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Andrew Turnbull Esq
10 Downing Street

14 May 1991

Dear Andrew

POLITICAL TALKS IN NORTHERN IRELAND: MEETING BETWEEN PRIME MINISTER
AND UNIONIST LEADERS

We spoke earlier this evening about the current situation in the political talks currently taking place in Northern Ireland. I attach a note setting out the current situation.

As you are aware, my Secretary of State spoke with the Unionist leaders after they had rung No 10 to ask for a meeting tomorrow. Both Mr Molyneaux and Dr Paisley want to continue with the talks, but wish to receive reassurances before doing so. This is partly a matter of presentation in respect of their supporters, for whom a meeting of their leaders with the Prime Minister would provide a certain reassurance. There is probably also an element of genuine concern on their part that they do not wish to feel under pressure as a result of the interventions of the Irish Government in what they see as internal UK matters, and in particular they dislike continuing with the political talks on the basis of the latest document, whose provenance they do not approve (it having been previously agreed with the Irish Government).

The reassurances that the Unionist leaders are likely to seek are that HMG continues to be willing to consider an alternative to and a replacement for the Anglo-Irish Agreement and that an objective of the talks is to make better arrangements for the government of Northern Ireland within the United Kingdom. They are also likely to seek a reiteration of "the constitutional guarantee" - ie that Northern Ireland is a part of the United Kingdom and will not cease to be so without the consent of a majority of the people who live there.

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The Prime Minister should be able to give suitable reassurances on these points without causing offence to the Irish Government, and hence the meeting is likely to be a constructive one.

In the absence of such a meeting, Mr Brooke's view is that the current political talks in Northern Ireland will not be able to make progress. He therefore recommends that the Prime Minister agrees to see Mr Molyneaux and Dr Paisley. I understand that if the Prime Minister were to agree to see the Unionist leaders, 3.15 pm tomorrow afternoon would be a convenient time, with the Secretary of State arriving at 3.00 pm in order to brief the Prime Minister beforehand. In the interests of continuity, the Secretary of State believes it would be helpful if the Minister of State at the NIO, Dr Mawhinney, were also present, although he recognises that this is, of course, a matter for the Prime Minister's personal preference.

As a reply to the Secretary of State's latest proposal is due from the Unionist leaders by 10.00 am tomorrow, it is, I regret, necessary to ask for a decision on a meeting before then. It is possible that the leaders of the SDLP and the Alliance will also seek a meeting with the Prime Minister, though we do not regard this as likely, and indeed would not encourage it.

I am copying this minute to Richard Gozney, Colin Walters, Simon Webb, Juliet Wheldon, Tim Sutton and to Sonia Phippard.

Signed

A J D PAWSON
Private Secretary

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CC PS/SofS (B&L) - B
PS/MofS (B&L) - B
PS/PUS (B&L) - B
PS/Mr Fell - B
Mr Pilling - B
Mr Thomas - B
Mr Alston - B
Mr McNeill - B
Mr Hill (B&L) - B

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POLITICAL TALKS IN NORTHERN IRELAND: CURRENT SITUATION

1. In Mr Brooke's minute of 10 May he explained that, following his meeting with the Irish Foreign Minister that morning, he intended to table a clear proposal to the parties involved in the talks covering the venue for the North/South strand of discussion, the involvement of the parties in the third (intergovernmental) strand of discussion and (subject to the Prime Minister's agreement and that of the Taoiseach) the proposal that there should be an independent chairman for the North/South strand.

2. Mr Brooke had intended to table this set of propositions on Monday but he had agreed with Mr Collins that he would first see whether the parties' reflections over the weekend had given rise to any changes in their positions. In the event, the Unionist leaders came to see him and said, in effect, that they were ready to abandon their insistence that the North/South talks should not take place on the island of Ireland and were prepared to agree that the bulk of the substantive exchanges in that strand should be held in Northern Ireland, after an opening meeting in London and with one meeting taking place later in Dublin. To help them deliver their supporters they asked that their capitulation should not be made too obvious and indicated a wish to introduce the concept that there could be bilateral meetings, perhaps at other locations, before the further plenary sessions in Northern Ireland as part of the North/South strand.

3. In the light of these changed circumstances, Mr Brooke decided to reopen with Mr Collins the text that officials had agreed on Friday afternoon (which the Taoiseach had subsequently endorsed) in the hope that it would be possible to proceed without resorting to the use of an effective ultimatum as had been envisaged and which might well have brought the process to an abrupt end. Mr Collins, like the SDLP, was highly suspicious of what he saw as a Unionist attempt to solve the venue problem at the expense of casting doubt over the nature of the process. Mr Brooke and Mr Collins discussed a possible revised text this morning and eventually agreed the

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attached paper, which was subsequently circulated to the Northern Ireland parties involved in the talks. (The key change from the text agreed on Friday afternoon is the addition of a second sentence - in parenthesis - to paragraph 5).

4. The parties have been asked to let Mr Brooke have their responses by 10 o'clock on Wednesday 15 May.

5. The SDLP and Alliance parties would be willing to accept Mr Brooke's proposal, but the initial reaction of the Unionist leaders was hostile. They were critical of the acknowledgement that the Irish Government had been consulted and of the proposed procedural arrangements but their main criticism was of the proposal that there should be an independent chairman for the North/South strand of the Talks, appointed by the two Governments on a basis which would not give them a clear veto. They regard this as raising major constitutional issues, presumably on the argument that it smacks of international arbitration for two competing but equally valid constitutional claims to Northern Ireland. This is of course misconceived. The agenda for the second strand of discussion, as described in Mr Brooke's statement to the House on 26 March, is "relationships ... among the people of Ireland". He has also described it to the Unionist leaders as being intended to address "the relationship between any new Northern Ireland administration and the Republic". In short, the agenda envisages that the participants (the main Northern Ireland parties and representatives of the two Governments) should discuss matters affecting the people of the Republic - an independent sovereign state - and the people of Northern Ireland - a part of the United Kingdom. That made it difficult for Mr Brooke to insist on chairing that strand of discussion particularly once it had become clear that at least one meeting would be held in Dublin; the Unionists say they had assumed that Mr Brooke would chair all meetings of the North/South strand. They have categorically ruled out any arrangement in which the Irish Government would jointly chair meetings of the North/South strand or indeed have any role in chairing any meetings of the North/South strand.

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6. In sum, the proposal that there should be an independent chairman has no adverse constitutional implications and hence the Unionist concerns are unfounded. It is also almost the only option available, given the position of the Unionists on the one hand and the Irish Government and the SDLP on the other.

7. These are matters on which the Unionists feel very strongly. They undertook to give a written response tomorrow, but have now sought a meeting with the Prime Minister. (Mr Brooke wrote to them on 21 March, with the Prime Minister's authority, to say that the Prime Minister would be happy to meet them from time to time, as his predecessor did, and would continue to take a close interest in developments - though he would usually expect Mr Brooke to continue to conduct Northern Ireland business on behalf of the Government.)

NORTHERN IRELAND OFFICE

14 MAY 1991

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POLITICAL TALKS

Practical Issues Concerning Strands Two and Three

1. There has been extensive discussion of the venue for strand two, and other related practical questions, over the last two weeks.
2. In the light of that, with the benefit of the views expressed, and after close consultation with the Irish Government, I have decided to indicate the basis on which these talks would be held.

Strand Two

3. All meetings of strand two will have an independent chairman whose identity will be announced by the two governments after consultation with other participating parties.
4. Opening plenary meeting of strand two to be held in London.
5. Bulk of substantive exchanges in strand two to be held in Northern Ireland in a location to be determined. (It will of course also be open to the Chairman and the participants to hold non-plenary meetings wherever suits their mutual convenience.)
6. A plenary meeting of the strand two discussions to be held in Dublin towards the end of June.

Strand Three

7. While participating parties remain free to discuss strand three issues with the governments, strand three discussions will be concerned with the relationship between the two governments, and will take place between the two governments:
 - other participating parties will be kept in touch with progress during strand three by regular liaison
 - the two governments will meet other participating parties at their request for further discussion of strand three issues while strand three is taking place

the outcome of strand three will be considered by all the participants alongside the outcome of the other two strands and nothing will be finally agreed in any strand until everything is agreed in the talks as a whole.

8. The strand one formation or the strand two formation, as appropriate, may consider issues further in the light of progress in strand three.