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FROM: D J R HILL  
Constitutional and Political Division  
24 October 1991

cc PS/PUS (L&B)  
PS/Mr Fell  
Mr Thomas (L&B)  
Mr Alston  
Mr McNeill  
Mr Cooke  
Mr D A Hill  
Mr Archer RID  
HMA Dublin  
Mr Brooker

7145  
25 OCT 1991

UNDER/ 849/10  
SEC  
25 OCT 1991  
CFNT SEC

MR BELL

25/X,  
*a m [signature]*

POLITICAL DEVELOPMENT: TACTICS

1. I attach, for consideration, a draft submission on the lines we discussed yesterday morning. I am grateful to Mr Brooker for preparing a first draft.

2. The draft letter to the Unionist leaders is at Annex B. I have made a number of minor textual changes. The Embassy has suggested three deletions, marked by square brackets: the first they regard as essential (because of the damage it would do to Anglo-Irish relations if it leaked); the second desirable (to avoid giving Unionists an excuse to play things long); and the third tactful.

3. I myself had very strong doubts about the last sentence and a half of the second paragraph. They do not appear to me to be necessary and could, as the Embassy says, be difficult to defend to the Irish, if leaked. They could also encourage Unionists, especially Mr Molyneaux, to believe that British Government thinking was moving in a favourable direction, to the extent that they need not join fresh Talks. The final sentence probably does not go beyond what are accepted elements of the Talks "deal" but the word "replacement" will encourage the Unionists/dismay the Irish and the reference to Constitutional change would ignite Irish memories of the Frank Millar interview. I would be more concerned about the preceding half sentence which would stir up respective hopes and

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fears about the possibility of the Government being willing to consider various elements of an "integrationist" agenda. In particular the reference to "legislative procedures at Westminster" seems an unnecessary hostage to fortune. It goes well beyond what the Secretary of State said at Blackpool ("I have no doubt that a major theme in any fresh talks will be the need to improve the scrutiny of Northern Ireland primary legislation": this could be achieved by establishing a devolved legislature) and on the basis of our latest contacts with Cabinet Office there would be no prospect of delivering anything substantial anyway.

4. A further recommendation from the Embassy, which gives point to the remarks about needing to take account of likely Irish reactions to the draft, is that a copy of any letter should be handed over in strict confidence to the Irish through the Secretariat to pre-empt accusations of bad faith. I would not myself advocate this but Mr Alston may wish to express a view.

5. Finally, I have not found a way to work in Derek Hill's point about various developments on the social/economic front. Any suggestions would be welcome but you may feel that the draft is long enough already.

Signed: David Hill

D J R HILL

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DRAFT SUBMISSION

FROM: P N BELL  
AUS (L)  
OCTOBER 1991

cc. PS/Paymaster General L&B)  
PS/Minister of State (L&B)  
PS/PUS (L&B)  
PS/Mr Fell  
Mr Thomas  
Mr Ledlie  
Mr Alston  
Mr Wood (L&B)  
Mr D J R Hill  
Mr D A Hill  
Mr Cooke  
Mr McNeill  
Mr Dodds  
Mr Petch  
Mr Archer, RID FCO  
HMA Dublin  
Mr Gowan, Cabinet Office

POLITICAL DEVELOPMENT: THE PERIOD UP TO THE ELECTION

Introduction

This submission analyses the direction which the political process might take in the period up to the election, against the possibility that new substantive talks fail to come about. It identifies two distinct phases into which the period might fall: Phase 1 - which we are in at present - where the Government continues actively to promote new talks, conscious of the importance of our political development strategy to the handling of the forthcoming Summit; and a second phase (Phase 2) as and when it has become clear that no substantive progress will be possible before the election. The submission recommends that, when that time comes, we should aim for a "controlled descent" towards the election and suggests ways in which Ministers might seek to preserve and sustain the concept of three-stranded talks up to and beyond the election. [The paper floats the idea of a White or Green paper.]

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Analysis

2. The Government's current approach to political development, as signalled in the Secretary of State's speech on 29 July to the Dungannon Rotary Club is to continue the search for a basis for fresh talks. This approach reflects a recognition that positive, though perhaps intangible, gains were made during the recent talks; that they reinforced the analysis which underpinned the original concept of addressing all the relevant issues as part of the same process; that evidence of constructive political development would continue to exert pressure on the paramilitaries and, especially, Sinn Fein; that the search for progress is right in principle particularly when the security situation remains so serious; that public opinion would expect nothing less; that the four main Northern Ireland parties and the Irish Government have all expressed a general willingness to participate in new talks; and that there is, perhaps, a growing realisation at a political level that a resolution of these issues cannot be delayed indefinitely.

3. It has become clear, from the Secretary of State's contacts with the parties and the Irish Government since the Summer recess, that despite their general assertions of interest the chances of getting round table talks under way in the near future are slim. The Irish Government and the SDLP feel that they have seized the high ground and have held the line that talks should start again soon on the same basis as before; the Unionists want changes but have not, as yet, spelt out authoritatively what they are. It was clear from the Secretary of State's meeting with Dr Alderdice on 22 October that the Alliance are badly disillusioned and in danger of becoming a loose cannon.

4. Given the way that the parties and the Irish Government have been reacting since the Summer recess, and with the shadow of the election on the horizon, there must be a substantial possibility that new talks will not get under way this side of Christmas or be in such a state of readiness that they could begin early in the New Year. In such circumstances there will inevitably come a point at

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which the talks process has to go "on hold" until the election. It is a matter of speculation as to when that point might be reached. The fact that that time might come about has implications not only for the period at the turn of the year but in the coming weeks. Before it ceases to be credible to suggest that fresh talks might take place before the election it would be desirable to have a clear strategy for handling the remaining period up to the election. The Secretary of State might see advantage in seeking to preserve the three-stranded analysis and working towards agreement on a basis for fresh talks which might take place after the election, but there are other possibilities. Meanwhile, the question arises as to whether, if the timeframe for talks about fresh talks is to change, it would be in the Government's interest for that to come about at one particular time rather than another.

Phase 1

5. Attached at Annex A is a list of key dates in the political calendar over the next few weeks. The obvious milestones are the Secretary of State's meeting with the Unionist leaders on 7 November, the prospective IGC on 12 November, Northern Ireland "Tops for Questions" on 14 November - the first time that Northern Ireland issues will have had a substantive airing in Parliament since July - and the Summit which is pencilled in for [?25] November. In officials' view there are very strong reasons for keeping the present momentum going - seeking, as it were, to remain in Phase 1 - at least until the Summit. It is conceivable that Mr Haughey will have his eye less on the Northern Ireland ball than he did at the last Summit, given the personal political difficulties that he has encountered in recent weeks, but nevertheless, if he has any substantial reason to believe that the process is faltering, and HMG is anything less than totally committed to trying to get new talks under way, this might create an opening for him to exploit his own "alternative agenda". Purely from the point of view of the handling of the Summit, therefore, it would be highly advantageous for the process to be demonstrably alive at the time of the Summit and for HMG to have a programme of action which would take us beyond

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that point. It is helpful, in this context, that (possibly as a reaction to misinterpretations of the Secretary of State's Frank Millar interview and Blackpool speech) the Irish - including the Taoiseach, at Bodinstown - have been reasserting the case for three-stranded talks: a joint recommitment at the Summit might suit both sides. Officials attending the Diner on 1 November will reflect the view that fresh talks before the Election remain a possibility, and one which HMG is determined to explore to the full. If the process still had genuine life in it that would also be of immense value to the Secretary of State when he deals with Questions for Oral Answer on 14 November and , with any luck, again on 12 December.

6. If the Secretary of State agrees with the above analysis it follows that his meeting with the Unionist leaders on 7 November will be something of a watershed. If they are totally negative it may be impossible to sustain the process much beyond then before it has to be put "on hold". The best thing that could happen, from the point of view of sustaining the momentum of the process, would be if the Unionists were to remain in play and the Secretary of State were to secure a firmer indication from them of the changes which they think are necessary before new talks could begin. It would be highly desirable for the Secretary of State to get at least some substantive views from the two leaders to provide material for further discussion with the other parties and the Irish Government. In effect, it would be better to have bad news from the Unionists than no news at all.

7. There are three main issues on which the Secretary of State might seek clarification, although there are subsidiary issues as well. The most contentious is the "gap", where anything the Unionist leaders come up with is likely to be in conflict with the Irish position. According to Mr Robinson, Dr Paisley has also bitterly regretted agreeing during the last talks, that Mr Haughey could come to Belfast; he says that Dr Paisley will never agree to that again. We can therefore expect a tussle on venues. There is also the question of the Westminster meetings; the SDLP are content

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to participate in those meetings provided they deal only with procedural issues but it is unclear from the Secretary of State's meeting with Mr Molyneaux and Dr Paisley on 20 September that they would be content for the meetings to have such a limited purpose.

8. Since the Secretary of State's meeting with the Unionist leaders on 7 November is likely to be so important there might be a case for trying to ensure that they are as well prepared for it as possible, in advance. During a meeting on the VCR last week, Mr Hill suggested to the Secretary of State he might like to consider writing to them in advance of the meeting, to put them on notice of the issues he would like to cover and of the parameters within which he believes future developments (including the proposed Westminster talks) should occur, and to instil a greater sense of urgency and commitment by indicating the timetable which, ideally, he would like to follow. A draft is at Annex B. It has intentionally been drafted in such a way as to avoid confronting the Unionist leaders with any direct propositions which might cause them to walk away from the process. We have also marked it "Personal and Confidential" in order to reassure the Unionists that it has not been sent for tactical purposes, eg to be played in aid by the Government should the process end in recriminations.

9. As well as questioning the Unionist leaders about the issues referred to above (and others that are relevant) and seeking to elicit a definite response from them, there might be advantage for the Secretary of State, at the meeting on 7 November, in making definite arrangements for a first Westminster meeting (taking advantage of the SDLP's acquiescence). It could be a considerable card to play, at the IGC on 12 November, in terms of demonstrating HMG's continuing commitment to the search for new talks, if the Secretary of State could tell Mr Collins that he had invited the three (or four) party leaders for the first of these Westminster meetings, and that the arrangements were in hand. This tactic would probably only work if the Unionists had come up with fairly clear proposals for the other parties to bite on but it is well worth bearing in mind. In some respects it is fortunate that there will

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be only a few days between the Secretary of State's meeting with the Unionists on 7 November, and the IGC on the 12th, because it would probably be better if the Westminster meeting were held after the IGC. The only complication with that is that the Secretary of State would have to try to ensure at the meeting on 7 November that the possibility of a Westminster meeting did not provide a pretext for the Unionist leaders to avoid going into detail on the 7th.

10. If the above proposals turn out to be viable, the process could gather sufficient momentum, as a result of the meeting on 7 November, to carry it through to the end of the year and perhaps into the New Year. The sequence would be the meeting with the Unionist leaders, the IGC, the first of the Westminster meetings, the Summit, then perhaps a further Westminster meeting. It would be important, from the point of view of the handling of the Summit, that the process did not stall after the first Westminster meeting. Indeed, if that meeting went very well there might just be a chance of the Summit clearing away the final details to allow talks to start in December. But that would be very optimistic.

11. The other main element in the political development timetable is the Minister of State's dinner on which separate advice will be submitted. The essence of that advice is that the Minister of State might encourage some discussion of the obstacles to fresh talks (to help the politicians grasp each others' position) and of the practical/procedural lessons of the earlier Talks, but might concentrate on reestablishing general understanding of the logic of three-stranded talks and general acceptance that this offers the best prospect of reaching an accommodation which meets everyone's central political objectives.

Phase 2

12. As the previous paragraphs argue, it might be possible for the Government to sustain its current political line until the New Year. If talks are not in prospect in January, however, it seems almost certain that the shadow of the election will force the

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process onto "hold". At that point Ministers will have to take strategic decisions about the future course of the process. On one scenario they might conclude that, whatever the complexion of the Government after the election, the current process has run its course and stands little or no chance of being resurrected. On the other hand, for the reasons set out in paragraph 2 the three-stranded talks process retains very considerable potential which the Secretary of State may wish to seek to preserve. The Government also has a certain amount of political capital invested in this approach which the Secretary of State may not wish to lose. Finally there are strong tactical and presentational arguments for standing by the Government's current approach, rather than opening up other avenues which could trigger the production of competing proposals from others. The draft letter to the Unionist leaders, at Annex B, in fact embodies a commitment to continued talks about talks, whether any resultant talks seemed likely to take place soon or after the election. This seems to be an entirely credible posture, proof against Alliance claims that any talks about talks would be a sham, and one which the Secretary of State has already implicitly adopted (eg in his remarks to the press after the 17 October IGC). I respectfully recommend that it should be the hallmark of the Government's approach right up to the Election. At best this could provide the cover for determined talks about fresh talks. At worst it would preserve the prospects for taking forward such discussions after the election and continue to provide a defensible basis for resisting alternative approaches which might be suggested by the Irish Government, or indeed by some Unionists.

13. Such a posture could well suit the Irish Government and the Northern Ireland parties who might all be happy to continue to profess a willingness to participate in talks but not before the election. However there may also be a certain amount of in-fighting as the Northern Ireland parties jockey for electoral advantage. There is bound to be some political mud-slinging as the parties seek to blame each other for the failure to make substantive or greater progress with the talks. In that situation there could well be a need for the Government to have taken pre-emptive action to

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stabilise the progress made and to preserve it in good order for the remainder of the period up to the election, and possibly beyond. Depending upon the circumstances at the time when the break point arrives this might be achieved by means of a speech or series of speeches. There might be a (written) statement in Parliament which could, itself, provide enough of a platform for a holding operation until the election.

14. Another possibility would be to bring forward a Command paper, which would be "White" or "Green" depending upon how "consultative" it was intended to be. There are a number of purposes which such a paper could serve. At the lowest level it could simply be a historical record of the past two years, consolidating the gains that have been made and reaffirming the validity of the three-stranded approach. This would be a comparatively modest production which would not go beyond the common ground that has already been established between the two Governments and the four parties. Such a document might have more impact if it sought to assess the extent of common ground revealed during the Talks, perhaps in a Chapter based on the Government paper circulated after the debates on 25 and 26 June. More adventurously, in addition to providing a retrospective the paper might also be forward looking and could trail a possible agenda for the post-election period. Once again, that agenda could be a fairly limited one or the paper could go so far as to present specific propositions. Such a paper could be a useful element in any strategy geared towards the development of a "proposed solution".

15. This submission does not deal exhaustively with the pros and cons of a Command paper; we would work up more detailed advice if and when it became clearer that this was an option which might be used. It would be difficult to draft even an account of the "agreed" basis for talks which would not upset someone and the more adventurous the paper might be the more difficult it would be to find neutral formulations. Although such a paper could be extremely valuable in stabilising the situation on the basis of the three-stranded analysis and providing a forward look to the period

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after the election, it would not be without risks. The production of it could well cause difficulties with the Irish. They regard themselves as joint managers of the current process and would therefore expect to be consulted about all, or certainly parts of the draft. That could be far from straightforward and could leave us open to accusations that we had not consulted the other participants. There is also the wider question of whether, if the Secretary of State thought that the paper might look to the period after the election, it would stand a better chance of commanding political support if it were brokered in advance with the Opposition.

16. It may be relevant that a certain amount of political attention in the first part of next year may be taken up by the Wilson/Lee Political Commission; this may help the Government to maintain a holding line on fresh talks.

Conclusions

17. This paper attempts to chart the likely course of events in the pre-election period in the absence of agreement to start new talks. The Secretary of State might care to use it as a basis for discussion with officials. If the Secretary of State is minded to write to the Unionist leaders, as recommended in paragraph 8 it will be sensible for the letter to issue before next Friday 1 November. This suggests that a meeting before the end of next week would be desirable. It would also provide an opportunity for the Minister of State to brief the Department on the outcome of his dinner on Tuesday 29 October. If the Secretary of State's diary would not permit a meeting in the course of next week the letter to the Unionists could be dealt with as a free-standing issue anyway and need not await the outcome of the meeting.

P N BELL  
AUS (L)

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ANNEX A

Political Development: Forthcoming Events

26 October	UUP Conference
29 October	Minister of State's Dinner
1 November	Anglo-Irish Diner
7 November	Meeting with Unionist leaders
12 November	Possible IGC
14 November	"Tops" for Questions
25 (?) November	Summit

9-10 December	Maastricht
12 December	"Tops" for Questions

Other

22-24 November	SDLP Conference
30 November	DUP Conference

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ANNEX B

DRAFT LETTER

ADDRESSEE'S REFERENCE

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To	Enclosures	Copies to be sent to:
The Rt Hon James H		PS/SOS (L&B)
Molyneaux MP JP		PS/PMG (L&B)
and		PS/MOS (L&B)
The Rev Dr Ian R K		PS/PUS (L&B)
Paisley MP MEP		PS/Mr Fell
		Mr Ledlie
		Mr Thomas
		Mr Alston
		Mr Bell
		Mr Wood (L&B)
		Mr Cooke
		Mr D J R Hill
		Mr McNeill
		Mr Dodds

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LETTER DRAFTED FOR SIGNATURE BY Secretary of State

POLITICAL TALKS

We plan to meet again on Thursday, 7 November, to continue our discussions about establishing a basis for political talks. I thought it might help if I wrote to you in advance about how things seem to me to be shaping up, in the hope that this will enable us to have a more productive discussion.

Thus, as you will know, I have now had a least one meeting since the Summer break with each of the four Parties who took part in the previous Talks, as well as with the Irish Government. The basic

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message which I received from all those discussions is that the will to make progress remains - and this is something that the Government strongly shares. Nor is anyone saying they would not be interested in further talks. Further discussion is needed, but, while some changes to the basis for future talks are inevitable, I hope to explore the extent to which the broad format we followed during the Summer should be adhered to. It remains clear to me that the format can readily accommodate matters of special interest to the various parties[, including, for example, the relationship between Westminster and new political institutions in Northern Ireland, and legislative procedures at Westminster. It is perhaps the only basis on which we can address some parts of what I know to be high on your agenda, such as replacement of the Anglo-Irish Agreement and amendment of the Irish Constitution.] [including your own.]

Our preliminary discussions have also helped identify areas where we need to give further consideration to the ground rules. These include the period to be set aside for talks; the size of delegations and other related issues, such as the format of meetings; the possibility of establishing a mechanism for settling procedural questions; as well as possible arrangements for reviewing the outcome of the various strands in the round, at the end of the process. [This is quite a large agenda. But] I am confident that, with good will on all sides, it would not be impossible to reach agreement on the outstanding issues.

How long we set aside for the talks, and the terms on which that might be done, is clearly something that we shall need to discuss with especial care. I am anxious that we should give ourselves sufficient time to address all the issues properly - although, naturally, without protracting such discussions unnecessarily. [Happily,] now that there will be no general election this year, a substantial free period has become available which I very much hope that we can exploit.

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One of the important issues we need, therefore, to consider is when we might, with the agreement of all the participants, make a start with new round table talks. I wish to discuss with you whether we can, as I would hope, resume before Christmas or, failing that, as early in the New Year as possible. Obviously, the earlier we begin, the longer we shall have for discussions before the election. But all this would require resolving the outstanding procedural points to the satisfaction of all parties before Christmas, and the talks at Westminster which you have suggested could be useful in this respect - although we would need to discuss how John Alderdice could be involved in these possible exchanges. But even if it were not possible to meet such a timetable, [so that we could not reconvene talks before the election,] there would remain much of importance to discuss in preparing the way for the next round of substantive talks that must, I believe, on any reasonable, dispassionate look into the future, be held fairly soon [and whatever the outcome of the election].

I hope you find this letter helpful. As the timetable which I am suggesting could be rather tight, I thought you should have a chance to think about both it, and possible generally acceptable solutions to the outstanding procedural questions before we meet [in two week's time]. As you will see, I am writing this letter to you on a strictly personal and confidential basis.

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