

9 Jan. 1998 16:55

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**FROM: ANITA BHARUCHA**  
**IPL Division**  
**9 January 1998**

cc attached list

**FAKED**  
 JEH by Fax  
 C. PB by Fax  
 AC by Fax  
 Jpo

**NOTE FOR THE RECORD****LIAISON GROUP MEETING, 9 JANUARY 1998, LONDON**British Side:

Quentin Thomas  
 Peter Bell  
 Jonathan Stephens  
 David Brooker  
 David Hill  
 Nigel Warner  
 Michael Pakenham  
 David Ferguson  
 George Fergusson  
 Anita Bharucha

Irish Side:

Dermot Gallagher  
 David Donoghue  
 David Cooney  
 Rory Montgomery  
 Dermot Brangan  
 Paul Hickey  
 Wally Kirwan  
 Martin Mansergh  
 Ted Barrington

Summary

1. With discussion on Heads of Agreement focused on the No. 10/Teahon axis, the Liaison Group did not consider the text of the Irish side's 'Possible Propositions'; instead discussion was confined to the tactics of playing this ongoing work into the wider process and the handling of the resumption of the talks next week, with both of these largely contingent on the contacts between the Irish and Trimble over the next few days. The meeting began at 11.45 and lasted approximately two hours, with informal discussion continuing over a buffet lunch.

Detail**Heads of Agreement/ Possible Propositions**

2. Mr Thomas opened the meeting by noting that, against the background of the contacts which are taking place elsewhere, it would be helpful to have an exchange of views on the general scene and the handling of the talks next week.

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Mr Gallagher said that while he hoped for a breakthrough on Heads of Agreement next week, he believed that the week after was more realistic. He reported that in their view, the UUP is serious and wanted to engage, although Trimble is under pressure from some in the party. The Irish have given the UUP (and HMG) a text of 'Possible Propositions' - proposals for discussion, to try to build consensus - which, if agreed over the next few days, could be played in with the other parties at the talks. Mr Gallagher later confirmed that the Irish have not given the paper to any of the other parties, although they have spoken to some in general terms. Mr Cooney noted that Trimble has briefed the PUP on the fact that he was engaged on text with the Irish side.

3. The tactics of playing in a text were discussed, with the Irish proposing that Mitchell could hold bilaterals with the parties to prepare the ground, and then table the paper himself. Mr Thomas noted that the UUP were strongly opposed to this - and, in our view, would remain so even if they were not hostile to substance of the paper. It was noted that a joint paper by the two governments, or a quadripartite paper, was antipathetic to some parties. Mr Thomas said that Mr Murphy had floated the idea of the two governments, or Senator Mitchell, coming forward with proposals at the request of one or more of the parties: this had not been dismissed by the UUP. Mr Gallagher agreed that this was a helpful option if it could be engineered.

4. Mr Gallagher signalled the need for the two governments to hold intensive bilaterals with all the parties next week to get them signed up to the 'Possible Propositions' approach and to ensure they do not feel left out. Mr Stephens pointed out difficulties of trying to bring parties up to speed without showing them text (the Irish approach) and thus reinforcing their sense of exclusion.

5. As the Irish side seemed to view the task for the short term as agreement on 'Possible Propositions' between the two governments, Mr Thomas made clear that HMG saw the key dynamic as agreement between the UUP and the Irish. He said that our objective was to persuade the UUP to engage on the Irish text and not to agree a British/Irish text per se. This caused the Irish side some anxiety: they feared the consequences of presenting any paper as an agreed UUP/Irish position. Mr Thomas explained that this was not what HMG was advocating. Mr Gallagher said that we would have to say that the two governments had discussed the paper. Mr Stephens said that we should ensure that all the options are kept open as we may not want to present the paper as one by the two governments, bearing in mind Trimble's neuralgia on this point.

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6. Mr Stephens reverted to the issue of what the two governments say to the other parties about the current work. After some discussion, it was agreed that both governments should make clear that they are engaged in finding out what each party can accept; that they want everyone to work towards getting ideas on the table in order to try and build consensus; and in pursuit of that objective, wish to hear their views. It should be possible to discuss the concepts behind the paper, without actually engaging in textual discussion with the other parties.

**Loyalist Parties**

7. There was an exchange of views on the situation with the Loyalist parties. Mr Stephens handed over copies of Mr Murphy's press release on confidence building measures, and the Secretary of State's press release following her visit to the Maze. Mr Gallagher reported his conversation with Archbishop Eames who thinks that the UDP will be at the talks on Monday in some form. Mr Gallagher said that he will offer to see Ervine and McMichael when he is in Belfast tomorrow; Mr Thomas welcomed this.

8. There was a brief discussion of the possibility of a Rule 29 complaint against the Loyalists - perhaps by the Alliance party; Mr Thomas noted that HMG would have to act if presented with incontrovertible evidence of breaches the Mitchell principles. Mr Gallagher said the arrests by the RUC had sent a strong message to both communities and that in his view, people would want the Loyalists to remain at the talks.

**Resumption of Talks**

9. Hoping that it would be possible to play in a text by Monday, but agreeing that the following week would be more likely, Mr Thomas turned discussion to the mechanics of next week. The meetings scheduled for next week were discussed, with both sides noting that the substance of these will depend on the contacts over the next few days. A briefing dinner will take place on Monday 12 January: the Irish side reported that Mr Andrews will be present, but Ms O'Donnell will not.

10. The Business Committee meeting on 12 January was discussed; Mr Mansergh reported that the UUP had hinted that if they were to agree to Strand 2 meetings moving elsewhere, they would be content to go to Dublin first. They have presentational difficulties with moving to meetings outside Belfast if nothing of substance has been achieved - if there is progress on the 'Possible Propositions', it may become easier for them to move to London or Dublin.

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11. On format, Mr Gallagher reported that the Taoiseach is keen to revert to a leaders group. Mr Thomas said that, if a smaller ad hoc group was proposed once the issues were on the table, the UUP might not be opposed to this. Mr Stephens said that once Possible Propositions have been tabled, it may be best to make progress by engaging in the Strands, informed by the paper.

12. The Irish side argued that Sinn Fein would want to discuss the paper first, in order to be able to argue against elements of it and seek amendments. Mr Hill drew out the dangers of the Irish seeking to amend a paper which had been agreed by the UUP, as a result of opposition from Sinn Fein. Mr Stephens said that a better strategy for Sinn Fein would be to note the paper without commitment, and move on, rather than try to negotiate amendments, and only be successful on minor points. Dr Mansergh said that this would mean that the paper would never become Heads of Agreement: Mr Thomas replied that it might develop into this through discussions in the Strands.

**Strand 2 Paper**

13. Mr Thomas turned to the British side's paper, Strand 2: Issues for Consideration, sent to the Irish side before Christmas. He suggested stimulating discussion in the Strand 2 meeting, scheduled for Tuesday 13 January, by tabling a revised version of this paper, incorporating a series of questions along the lines of those contained in paragraph 3 of the current paper. The Irish side resisted committing themselves to this, arguing that everything depended on the exchanges with Trimble, and fearing open-ended questions which might lead the parties into inadvertently impaling themselves on hooks and thus destroying the chances of a positive outcome on Possible Propositions.

14. Instead, Mr Gallagher favoured simply allowing the parties to make statements on the need to move forward decisively, and moving into bilaterals. Mr Thomas cautioned that this would send a highly negative signal, especially given the two governments' posture of wanting to make substantive progress in the talks, and hoped a discussion could be given focus by a series of questions. Mr Gallagher said that a decision on this should be postponed to Monday evening. Mr Hill said that the parties may ask at the Business Committee meeting in the morning what the handling of the Strand 2 meeting will be, and noted that a paper has been tabled for discussion by the Chair in Strand 1. Mr Gallagher suggested a presentation by the Irish government on Possible Propositions, to be followed by a round of bilaterals led by the two governments, but held out for a final decision to be taken on Monday evening.

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**Liaison Sub-committee on CBMs**

15. Mr Thomas reported that the Secretary of State will attend the Sub-committee on CBMs scheduled for next Tuesday, and that we intend to table a paper on Prisons issues. Mr Ferguson reported that a paper on economic and social issues will also be tabled; Mr Donoghue said that the Irish will also be tabling a paper on these issues. There was a short discussion on arrangements for the Sub-committee on Decommissioning

**Paper on Constitutional Issues**

16. There was a brief discussion of the British side's paper, with the Irish side undertaking to revert with more detailed comments in the near future. Dr Mansergh reported that the Irish side had been working in parallel on a new Article 1 and said would offer us thoughts on this next week. He made some points on the paper:

- (i) the Irish side would like an addition to reflect paragraph 20 of the JFD (British government to exercise 'rigorous impartiality on behalf of all of the people of Northern Ireland in all their diversity')- they will offer text on this;
- (ii) they want an addition to reflect the language of paragraph 10 of the JFD on consent ('consent of the governed....'; new political arrangements to be based on 'fully respect for ....rights and identities of both traditions....') - the Irish will propose text;
- (iii) an addition to reflect the JFD in balancing the consent principle within the context of self-determination - they will offer text;
- (iv) and finally, more controversially (as the Irish accepted), they want to get away from the terminology of 'United Kingdom of Great Britain and Northern Ireland'; Dr Mansergh clarified that he meant this in the context only of a new Article 1.

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17. It was agreed that all these issues would need to be discussed in more detail.

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**ANITA BHARUCHA**  
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**LIAISON GROUP, 9 JANUARY 1998**

cc PS/Secretary of State (L&B)  
PS/Mr Ingram (L&B)  
PS/Mr Murphy (L&B)  
PS/PUS (L&B)  
PS/Mr Semple  
Mr Thomas  
Mr Steele  
Mr Stephens  
Mr Bell  
Mr Priestly  
Mr Brooker  
Mr Hill  
Mr Maccabe  
Mr Woods (L&B)  
Mr D Ferguson  
Mr G Fergusson  
Mr Warner  
HMA Dublin  
Mr Cary, Washington - via RID  
Mr Holmes, No. 10 - F  
Mr Pakenham, Cabinet Office - F

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