also - spelling out very clearly what the Secretary of State is about; he presumed that the British side probably in any event had such a text ready. He would propose a meeting of senior officials very early next week (Monday or Tuesday) to move matters forward.
16. Mr. Brooke said there was a limited amount of time between now and the next Conference on 9 April. He wanted to pause to reflect on how matters could be brought to a conclusion by that date. We had to get away from a situation where

people were looking at documents on an a-la-carte basis; there is an obligation to put together a text which can be looked at by everyone. There is also the fact that, while he has of course had the general support of the former and present Prime Ministers for what he is about, he has not sought their formal support. (Note: Mr. Brooke appeared to be suggesting that he wished to have formal Government approval for any further text he might present).

17. In deciding on the next procedural step, Mr. Brooke referred in passing to remarks he had made to journalists on 26 February concerning the travel commitments of various participants, including the Minister; these remarks, he said, had certainly not been intended to convey any sense of distress on his part. The Minister conveyed his displeasure at the remarks made. As to the next step, the Minister reiterated his suggestion that officials should meet on 19 March; he would be briefed immediately afterwards and would be available a few days later for a further meeting with Mr. Brooke if that was desired. He would be ready to meet Mr. Brooke any time in Holy Week or Easter Week.
18. Mr. Brooke said he wished to take stock and clear the lines at his end. He hoped to let us have a document later this week (it was confirmed that such a text would of course be conveyed to the Minister immediately on receipt) but he would have to come back to us on this and on the question of a further meeting.

A.A.

Anne Anderson
12 March, 1991

cc: PST; PSM; Mr. Nally; PSS; Ambassador London;
Mr. Brosnan; Mr. Gallagher; Joint Secretary;
Counsellors A-I; Box.