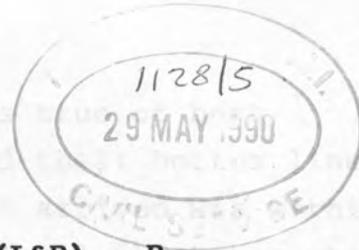


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RJA/81/90/sh



FROM: R J ALSTON  
US(POL)  
29 May 1990

cc PS/SofS (L&B) - B  
PS/MofS (L&B) - B  
PS/Dr Mawhinney (L&B) - B  
PS/PUS (L&B) - B  
1. PS/Sir K Bloomfield - B 2. Pol 2.  
Mr Burns - B  
Mr Ledlie - B  
Mr Thomas - B  
Mr Wood (L&B) - B  
Mr D J R Hill - B  
Mr J McConnell - B  
Mr Blackwell - B  
Mr Daniell - B  
Mr Dodds - B  
Dr Donnelly - B  
Mr George, RID FCO - B  
HM Ambassador - Via RID

RECORD OF MEETING HELD IN DUBLIN ON 28 MAY 1990 BETWEEN THE  
SECRETARY OF STATE AND MR COLLINS

Present

Secretary of State	Mr Collins
HM Ambassador	Mr Dorr
Mr Burns	Mr Gallagher
Mr Alston	Mr O'Donovan
	Miss Anderson
	Mr P Collins

After Mr Collins had thanked him for the briefing provided by Mr Burns on 25 May the Secretary of State said the essence was that the parties now seemed to accept that politics in Northern Ireland need not be a zero sum game. He had never doubted SDLP's willingness to make progress. Others had doubted Unionist will. It had been important for him to test this scepticism. He had talked to them twice for two and a half and four hours. He had sensed in the second meeting a wish to move forward, a purposiveness and an

CONFIDENTIAL

absence of any looking for obstacles. This was true of both Unionist leaders. He believed they had reached their bottom line and there were no hidden agendas. Where he had arrived was within the spirit of the Anglo-Irish Agreement of 20 April which was wholly intact and the bedrock to which he would return. He was grateful for the tact and finesse with which the Irish had handled the situation over a sensitive two weeks.

2. Mr Collins suggested an agenda under three headings; preconditions; timing and format of talks; and substance.

3. On Precondition 1 the Secretary of State summarised the position. He added that Dr Paisley, whilst acknowledging that the Irish had some helpful statements on the record, had noted that the British commitment was more formal. Mr Collins said that both Governments would be sensitive to this.

4. On precondition 2 Mr Collins said he had no problem with a natural gap but wanted to understand the point of the language handed over by Mr Burns. The Secretary of State said it had been important to the Unionists. The significance of a gap would be recognised anyway but there was a problem for them in saying nothing publicly. Mr Collins wondered whether it would take away from the impression of a natural gap if a statement was issued. In subsequent exchanges it was agreed that the words "in Northern Ireland" at the end of the formulation should be deleted and that the statement was one which would be used at a Press Conference rather than in a Conference communique.

5. Mr Collins raised the duration of the gap, noting that the 19 April discussion had talked of two months. The Secretary of State said that he had used phrases like "not less than" or "around" two months. Mr Collins said this was a matter for Ministers. A week or ten days either way would not be a problem; three months might be. Mr Gallagher made a distinction between accident and calculation in any decision to go substantially beyond two months.

CONFIDENTIAL

6. Turning to Precondition 3 Mr Collins said this was more difficult. The Secretary of State said he had explained the position to the SDLP leaders. Mr Collins said this was difficult for them. The language handed over by Mr Burns could be misrepresented as implying that it left no role the Secretariat. He suggested an alternative formulation incorporating the phrase "the Secretariat... will not service meetings of the Conference during that period". The Secretary of State said the Unionists recognised that giving Precondition 1 pre-eminence had left them better placed to finesse the others. They had taken legal advice on Precondition 3 and had aimed to get reference to the Conference "ceasing". He had emphasised that this was unacceptable because the Secretariat had to exist to conduct regular business and such a phrase would have implied abrogation of the treaty. Mr Molyneux agreed that the proposed phrase was tautologous but recognised the need for a phrase which would cover some cessation and some continuation of activity. The Unionists had told him that they would trust him to operate the spirit of the Agreement, and had expressed the hope that some meetings eg on extradition might happen elsewhere, but had not insisted on this. (Reference was made to last week's meeting on extradition to show that this already happened).

7. Mr Collins said that if the Unionists desire was to be helpful (which he had hitherto doubted) he could see that it was in our own interest to be helpful to them. The Secretary of State commented that the spirit was good but would not at present take too much strain. Mr Collins wondered whether the form of words could be taken as implying suspension. The Secretary of State said this was not so and the Unionists knew it. Mr Burns explained that careful drafting had been used to refer only to meetings of the Conference, a distinction understood by the Unionists. Mr Dorr said that the word "normal" was the most difficult. The Secretary of State said that there would be a problem with Mr Molyneux if he had to go back with changes. He was accepting (perhaps with a blind eye) that the Secretariat was necessary but did not want to have to discuss the

CONFIDENTIAL

detail. Mr Gallagher raised the possibility that the Unionists would take a triumphalist line and claim a "3-0 victory". This worried the SDLP. The Secretary of State said that they also knew where they stood with him. Mr Collins said that some clarification with the SDLP would be necessary to make it clear that there was to be no change in staffing or function of the Secretariat. The Secretary of State said that he had told the SDLP for himself that there would be normal staffing throughout.

8. On the roles of the Heads of Secretariat, the Secretary of State said that he had discovered that the Unionists did not want a high profile for the form of words worked out on 19 April which had been designed to be helpful to them. They were expecting the Heads to remain at Maryfield with no diminution of staff. Mr Collins said there was nonetheless significant slippage on the question of the liaison group. The Secretary of State said that the only change was that the role of the Heads of Secretariat would be a private rather than a public matter. Their role in the North/South and East/West talks was clear. He envisaged that they would be in contact on the first set of talks from the outset to keep the Irish Government in touch. They would have a direct involvement in the other two. Mr Burns commented that the Unionists understood that each Government would deploy whomsoever it wished in these. Mr Gallagher stressed that the liaison group had been a public reflection of linkage and the SDLP would probably want to participate in it even if the Unionists did not.

9. The Secretary of State said that this was a secondary aspect of the main slippage from 19 April. At his first meeting with the Unionists he had tried hard to press simultaneity for the three elements from the outset. He had had to conclude that if he had insisted he could not have got where he got to last week. The Unionists had a valid point that they needed a degree of authority to give them a locus to be at the table discussing future arrangements. They therefore needed to see some progress on internal talks before they could move forward.

CONFIDENTIAL

10. Mr Collins commented that the SDLP would not want to be discussing internal arrangements alone. How soon could the other elements come on stream? If there was much delay the process could be destroyed. The Secretary of State said he could not say at this juncture. He believed that his conclusion about a general desire to see an agreement now had a Unionist thumbprint on it. They wanted to get in due course into discussion about relations with the Republic almost more than anyone else. He recognised that the Irish concern was to protect the Agreement. The Unionists' was not to fail because this would mean that they had lost a chance to do something about the Agreement. He could not predict a timetable. He had tested Mr Molyneaux as being more reluctant of the two leaders. He had asked if he would decline to come if invited to internal or North/South talks. Mr Molyneaux had stressed that he would come and accepted that there was no way forward without a North/South element. There was thus a "stated willingness" to come when asked.

11. HM Ambassador enquired whether the concept of contingency would be a helpful one to introduce ie that the outcome of each element was contingent on the other. Mr Gallagher enquired how and when the Secretary of State would judge that substantial progress had been made. The Secretary of State emphasised that there would be no substantial negotiation in the ground-clearing talks with officials before the gap. Until it was clearer when the gap began what the talks in the North would be about it was difficult to see the precise basis for North/South talks. At the same time since everything was contingent it was clear that the Irish Government would have to be involved. He recognised that if the Unionists and SDLP found it impossible to reach agreement on the basis of their own proposals he might have to make a proposition himself which would command general assent and would lead into North/South talks.

12. Mr Collins enquired what would be the position if half the gap had passed and North/South talks had not begun. The Secretary of

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State said that avoiding deadlines hitherto had been a help. Mr Collins recognised this. The problem was to square the circle. Mr Burns outlined various elements in the process which might be helpful. Agenda setting might in fact give a fairly clear indication of party positions. Both the UUP and DUP were writing papers. The desire to raise Articles 2 and 3 of the Irish Constitution might be a stimulant. Finally the public statement at the outset would stress the three elements and the need for them to end simultaneously.

13. The Secretary of State said that he accepted that he was the most relevant person to decide. He took the point on timing but until everybody was ready to come there was no prospect that talks would get anywhere. Time would indeed be short if everything had to be done within the two month gap. Mr Collins raised the possibility of a formal opening of North/South (and East/West) talks at the outset. The Secretary of State said that being realistic he did not think he could deliver such a plenary session in the early stages. Mr Collins commented that with the best will in the world we might not get to North/South talks within a two to three month gap. The Secretary of State said that in that case it would have become apparent that the talks would continue after the post-gap Conference. Everybody would know that there was no way that the process could come to a conclusion without Irish participation. In response to a question from Mr Dorr he said that he was not saying that early North/South talks could not be achieved but that they might well not be if we attempted to put a timetable to it. Mr Gallagher noted references by Peter Robinson to early talks and Mr Molyneaux's interest in East/West aspects. Was there a possibility of a shared understanding that North/South talks could come as a fourth stage following agenda setting, initial bilaterals, and an initial plenary. The Secretary of State said that this might well be so but he would want it to happen organically rather than to be determined in advance. If we did this he feared that it would not happen.

CONFIDENTIAL

10 At this stage the Secretary of State introduced the draft language for a public statement (circulated separately by Mr Burns). Mr Dorr commented that there had been two points in the 19 April Agreement protecting Dublin's interests - the liaison group and the timing of talks. Both had slipped but he regarded the language proposed as helpful. The key was a clear recognition of the North/South dimension. In discussion it was agreed that the concept of simultaneous conclusions of each element would be introduced. On timing Mr Burns suggested such a statement might be made between the first and second of Mr Gallagher's four stages. The Secretary of State emphasised the importance he attached to an early plenary. Up to that stage people would have been talking to him individually. It was important that they should all hear certain things together to provide them with an opportunity to raise any problems they might have. Mr Collins raised the reference to "endorsement by the electorate". The Secretary of State explained that this was an effort to incorporate ideas to which Dr Paisley and Mr Hume respectively attached importance. Mr Gallagher commented that it was unnecessary at this stage.

15. The Secretary of State recalled that Government activity had produced internal Northern Ireland as well as purely Governmental pressures on the Unionists to hold talks with the Republic. We had to remember that they were also sounding out their political constituency. Mr O'Donovan enquired about the forum for a statement. Such as that proposed by the Secretary of State could it include all participants (including the Republic)? Mr Burns commented that he did not see how this could be achieved at an early stage. The Unionists would see it as a trap. The Secretary of State said that the guiding principle was what would work. He had been in the business of devising vehicles to which all could subscribe. Mr Gallagher expressed suspicion that the process would not get beyond the first plenary without an assurance on this for the SDLP. The Secretary of State said that he would be happy to craft a message which would refer to "early" progress but it must

CONFIDENTIAL

1. I have some element of judgement. Mr Collins said that he recognised the need to sweeten the pill for the Unionists. Mr Gallagher said that his fear was that the SDLP would dig in. The Secretary of State stressed that at every stage there must be a natural let out. He would not call a plenary unless he was confident that it would get somewhere. He would thus have a chance to explore possibilities with the Unionists. If it was clear that they would not work he would break off the process rather than call a plenary. Mr Collins had been generous in the flexibility he had allowed since 19 April. He feared that if the Irish side tried to pin him down now in advance things would not work. At the same he recognised that the SDLP position could become a road block.

16. Mr Collins said that Mr Paisley's motives gave strength to the idea of a formal meeting with no agenda but involving all parties, then taking it flexibly from there to see how far the process would get. Mr Burns commented that the SDLP and the Unionists now had improving mutual understandings of each others positions. He was not sure that the SDLP would want to prevent talks starting simply because there was not a clear date for the North/South element. He agreed that the talks would not last if either side seemed to be messing around; if so they would clearly never reach agreed positions. At the same time he could simply not put a firm time-frame to all this.

17. In reply to a further question from Mr Collins the Secretary of State said that he did not know that he could achieve a formal opening. His inclination would be to put money against it. Mr Dorr suggested three ways of solving this problem, a formal meeting, a clear statement, or an agreed date. Mr Collins stressed the need for a clear statement of the outset for Parliamentary purposes. Opposition party leaders had been asked to keep public debate at a low key. This approach must hold for the moment but was already getting more complex. Mr Dorr asked for confirmation that Mr Brooke could not give anything on a formal opening. The Secretary of State

CONFIDENTIAL

emphasised that he was merely being practical. The problem was whether the Unionists would turn up. Mr Collins accepted that progress could not be forced but Mr Gallagher said that he was still fearful that the gap could end with no North/South element. There was a need for at least a private understanding. Mr Burns underlined the difficulty of guaranteeing this though it might well happen. Mr Collins commented that if there could not be guarantee there needed nonetheless to be a firm understanding that something would happen after the first plenary.

18. The Secretary of State then set out his expectations of how the gap might move. In week one there would be bilateral talks with him eg on the agenda. In week two there would be an initial plenary. In weeks three and four there would be further bilateral talks to pursue the points arising and to finalise the agenda for inter-party talks. These might start in week 5. His expectation was that North/South talks might follow two to three weeks later. He said that he could see the symbolic necessity of a meeting on North/South issues before the end of the gap. In response to a comment from Mr Dorr that people would want to move sooner he emphasised that he would happily try to bring this about by bridging gaps and reconciling positions in order to finish the course sooner but naturally, flowing out of the process. Mr Dorr repeated his doubts that you could get to week five without the SDLP making a condition of knowing something about how the North/South element would be handled. The Secretary of State said that this might indeed erect a fence we could not take because of Unionist doubts. Mr Gallagher said that there should be a strategy to get there and to avoid such road blocks. The Secretary of State said that his problem with this was that until it was apparent to both sets of negotiators through direct interaction that they had a real problem they would not simultaneously address it and seek a solution. He referred to his experience in discussing Maryfield with the Unionists as an example of what could happen when they did face up to an issue. Mr Burns underlined that both Unionist and SDLP leaders accepted that there

CONFIDENTIAL

had to be North/South talks before any conclusions could be reached. The problem was whether they could be brought to see that dialogue beginning at the same point. He had to say that the SDLP had not made it clear to us that they would make this a condition. The Unionists on the other hand had made their position clear. They first wanted to see that they were getting somewhere. Mr Collins accepted that a date would be difficult to get down in advance but he was worried about pressures in the Dail if it was as far down as week six. HM Ambassador commented that what was needed was not a formula but an expression of confidence. Mr Collins said he had that but needed to be able to say something sooner. Reference to a formal opening would help. But would it suffice? His instinct made him want to be quicker but he accepted the need for caution to nudge things along. Could Unionists be brought to give more ground on this as they had on other things? Mr Burns commented that they might think they were being double crossed and drawn into a PR exercise. Perhaps thought could also be given to whether the Irish Government could do anything to make an early commitment more attractive to Unionists. Mr Gallagher emphasised that the North/South talks would be part of a process to transcend the Anglo-Irish Agreement; Mr Collins said that Articles 2 and 3 could be discussed, and Mr O'Donovan that Hillsborough might be a symbolic venue for a formal opening.

19. Mr Dorr made a further attempt to summarise possible ways forward; a formal opening; a specific date or time frame; or structure. Mr Gallagher expressed a preference for an indicative date. The Secretary of State said he was still nervous about this. Mr Gallagher said that the problem was that there would not be substantive progress without the opening of North/South talks. The Secretary of State said that he agreed but did not want to be in a straight jacket on how to get there. Mr Burns suggested a form of words by which the Secretary of State might refer "an early date" in

CONFIDENTIAL

the context of being unable to forecast precisely but saying he would be disappointed if, by the time we got to the second half of the gap, this point had not been reached. Mr Dorr pressed again the idea of exploring with the Unionists a formula on which a formal opening of North/South talks might take place eg in week three with things then being allowed to develop naturally. The Secretary of State said that the Unionists concern was that talks in Northern Ireland should not be contingent on Irish involvement, however logically evident this was. His best judgement was that we would move naturally to it but within a framework rather than on the basis of a firm plan.

20. Mr Collins concluded that he would have to reflect with his colleagues and that he and the Secretary of State would have to come back to this. He recognised that time was important. The Secretary of State said that there was not an enormous time pressure it was more important to get thing off on the right basis. Mr Collins said that these issues must be resolved and he believed they could be. HM Ambassador commented that we seem to be fairly close to agreement on language based on that introduced by the Secretary of State and amended by Mr Dorr. Mr Dorr said that he wanted to be quite clear of the Secretary of State's position. As he understood it he was prepared to make a statement, accepted that North/South talks form an integral part of the process, but believed that they must emerge from an understanding of the strengths of peoples views and that no mechanism however clever would help. The Secretary of State said that he did not totally exclude one but would need to see a specific idea. Mr Gallagher said that he wanted to be clear that it was mainly Dr Paisley's concerns the Secretary of State was worried about. The Secretary of State said that this was so in the context of Dr Paisley's sense of responsibility to his electorate. His endorsement was crucial. Mr Burns pointed out that Dr Paisley's views of the Secretariat had changed but that he had had to think of this for himself.

CONFIDENTIAL

21. The meeting concluded with a brief discussion about the line to take subsequently (and jointly) the Press. The Secretary of State said that he would emphasise that he had had four meetings with Mr Collins in recent months, that there was a good agreement dating from April, tonight's discussion had been a fulfilment of an undertaking to come back and report, that the process was not complete, that he envisaged further progress with others and further contacts with Mr Collins. He would however emphasise that he would not talk about details while the talks were still going on and would continue to emphasise that formal talks were a possibility rather than a probability. The overall note would however be upbeat. Mr Collins concurred.

[signed]

R J ALSTON

Ext 2507