

**Dermot Nally
Papers**

UCDA P254/40

SECRET

Meeting with Quentin Thomas, NIO
London, 24 September, 1993

S U M M A R Y

1. The meeting, which lasted some three hours, was very positive in tone. Thomas, while repeating firmly the commitment that he was acting without instructions, entered into a positive and constructive discussion of the text. He agreed readily that it was a much better text from their point of view than the preceding one. We discussed a number of possible changes to it which, I thought my principals would be prepared to consider if it made things easier for the British. In turn he gave an indication of elements which they had been thinking of, including dealing with the key reference to self-determination on the following lines:

"Both Governments agree that it is for the people of the island of Ireland alone to exercise any/(their) rights of self-determination to bring about a united Ireland on the basis of freely given consent North and South."

As regards the drafting exercise, we left it that the British could consider our redraft and we on our side would consider the above sentence. We would resume discussion no later than Friday next (when Thomas is to be in Dublin for a Liaison Group meeting). I urged that if the gap seemed as easily bridged as I hoped the Nally-Butler group should reconvene very shortly thereafter to take things further.

2. On the work of the Liaison Group, Thomas handed over a draft British paper as a basis for a report by officials on both

sides for submission to Ministers. I said we would consider it and react at the Liaison meeting. As to whether or how the two approaches might be meshed, Thomas was neutral. He felt one approach would be to concentrate in the first instance on the Declaration (which I stressed was the Taoiseach's preference). The second was to pursue the exercise mandated at the last Intergovernmental Conference. He felt that there was in fact no fundamental contradiction between the two, although there were decisions on timing and tactics which would essentially be political choices for the two Governments.

Sean O hUiginn
25 September, 1993

SECRET

Meeting with Quentin Thomas, NIO

London, 24 September, 1993

1. I had a meeting with Quentin Thomas of the NIO on the 24th September. I began by reiterating yet again the importance which the Taoiseach attached to the Declaration. He was persuaded there was now a unique opportunity to work for peace which should be availed of by both Governments. He believed a cessation of violence on the nationalist side was obtainable in return for actions which were entirely consistent with existing British principles and in particular the principle of consent. He felt both Governments should give this the utmost priority. If it succeeded, as there were grounds to believe it would, the whole situation would be utterly transformed. If for any reason the promises which had been made to us about the Declaration proved not to be sustained in practice, then this would also clarify the situation and the Taoiseach would no doubt draw the political consequences there also.

2. I said the Taoiseach had listened carefully to the points reported to him from the Nally-Butler Group. He was prepared to shoulder the responsibility on his side. He had no problem with the somewhat oblique method the British had proposed for working on the concepts involved in the text, provided this did not in any way mean the initiative was being down-graded or shunted aside in favour of more marginal objectives. He had instructed that a text be prepared which took account of the points made by the British side. At that point I handed over the revised draft, explaining the various changes which had been made and the ways in which we believed they should meet the objections raised by the British.

3. Thomas recalled the mandate given to the Liaison Group at the last Intergovernmental Conference. He also recalled the understanding reached at the Nally-Butler meeting. While he stressed for the record that he had no formal clearance to discuss drafting changes in the Declaration, he nevertheless raised no difficulty, subject to that official reservation, about discussing the text in detail.

4. He said he would convey again to his people the points I had made about the importance the Taoiseach attached to the initiative. His authorities were very positive about the objective. They recognised fully the value of the prize of peace. If that could be achieved at the cost of a Declaration which did not violate their basic principles, they were more than willing to look at that possibility.

5. As regards "meshing" the Declaration with the work of the Liaison Group, Thomas said there was a clear mandate from the Intergovernmental Conference to continue working on the Talks process and he later put forward a draft paper for consideration at the Liaison Group. He felt there were two scenarios possible. One was to get on with the Declaration and seek to finalise it and realise its objectives as quickly as possible, without seeking to integrate it fully into the various other dimensions of the problem. A second approach was to recognise that the issue of "constitutional balance" was fundamental both to the Declaration and to work in the Talks process and to seek to integrate them, without losing sight of course of the Declaration. He himself felt that there was no fundamental contradiction between the two approaches, although there were tactical decisions which might have to be taken by the Governments in terms of timing and presentational factors. I said that the Taoiseach felt, given the psychology of the group it was aimed at, that the Declaration should be handled on its own terms, rather than introducing any complicating factors, which could best be

locked at when violence was out of the way.

6. We had a discussion on the issue of self-determination. I confirmed in reply to his queries that our side attached considerable importance to using the actual words, given the psychology of the people the Declaration was aimed at. Thomas felt the problem with the use of the word was less legal than political. The formal British guarantee on no change without Unionist consent was not explicitly in the Declaration. Because of that, the issue of self-determination might stand out more starkly and the Declaration could be misunderstood on the Unionist side as diluting or cancelling that guarantee.
7. In further discussions Thomas said that he felt the new text was very clearly a better one and would receive the most careful consideration on his side. He suggested there were four "building blocks" which might be put together and might enable both sides to draft an agreed text. One would be on the lines of the first sentence he had given on the previous occasion viz

"Both Governments agree that the future status of Northern Ireland should be determined on the basis of consent, North and South, of the people living in Ireland".

If we insisted that the words "self-determination" was important for psychological reasons, he put forward, purely on a personal basis, a text on the following lines:

"Both Governments agree that it is for the people of the island of Ireland alone to exercise any rights of self-determination to bring about a united Ireland on the basis of freely given consent North and South."

As a further element, he felt the British would not have a major problem with expressing encouragement or enthusiasm for agreement among Irish people, provided that agreement was in general terms (i. e. in reconciliation etc.) and not pointing at a specific outcome such as unity. Another "building block" could be a repetition of Article 1(c) of the Agreement (i. e. readiness to legislate for agreed Irish unity) in any appropriate formulation.

8. I said that I found the sentence on self-determination he had quoted of interest. The main difficulty I saw was that the reference to "any rights of self-determination" carried a distinct implication that such rights might not exist. The objective we were striving for was to acknowledge some such rights without becoming involved in the insoluble question of how they were at present apportioned as between North and South or implying that they could be exercised for Irish unity on terms other than consent. After further discussion he conceded that they might be prepared to consider referring to the exercise of "their rights of self-determination". I said I felt that would make it a sentence worth studying on our side.

9. I said that I would be anxious, however, to report back to my side the good and bad points, as he saw it, of the new text of paragraph 4 which we had given them. Thomas listed the following areas: He wondered about adding the word "political" to "no selfish strategic and economic interest etc". It would be difficult for the British Government to say they had no political interest in one-and-a-half million people whom they actually governed. I said the entire sentence was governed by the word "selfish". On that basis he thought they might possibly live with it. He thought they could also live with the second sentence. It had a clear connotation of unity in the island, which was a shift for them, but he felt that if the context was right they

could accept it.

10. We had a long discussion on the third sentence. I pointed out that it was geared towards the future. The clear implication was that there was no North-South agreement on any form of self-determination for Ireland as a whole at present. The British commitment to legitimacy related only to a future contingency, as in Article 1 (c) of the Agreement. Thomas thought there could be difficulties but felt the phrase "~~secure~~ agreement" instead of "freely agreed" might bring the last point out more clearly. I thought that that should not present major difficulties on our side.
11. Thomas felt there would be a distinct problem with the concept of "Joint North-South consent". He thought this might introduce ambiguity on the crucial point for them, which was the notion of separate choice for Northern Ireland. I said that had been made clear higher up in the text, but that in view of the difficulty he could if he wished put a bracket around the word "joint" for further consideration.
12. Thomas felt that the next sentence was placed so close to the mention of agreed independent structures in Ireland that the connotation that the British Government was "joining the ranks of the persuaders" for Irish unity was too strong. The British Government could, for the sake of the exercise, make clear they were committed to agreement among Irish people as an end in itself, but they would not wish to specify what its outcome would be. They did not want it to be specifically linked to unity, even if it might lead to unity in the future.
13. I suggested that the last sentence of the paragraph tended towards the general agreement of the kind he had in mind,

while pointing out that the sentence he objected to had been carefully drafted to relate also to any form of agreement on future relations in Northern Ireland reached by North-South consent. If however it made a major difference to the British side it would be possible to reverse the order of sentences leaving the sentence on the role of the British Government to be the last sentence of the paragraph. It would then flow naturally from their perception of the wishes of the British people. Thomas thought that might be an improvement but that the word "unity" in the sentence would clearly raise major hackles. Some less emotive alternative (e.g. reconciliation etc.) should be found. I said we would think over the possibilities of expressing the notion in alternative ways.

14. While Thomas made clear his involvement was personal at this point, his approach to the entire exercise was positive and helpful. He said it was a better text and, generally, gave me the impression that he felt an agreed text was within reach. He undertook to consult within his own system. I urged that if the differences were, as I hoped, reconcilable, then the Nally-Butler Group should be reconvened without delay to finalise a text. Alternatively if there were difficulties on the British side which we had not anticipated, that these should be signalled to us and we would see how to overcome them. We agreed to consult privately on this in the margin of the Liaison Group meeting in Dublin on Friday next.
15. Thomas then turned to the question of how the discussions in the Liaison Group could be handled. He agreed the drafting of the Declaration should be kept separate from that forum. He gave me a draft paper which he said they would be presenting at the meeting on Friday. I said we would consider it carefully and would be giving thought to preparation of a paper of our own.

16. We had then some informal discussion on the way in which a Declaration, if agreed, could be handled. Thomas did not dismiss the possibility of a cessation on the Loyalist side if the IRA had a cessation on their side. We both agreed there would be great uncertainty, not to say paranoia, on the Unionist side, which would require the most careful handling. I assured him we were sensitive to this and that the Irish Government would do everything it could to be of help in such a contingency.
17. I alerted him also, in confidence, to the proposal which Hume had put, that the outcome of the Hume-Adams talks should be referred to both Governments. I made clear our firm opposition to it and our hope that Hume was now persuaded of the dangers of it and would desist. Thomas enquired whether there had been any notion of the referral to the Governments being accompanied by a ceasefire. I said there had not (although I recall that in our discussions on it Hume had said that if the statement were made the other people would "make positive statements" (unspecified)). Thomas' view predictably was that Hume's proposal would be "a thoroughly bad idea" and would create major difficulties for the British Government's consideration of the proposal itself.
18. I asked Mr. Thomas about the DUP proposal put to Mr. Major. He said that the most significant thing in it was perhaps the title, i.e. "breaking the log jam". Thomas saw that as Paisley-speak to signal that he wanted back into discussions. On the substance itself he confirmed my speculation that it was largely about an internal solution, with the expected denunciation of Articles 2 and 3 and the Irish Government's role.


Sean O'Huiginn
25 September, 1993

Enc: Redraft par 14

Amendments which Mr. Thomas felt would be helpful
on our revised Paragraph 4

4. The Prime Minister reiterates on behalf of the British Government that they have no selfish strategic political or economic interest in Northern Ireland. Their primary interest is to see peace, stability and reconciliation established by agreement among all the people who inhabit the island, and they will work together with the Irish Government to achieve such an agreement, which will embrace the totality of relationships. They acknowledge the legitimacy of any form of self-determination for Ireland as a whole which secures agreement on the basis of consent, North and South, of the people living in Ireland. They accept that such agreement may, as of right, take the form of agreed independent structures for the island as a whole. They reaffirm as a binding obligation that they will, for their part, introduce the necessary legislation to give effect to this, or to any measure of agreement on future relationships in Ireland which the people living in Ireland may themselves freely and collectively determine without external impediment and on a basis of (joint) North-South consent. They believe that the people of Britain would wish, in friendship to all sides, to encourage the people of Ireland to reach agreement on how they may live together in (unity) and harmony and in partnership, with respect for their diverse traditions and with full recognition of the special links and the unique relationship which exist between the peoples of Britain and Ireland. The role of the British Government will be to encourage, assist and enable such agreement over a period through a process of dialogue and cooperation based on full respect for the rights and identities of both traditions in Ireland.