

I N C O N F I D E N C E

RECORD OF A PLENARY MEETING HELD IN PARLIAMENT BUILDINGS  
ON MONDAY 1 JULY 1991

<u>Government Team</u>	<u>Alliance Party</u>	<u>UDUP</u>
Minister of State	Dr Alderdice	Dr Paisley
Mr Pilling	Mr Close	Mr McCrea
Mr Thomas	Mr Maguire	Mr Vitty
Mr McNeill	Mr McBride	Mr Wilson
	Mr Dickson	Miss Paisley
<u>Talks Secretariat</u>	Mrs Bell	Mr Gibson
	Mr Morrow	Mr Campbell
Mr D J R Hill		
Mr Marsh	<u>SDLP</u>	<u>UUP</u>
<u>Also present</u>	Mr Hume	Mr Cunningham
	Mr Mallon	Mr Empey
Mrs Miller	Mr McGrady	Mr McGimpsey
	Mr Haughey	Mr Allen
	Mr Farren	Mr Donaldson
	Mr Gallagher	Mr Wilson
	Mr Feely	

A plenary meeting of Strand One of the Talks took place in Parliament Buildings between 2.20 and 3.55 pm on 1 July 1991. It had it before it the text of the papers circulated by the Government and the four parties on 29 July.

2. The Government Team reported that two matters had been discussed in the Business Committee. First, progress had been made in reducing the information flow about the process to the media. But it had not completely ceased. The Business Committee had agreed that it was counterproductive and had asked parties to reaffirm the embargo on talking to the press. Party leaders were invited to speak again to their delegations and other party members emphasising their personal commitment to this. The Government Team gave an assurance that the NIO were not briefing the press.

3. The second item was the progress of the Talks. The Government Team said that the papers produced on Friday represented accommodation and convergence. Common themes were clearly emerging and it might be useful before moving on to item 7 of the Workplan to see whether it would be possible to

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find a means of agreeing general principles to inform discussion of the Schedule. The eight headings in the Government paper might be used as pegs on which to hang discussion.

4. During discussion of this the following main points were made:-

- (i) The Alliance Party felt that useful work had been done but that too much time should not be taken up in seeking to agree general principles.
- (ii) The SDLP wished to know the timescale for the rest of the first strand. They also said that their paper had been designed to fulfil the commitment at item 6 of the Workplan. They felt that the Government paper would be dangerous if it fell into the wrong hands in that parties would be falsely seen to have adopted certain positions. It appeared to follow the agreed Workplan but some descriptions were not phrased in the way in which the parties would wish. More time was needed to study the papers and arrive at considered reactions.
- (iii) The DUP felt strongly that this was the wrong way of proceeding. It was necessary to discuss the specific items in the Schedule to the Workplan rather than take a broad sweep. The Government paper dealt with common themes derived from similar passages in the parties' papers; this was not the same as common ground. Words used by Nationalists and Unionists did not always mean the same thing. The paper was designed to give HMG a tangible result at the approaching end to the Talks.
- (iv) The UUP felt that discussion of the paper would result in a set of general principles and that it would be difficult to work backwards from there to structures.

5. Summing up this part of the discussion, the Government Team said that all parties would be given adequate notice of when preparation for the 16 July Conference meeting would begin. They also indicated that the Government paper was never intended to be a definite statement of HMG's position; it was an attempt to draw a number of matters together. The first two headings were identical with those in the Schedule to the Workplan and it would be sensible to begin there.

6. The Government Team therefore introduced a discussion of paragraph 16 of the paper, during which the following main points were made:-

- (i) The DUP considered that the definition of Northern Ireland's status should be simply that it was part of the UK. Instability was due to the fact that Northern Ireland's membership of the UK had always been qualified and that the constitutional guarantee was being continually weakened, notably in the Anglo-Irish Agreement which provided a mechanism for propelling NI into a united Ireland. Any constitutional guarantee could be changed by Parliament at the behest of the Government. The only protection for Northern Ireland would be to give it true self-determination by stipulating that the Government would facilitate any step decided on by a majority of the population. A clear statement was needed from HMG on the question of self-determination, together with a definition of "a majority". The DUP proposed that the meeting should discuss the simple proposition that Northern Ireland was part of the UK.
- (ii) The UUP echoed the thrust of the DUP argument, adding that the Act of Union had used the words "in perpetuity". They also felt that in international law the constitutional guarantee was not in the gift of Parliament; it concerned self-determination and

was therefore within the power of the people of Northern Ireland. They considered that the best available definition of Northern Ireland's status was that contained in page 3 of their first paper. They suggested that this be placed on the table and that other participants be invited to say whether they agreed with it.

(iii) The SDLP considered that this issue went to the heart of the problem, which was the existence of a conflict of identities and the need to find a new way of accommodating them while respecting the facts. Paragraph 16 of the Government paper had referred to paragraph 20 of their own; but the latter had in addition made the point that the status of Northern Ireland had not up to now produced peace and stability.

(iv) The Alliance Party were surprised that the Unionists appeared to be advocating the end of the constitutional guarantee as it currently existed. They also made the point that the present constitutional position was set out in the 1973 Constitution Act, and that for this purpose the Anglo-Irish Agreement was irrelevant.

7. The Government Team observed that there had been an element of conditionality ever since the establishment of Northern Ireland. The present status of Northern Ireland was as set out in section 1 of the 1973 Constitution Act. The Anglo Irish Agreement represented the prevailing political realities of 1985; if a third option emerged the Governments would need to look at it.

8. The meeting adjourned for tea at 3.55 pm.

TALKS SECRETARIAT