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Reference Code:	2018/68/64
Creation Dates:	2 November 1988
Extent and medium:	12 pages
Creator(s):	Department of the Taoiseach
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Discussion between Blalloch, Burns and Fenn
and Dorr and Gallagher before plenary session of Conference
Belfast, 2nd November, 1988.

1. The British side had requested the meeting which took place during the private Ministerial meeting and the subsequent restricted security session.

Friends of the Union alternative draft Agreement

2. Burns began by referring to the recent publicity about the alternative to the Anglo-Irish Agreement which had been drafted by the Friends of the Union. It seemed clear to the British that Molyneaux had influenced the approach in the draft as it reflected much of his thinking. The general line adopted was not in fact greatly different from that contained in the document given to Tom King by the two Unionist parties in January.
3. Burns said he would give us a copy of his text of the Friends of the Union document (text attached as annex A). Dorr and Gallagher mentioned that they had seen the text some time ago. In reply to Gallagher's question, Burns said that he would not give us a copy of the January Unionist document (note it is our understanding that the Unionists asked Tom King to convey a copy of this document to us and that he refused). Burns' "justification" for this was that he wished to push the Unionists into publishing the document, given that it went further than anything said to date by them in public.
4. Burns, in a reference to reports that the Friends of the Union draft had been conveyed to the Prime Minister, Howe

and King, said that officials could find no record of the text having been officially received. It may be that Gow had thought he had submitted it but had actually overlooked doing so.

5. Burns went on to say that the draft was the "current flagship" of Unionist thinking and as such needed to be taken account of. If it represented a "possible way forward", it should be considered. They would need to talk to us about it, however, before considering a response.
6. Burns then gave a partial analysis of the text. Article 1 was along the lines of Article 1 of the Anglo-Irish Agreement but without 1(c) of that Agreement (i.e. the statement of British willingness to support and legislate for the situation where a majority in the North opted for unity). In addition, there was no acceptance in the draft of Dublin's right to put forward views and proposals on Northern matters, nor of the requirement that determined efforts would be made to resolve differences between London and Dublin on such views and proposals. The Secretariat, under the draft, would be based in London and Dublin and, presumably, the Conference would meet in those cities also.
7. Burns made the point finally that he would prefer to respond to an invitation such as this, even if he "felt uncomfortable with it". Fenn added (perhaps particularly reflecting the protective feeling of the Foreign Office for the 1985 Agreement) that the Friends of the Union text was a "caricature of the Anglo-Irish Agreement".

Duisburg Meeting of Northern Ireland Politicians

8. This meeting, which has been reported on by the undersigned (Annex B), took place on the 14th and 15th October at Duisburg near Dusseldorf. The politicians who attended

were: Jack Allen (Chairman of the OUP), Peter Robinson, Austin Currie and Gordon Mawhinney (Alliance Deputy Leader). Fr. Alec Reid was present in the capacity of someone who could convey the thinking of Sinn Féin. The group had been brought together by Eberard Speaker, a German national with, apparently, connections to the World Council of Churches.

9. Burns, who seemed to attach considerable importance to the meeting, said that the four party politicians present appeared to have agreed on a basis for initiating dialogue. The Alliance, he understood, were prepared to run with "the idea", as were the DUP and, with more enthusiasm, the OUP. It seemed, however, that John Hume was not at all warm and Burns wondered (one had the impression he might have been fed to some degree with this view by Mawhinney of the Alliance Party) if Dublin had not discouraged the SDLP.

10. Gallagher responded by saying it was still unclear what the terms of the idea to be considered were. Our debriefing of one source (Currie) suggested that the only agreed recommendation of the four politicians was that "the meetings of the Conference will not be held for a (specific) period to facilitate dialogue involving the major constitutional political parties in Northern Ireland". This could be argued to be suspension under another name. There was, on the other hand, a suggestion that the above could be given effect through a formula which would have the two Governments announce, at the end of a Conference, that the next meeting would take place on a specific day six weeks or so in advance; this would then enable the Unionists to enter into talks in the knowledge that they would not be interrupted by a meeting of the Conference. There was also a suggestion that the two Joint Secretaries should be absent from Maryfield on the day that formal talks between the parties took place.

11. In short, the situation was confused. We had, for instance, received a second briefing (from Mawhinney of Alliance, about which Burns had earlier made it clear he was fully aware; report at Annex C), which differed very substantially from the SDLP account. We both needed to establish the facts before we could begin to assess the value of the initiative. There could, of course, be no question of our giving guidance to the SDLP. This was to completely misunderstand and distort the relationship. Gallagher wondered also if the British were not being somewhat optimistic about the Unionist response to the meeting, given the apparently developing strain between the OUP and the DUP over Molyneaux's emphasis on the value of reactivating the Anglo-Irish Intergovernmental Council.

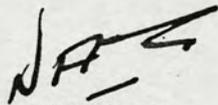
12. Burns said that they accepted our point about the SDLP. They themselves had not to date been asked for a view or a comment. His understanding was that the formula to be brought forward from the meeting was that of one Conference fixing the date of the next; if this actually worked out, it would be stated, in reply to the inevitable queries, that it was being done to facilitate discussions. He also gave the impression that the period involved might be somewhat longer than six weeks. He was unsure, however, if the absence of the Joint Secretaries from Maryfield would be a requirement which would be insisted on by Unionists before any meeting could take place.

13. Burns went on to emphasise that if there was any prospect of the four Northern parties reaching consensus, the British would strongly wish to encourage it. The parties might wish to meet alone or, as the DUP would seem to prefer, under the Chairmanship of the Secretary of State. The British could go along with either approach.

14. Burns said he was encouraged by the fact that the Conference date formula seemed to represent a sharp reduction in Unionist "bidding" (i.e. from their demand for suspension). Their approach might well, of course, be to some degree tactical, with a view to wrong-footing the SDLP by showing that they were prepared to take a more flexible approach. However, the formula was not so much further on (than suspension) as to be "unthinkable". In addition, the DUP appeared now genuinely to want devolution, as one of their primary concerns was to see that Northern Ireland was governed positively. The threat to Duisburg, as the British saw it at present, came from Hume "trying to cloud the issue" and refusing in effect to talk about the initiative.
15. Burns said that his understanding was that Speaker would be seeking an appointment with the Taoiseach to brief him on the initiative. Gallagher said his understanding was that Speaker would seek to approach both Governments.

Comment

16. The above confirms our view that the British priority at present is to push the parties in the North into devolution. The question of movement in any other area, therefore, such as maximising the Review process (including strengthening the Conference and Secretariat) and possible Unionist dialogue with Dublin, will very probably be judged in the light of its likely impact on efforts to achieve devolution.


Dermot Gallagher,
3 November, 1988.

cc: PSM
Mr. Nally
PSS
Mr. Mathews/Mr. Brosnan
(3) Counsellors A-I
Box

M. G. C. Carthy
14/11/64

DRAFT AGREEMENT BETWEEN THE GOVERNMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND AND THE GOVERNMENT
OF THE REPUBLIC OF IRELAND

14/6

THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE
REPUBLIC OF IRELAND:

WISHING FURTHER TO DEVELOP THE UNIQUE RELATIONSHIP
BETWEEN THEIR PEOPLES AND THE CLOSE CO-OPERATION BETWEEN
THEIR COUNTRIES AS FRIENDLY NEIGHBOURS AND AS PARTNERS IN
THE EUROPEAN COMMUNITY; RECOGNISING THE MAJOR INTEREST OF
BOTH THEIR COUNTRIES AND, ABOVE ALL, OF THE PEOPLE OF
NORTHERN IRELAND IN DIMINISHING THE DIVISIONS THERE AND
ACHIEVING LASTING PEACE AND STABILITY; RESPECTING THE
ASPIRATIONS OF THOSE IN BOTH COUNTRIES WHO, ON THE ONE HAND,
WISH NORTHERN IRELAND TO REMAIN AN INTEGRAL PART OF THE
UNITED KINGDOM AND OF THOSE WHO, ON THE OTHER HAND, ASPIRE
TO A SOVEREIGN UNITED IRELAND ACHIEVED BY PEACEFUL MEANS
AND THROUGH AGREEMENT; RE-AFFIRMING THEIR TOTAL REJECTION
OF ANY ATTEMPT TO PROMOTE POLITICAL OBJECTIVES BY VIOLENCE
OR THE THREAT OF VIOLENCE AND THEIR DETERMINATION TO WORK
TOGETHER TO ENSURE THAT THOSE WHO ADOPT OR SUPPORT SUCH
METHODS DO NOT SUCCEED; RECOGNISING THAT A CONDITION OF
PEACE AND STABILITY BETWEEN UNIONIST AND NATIONALIST IS
MUTUAL RECOGNITION AND ACCEPTANCE OF EACH OTHER'S RIGHTS,
AND THE RIGHT OF EACH TO PURSUE ITS ASPIRATIONS BY PEACEFUL
AND CONSTITUTIONAL MEANS; RE-AFFIRMING THEIR COMMITMENT TO

A SOCIETY IN WHICH ALL MAY LIVE IN PEACE, FREE FROM DISCRIMINATION AND INTOLERANCE, AND WITH THE OPPORTUNITY TO PARTICIPATE FULLY IN THE STRUCTURES AND PROCESSES OF GOVERNMENT HAVE ACCORDINGLY AGREED AS FOLLOWS:-

STATUS OF NORTHERN IRELAND

ARTICLE 1

THE TWO GOVERNMENTS:

- (a) DECLARE THAT NORTHERN IRELAND IS PART OF HER MAJESTY'S DOMINIONS AND OF THE UNITED KINGDOM.
- (b) AFFIRM THAT, IN NO EVENT, WILL NORTHERN IRELAND OR ANY PART OF IT CEASE TO BE PART OF HER MAJESTY'S DOMINIONS AND OF THE UNITED KINGDOM WITHOUT THE CONSENT OF THE MAJORITY OF THE PEOPLE OF NORTHERN IRELAND VOTING IN A POLL HELD FOR THAT PURPOSE IN ACCORDANCE WITH THE PROVISIONS OF SCHEDULE 1 TO THE NORTHERN IRELAND CONSTITUTION ACT 1973.
- (c) RECOGNISE THAT THE WISH OF THE MAJORITY OF THE PEOPLE OF NORTHERN IRELAND IS FOR NO CHANGE IN THE STATUS OF NORTHERN IRELAND AS PART OF THE UNITED KINGDOM.

THE INTER-GOVERNMENTAL COUNCIL

ARTICLE 2

THE TWO GOVERNMENTS:

- (a) RE-AFFIRM THEIR COMMITMENT TO THE ANGLO-IRISH INTER-GOVERNMENTAL COUNCIL (ESTABLISHED FOLLOWING A MEETING OF THE PRIME MINISTERS OF BOTH COUNTRIES IN LONDON ON 6TH NOVEMBER 1981) THROUGH WHICH INSTITUTIONAL EXPRESSION IS GIVEN TO THE UNIQUE RELATIONSHIP BETWEEN

THEIR TWO COUNTRIES THROUGH MEETINGS BETWEEN THE TWO GOVERNMENTS AT MINISTERIAL AND OFFICIAL LEVELS TO DISCUSS MATTERS OF COMMON CONCERN.

- (b) WILL ESTABLISH AN ADVISORY COMMITTEE ON ECONOMIC, MONETARY, SOCIAL AND CULTURAL CO-OPERATION WITH A WIDE MEMBERSHIP, AND ENVISAGE THAT THE ADVISORY COMMITTEE WILL INCLUDE MEMBERS DRAWN FROM THE PARLIAMENTS OF THE UNITED KINGDOM AND OF THE REPUBLIC OF IRELAND.
- (c) WILL FURTHER DEVELOP ECONOMIC CO-OPERATION BETWEEN THE TWO COUNTRIES.
- (d) WILL, WITHIN THE FRAMEWORK OF THE COUNCIL, CONSIDER:
 - (i) SECURITY AND RELATED MATTERS INCLUDING THE PROMOTION OF CO-OPERATION BETWEEN THE TWO COUNTRIES IN ORDER TO DEFEAT TERRORISM.
 - (ii) LEGAL MATTERS, INCLUDING THE ADMINISTRATION OF JUSTICE, THE RIGHTS OF THEIR CITIZENS IN BOTH JURISDICTIONS, EXTRADITION, AND EXTRA-TERRITORIAL JURISDICTION BETWEEN BOTH COUNTRIES.

ARTICLE 3

THE COUNCIL SHALL MEET AT MINISTERIAL OR OFFICIAL LEVEL AS REQUIRED. THE BUSINESS OF THE COUNCIL WILL THUS RECEIVE ATTENTION AT THE HIGHEST LEVEL. SPECIAL MEETINGS SHALL BE CONVENED AT THE REQUEST OF EITHER SIDE. OFFICIALS MAY MEET IN SUBORDINATE GROUPS. WHEN THE COUNCIL MEETS AT MINISTERIAL LEVEL, THE FOREIGN MINISTERS OF BOTH GOVERNMENTS (OR THEIR DEPUTIES) SHALL BE JOINT CHAIRMEN. OTHER BRITISH AND IRISH

MINISTERS MAY HOLD OR ATTEND MEETINGS AS APPROPRIATE. WHEN LEGAL MATTERS ARE UNDER CONSIDERATION, THE LAW OFFICERS MAY ATTEND. MINISTERS MAY BE ACCOMPANIED BY THEIR OFFICIALS AND THEIR PROFESSIONAL ADVISERS. WHEN QUESTIONS OF SECURITY POLICY OR SECURITY CO-OPERATION ARE BEING DISCUSSED, THEY MAY BE ACCOMPANIED BY THE APPROPRIATE CHIEF CONSTABLES AND MILITARY COMMANDERS. WHEN ECONOMIC OR SOCIAL POLICY OR CO-OPERATION ARE BEING DISCUSSED, THEY MAY BE ACCOMPANIED BY OFFICIALS OF THE APPROPRIATE DEPARTMENTS. A SECRETARIAT SHALL BE ESTABLISHED BY THE TWO GOVERNMENTS TO SERVICE THE COUNCIL ON A CONTINUING BASIS IN THE DISCHARGE OF ITS FUNCTIONS. THE SECRETARIAT SHALL BE ESTABLISHED EITHER IN DUBLIN OR IN LONDON.

ARTICLE 4

THE COUNCIL SHALL SEEK TO ESTABLISH DIRECT CO-OPERATION BETWEEN THE ARMED FORCES OF THE TWO COUNTRIES IN ORDER TO DEFEAT TERRORISM, INCLUDING THE RIGHT OF THE ARMED FORCES AND OF THE POLICE OF BOTH COUNTRIES TO CROSS INTO THE OTHER IN THE PURSUIT OF SUSPECTED TERRORISTS. THE COUNCIL MAY REQUEST THAT THE APPROPRIATE CHIEF CONSTABLES AND, WHERE APPROPRIATE, GROUPS OF OFFICIALS UNDERTAKE A PROGRAMME OF WORK IN SUCH AREAS AS THREAT ASSESSMENTS, EXCHANGE OF INFORMATION, LIAISON STRUCTURES, TECHNICAL CO-OPERATION, TRAINING OF PERSONNEL, AND OPERATIONAL RESOURCES.

ARTICLE 5

THE TWO GOVERNMENTS SHALL CO-OPERATE TO PROMOTE THE ECONOMIC AND SOCIAL DEVELOPMENT OF THOSE AREAS OF NORTHERN IRELAND AND OF THE REPUBLIC WHICH HAVE SUFFERED MOST SEVERELY

FROM THE CONSEQUENCES OF THE INSTABILITY OF RECENT YEARS,
AND SHALL CONSIDER THE POSSIBILITY OF SECURING SUPPORT FROM
THE EUROPEAN ECONOMIC COMMUNITY AND FROM ELSEWHERE FOR THIS
WORK.

INTER-PARLIAMENTARY BODY

ARTICLE 6

EACH GOVERNMENT WILL RECOMMEND TO ITS PARLIAMENT
THE ESTABLISHMENT OF AN ANGLO-IRISH PARLIAMENTARY BODY OF
THE KIND ENVISAGED IN THE ANGLO-IRISH STUDIES REPORT OF
NOVEMBER 1981. THE TWO GOVERNMENTS WILL GIVE SUPPORT TO SUCH
A BODY, IF IT WERE TO BE ESTABLISHED.

DURATION OF THE AGREEMENT

ARTICLE 7

- (a) THIS AGREEMENT SHALL COME INTO FORCE ON THE DATE ON
WHICH THE TWO GOVERNMENTS EXCHANGE NOTIFICATIONS OF
THE APPROVAL OF THEIR RESPECTIVE PARLIAMENTS OF THIS
AGREEMENT.
- (b) THIS AGREEMENT SHALL EXPIRE ON 15TH NOVEMBER 1993,
BUT MAY BE RENEWED, WITH OR WITHOUT MODIFICATION, AS
AGREED BY BOTH GOVERNMENTS.
- (c) THIS AGREEMENT SHALL SUPERSEDE THE AGREEMENT MADE
BETWEEN THE TWO GOVERNMENTS WHICH WAS SIGNED AT
HILLSBOROUGH ON 15TH NOVEMBER 1985, AND WHICH IS
HEREBY REVOKED.
- (d) AFTER THE EXCHANGE OF NOTIFICATIONS DESCRIBED IN
ARTICLE 7(a), THIS AGREEMENT SHALL BE REGISTERED WITH
THE UNITED NATIONS.

Mr. M. C. Donnelly
14.11.88
Secret

Representatives of all the political parties in the North met within the past weeks to discuss possible political progress. The meeting was set up by a non-political intermediary. The SDLP objected to a representative of the Workers Party but they all agreed to have a representative for Sinn Fein present though he should not be a party member. I was told by my intermediary that the unionists were as good as "suing for peace".

The meeting, which lasted 20 hours, agreed that the participants would take back to their respective parties the outcome of their deliberations. These were that

- Handwritten notes:*
? *Handwritten notes of Alliance*
- ? - they would try to established a devolved "responsibility sharing" government.
 - ? - this would be based on a committee system in a Northern Ireland Assembly.
 - ? - these committees would then choose a super-committee (as opposed to an executive). The Secretary of State would not have nominating powers in regard to the super-committee's make-up.
 - the unionists would agree to some sort of liaison between the Assembly and the Irish Government.
 - ? - they would allow the Anglo-Irish Agreement to remain in place.

After the meeting, the representatives reported back to their respective parties. According to my intermediary, the joint OUP/DUP policy committee - consisting of Jim Molyneaux, Harold McCusker, Martin Smyth, Jim Wilson, and Jack Allen from the OUP and Ian Paisley, Peter Robinson, Sammy Wilson, William McCrea and Nigel Dodds from the DUP - agreed to the acceptability of the proposals and signed a document to that effect. The Alliance Party agreed to the proposals. The SDLP representative was to

report back to John Hume, who was to take the matter up with the Government.

The meeting also agreed on the need to have the unionist preconditions on the Anglo-Irish Agreement met - or at least be seen to be met. The unionists, acknowledging that neither Government would agree to a suspension of the Agreement, proposed the following;

*Paisley told
Hume that
Carron proposed
this.*

- the two Governments would announce a meeting of the Intergovernmental Conference 6 weeks in advance, thus assuring unionists that their talks would not be interrupted by a meeting of the Conference.

*Conflicts will
be resolved
adequately*

- the Secretary of State would then call all parties together on a day on which the joint heads of mission at the Secretariat were absent from Maryfield. The unionists would agree to discussions and announce that they had done so as their preconditions had been met, though they would not specify how the preconditions had been satisfied. Both Governments and all the political parties involved would refuse to comment. It was hoped by those at the meeting that the talks and the subsequent consultations with their respective parties would be completed within the six weeks.

I was warned that the unionists involved in this have agreed a pact with the other participants whereby each, without exception, would deny the forgoing events and proposals if they were to become public knowledge before the talks were properly underway.

25 October, 1988.

John Hume