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From: Independent Chairmen Notetakers
4 July 1996

SUMMARY RECORD OF INFORMAL DISCUSSIONS ON PROCEDURAL GUIDELINES
AND AGENDA FOR PLENARY SESSION - THURSDAY 4 JULY 1996 (10.10)

Those present:

Independent Chairmen	Government Teams	Parties
Senator Mitchell	British Government	Alliance Party
General de Chastelain	Irish Government	Labour Party
Mr Holkeri		Northern Ireland Women's Coalition
		Progressive Unionist Party
		Social Democratic and Labour Party
		Ulster Democratic Party
		Ulster Democratic Unionist Party
		United Kingdom Unionist Party
		Ulster Unionist Party

1. The Chairman said that at the point of adjournment on the previous day some of the delegations had expressed the view that it would be useful to have bilateral meetings outside of the present format. We had begun to discuss the composite rules of procedure and had got as far as item 1. He asked the participants if they wished to have more time for bilateral meetings or should the meeting return to discuss the composite draft of the rules of procedure.

2. Mr Mallon thought that we should proceed with the composite draft of the rules because the bilateral discussions may have gone as far as they could in resolving the issues in contention.

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Dr Alderdice agreed that the meeting should proceed with the discussions on the draft rules. Mr McCrea felt that it would be helpful to conduct the final element of the bilaterals. His party had some meetings, but the SDLP had refused to meet a joint delegation from his party and the UK Unionists yesterday. Both of these parties have presented joint amendments and their leader felt that it would be appropriate to have joint discussions with the British Government accordingly. It was a useful meeting as were their meetings in this format with the Ulster Unionists and the Alliance Party. But the SDLP have refused to have a joint meeting with his party and the UK Unionist party. He thought that it would be fruitful and helpful to have such a meeting. However if the SDLP do not want to have the meeting that is their business, but it seems to show a lack of good will on their part.

3. Mr Mallon said that he wished to clear up any misunderstanding that might have arisen on this issue. The DUP had requested a meeting and his party had concurred. However, he wondered why they wanted to bring along Mr McCartney, the leader of the UK Unionist party, along with them. Mr McCartney suggested that we look at this situation in a more rational and logical light. The position in relation to the Ground Rules is that they have been discussed in the meeting in the past few days. It is clear from that discussion that the joint positions of the DUP and the UK Unionist party are diametrically opposed to that of the SDLP. So it was a surprise to him for Mr Mallon to avoid any meeting with the UK Unionists and the DUP together. Perhaps Mr Mallon objected because it showed pro-union unity; or perhaps the objection was to him being present. But the UK Unionists have been cut off from a possible source of reaching accommodation on difficult issues. He will therefore have to place these issues on the table for resolution. They may, accordingly, be accused of

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delaying tactics but they feel that they have no choice in the matter.

4. Mr McCrea said that the DUP has no problem with meeting the SDLP. They have met before and during this process. But if the delegations look at page 1 of the draft composite rules of procedure they will see that the SDLP and the DUP/UKUP have proposed amendments. They are opposing amendments. The break yesterday was called so that bilaterals and other discussions could take place. With good will and trust the problem could probably have been overcome. The good will is still there from their side. Why, therefore, can't the three parties sit around a table privately to reach a solution? It is not a good sign for the whole process.

5. Mr Mallon said that if the DU and UK/UP wish to put down joint amendments that is their choice and their business, but bilateral discussions should be between the individual parties. He fails to understand how one of the big battalions must bring in with them the leader of another party. He had hoped and it was his intention to come back to the Chairman with an agreed position on the basis of bilateral discussions. He would meet with the DUP and the UK/UP separately.

6. Mr Trimble said that on the question of whether to proceed or to go back to bilaterals he didn't really mind once progress has been made. They had bilaterals yesterday. The discussions on amendments 1 and 1A had gone pretty far. It won't be possible to agree all rules of procedure at this stage and he felt that this particular issue may need to be parked until the agenda issues are settled as well as the associated procedural aspects of the agenda.

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7. Mr Campbell said that they found the DUP/UKUP bilateral meeting with the Minister of State useful and this was also the case with their meetings with the Ulster Unionists and the Alliance Party. None of those bodies raised any objection to the format of the meetings. Mr Mallon had stated twice that the DUP "wished to bring along the leader of another party", but that is not what they suggested. It was a joint delegation reflecting the tabling of joint amendments by both of the parties involved. Their views coincide on the issues of difficulty, hence the request for a joint meeting.

8. Mr McCartney said that he understood the adjournment to be for the purposes of bilaterals and other discussions. No other party found difficulty with a joint meeting between the Democratic Unionists and the UK Unionists. As the process moves on bilateral and trilateral and other meetings may well be necessary to resolve difficult issues. The matter to be discussed yesterday involved the DUP and the UK Unionist Party, both of which had similar interests, and it would not be efficient or useful to have separate meetings on the point. He also indicated to the DUP that if they wanted to meet the SDLP alone, he had no objections to that course.

9. However they felt that, as the amendments were moved in joint names, it was a practical and sensible move to meet jointly with the SDLP to discuss them. He is not the type of character to be carried along by any body or party. He does not understand how the SDLP could have any logical or sensible reason for adopting this attitude. Perhaps there is a clash of personalities but people will have to live with this. It has always been his practice to deal with people in a straightforward manner and

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opponents may very well go away with daggers in their chests but they will not be sticking out from between their shoulder blades. Mr Bleakley intervened to wish the Chairman a happy 4th July. The Chairman said that he was getting his own private fireworks display.

10. Mr Bleakley said that he felt that the tone of the discussions this morning had been significant and encouraging. This was because the meeting had been exploring other ways of doing things. He quoted Archbishop Desmond Tutu to the effect that sometimes an opportune moment or a psychological window of opportunity will arise to enable difficult matters to be dealt with. He was against deferring crisis issues at this stage of the proceedings because that could very well leave a sore taste over the summer break. He recollected that when the Northern Ireland Assembly collapsed there was a genuine regret on both sides of the political divide. A statesman of the time had said to him perhaps they had got a glimpse of the future on that occasion and that it might have worked. That is relevant now and it is worth giving it a twist as they say.

11. Mr Mallon agreed that that was a sad day all the more so because it showed what was possible. It also showed the problems that were faced 23 years ago and those problems are still present today. There are three designated pro-union parties in the negotiations (not casting any aspersions at the UDP or the PUP) and they have been putting one another under pressure in relation to the integrity of their pro-union stance. For that reason it is incumbent on the SDLP to deal with each one separately as political parties. It would be wrong for the SDLP to encourage a blocking of pro-union parties. It also has a deeper significance. The largest party is the Ulster Unionist Party and the SDLP has

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met them and will continue to meet them and will respect the integrity of their position as reflecting the majority of voters in Northern Ireland. He does not necessarily agree with them but his party respects their position.

12. However, he does not want the SDLP to be part of a process to interfere with the integrity of the Ulster Unionist Party:- in an attempt by one bloc to separate or isolate the UUP from the pro-union parties. He wants to avoid a manipulative situation. All the pro-union parties are under pressure this week and next week. The SDLP must respect the integrity of the Ulster Unionist Party and it will not be part of a process which is not in fact related to procedural matters, but is part of a broader agenda.

13. Mr Curran said that he thought the meeting had reached a moment of constructive debate yesterday. You can't force parties to speak to each other. He was very appreciative of Mr Empey's point which dealt with the case for moving forward and he thought that there could be movement. We should also attempt to move on today with discussions on the document and it might be better to park the difficulties on item 1 and move on.

14. Mr McCrea said that Mr Empey had spoken in quiet tones and that has been the tenor of contributions from their side. They are not trying to block progress. What about their meetings with the Alliance Party and the Ulster Unionist Party and Her Majesty's Government? They just wanted to see if they could identify an accommodation on the rules of procedure to enable them to proceed in an honest, open, fair and frank way. After meeting the Government, they found out that the rules of procedure did not represent a single set of rules and that the Ground Rules have not gone away.

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15. The Minister of State intervened at that point to say that what he had said to them was what he had said before - the Ground Rules are the legal descriptor of the talks process.

16. Mr McCrea continued and said that they were dealing with substantive issues. Mr Mallon seems to feel that perhaps Mr McCartney is putting pressure on the DUP. They genuinely wanted to get an accommodation. Mr Mallon's reasons for refusal - to protect the UUP is a red herring. If the DUP and the UK Unionists have dialogue or seek clarification from other parties, that is not a blocking process. Major problems have to be resolved and they should not be parked. We have to go through the rules of procedure.

17. Mr Mallon said that it was a gross misrepresentation to say that he wanted to protect the Ulster Unionist Party. The point is that the SDLP won't be used as part of what is happening in the pro-union parties. The debate on the rules of procedure has nothing to do with procedure. It's about a different agenda. The UUP don't need the SDLP. If the designated pro-union parties want to fight out this alternative agenda amongst themselves they should not use these negotiations to do so.

18. Mr McCrea regretted this speech from Mr Mallon. If the issues are not dealt with in a private way then they will be dealt with here in the open at the negotiations. There is no third agenda, they only wanted clarification in a genuine and honest way - and on no one else's opinion, only the SDLP's. With reference to a point made by Mr Bleakley, he said that the DUP is not trying to use the strength of a giant, but is seeking to deal with the problems, not to brush them under the carpet. We can only resolve

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problems through genuinely talking through differences. The problems are very deep, but if we can't talk together as a small group in private it is not a good sign.

19. At this point Mr Bleakley intervened to say this is a critical part of the year in Northern Ireland - it is important to send out the right signal to people outside. What happens here will inform the debate on public platforms throughout Northern Ireland at this time. Our paramount responsibility is to the people at this very sensitive time. A signal that the negotiators are in disarray will help people with vested interest to have a field day. This is a problem of a higher order. We have ease people's minds through continuing higher crisis.

20. Mr McCrea wondered what more positive signal can he give than for people to indicate their willingness to talk. Is it the case that he should let Mr Mallon walk all over him and who would be the giant then? He accepted that people will be going out to platforms and that if a signal goes out that the SDLP are not willing to talk to a joint DUP/UKUP delegation that is not his problem. It's a serious message going outside of this room.

21. Mr Attwood said if the DUP are still willing to talk and if, as Mr McCartney says, he has no objection to a party to party meeting, and the SDLP have indicated their preference for that type of meeting, why won't they avail of that. Mr McCrea said if these were not joint amendments he would have no problem with that approach. But we can have a meeting at the moment which has a semblance of a meeting, but that won't help to solve the serious problems. The holding of separate meetings with two parties to discuss the same issues doesn't sound helpful.

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22. The Chairman said a positive message can go out from this meeting concerning the fact that a memo on the schedule was circulated stating that demonstrable progress should be made during July. The progress was to be in relation to: a) an agreement on the agenda for the opening plenary session; b) an agreement on the rules of procedure and related issues including the status of the rules; c) appointment of a Business Committee; and d) delivering of opening statements by participants. Not a single participant dissented from that. At this point Mr McCartney and Mr McCrea indicated that they would do so shortly. The Chairman continued that he had invited responses by 18.00 and some delegations had replied but he hadn't heard from the DUP or the UK Unionists. Mr McCrea said that he wasn't informed of any deadline. The Chairman said that the staff were to deliver the message but he accepts that there may have been a misunderstanding on this point. In any event the Chairman said that by 14.00 today the delegations should send in their comments on the proposed schedule and they might be in a position to make an accurate statement on the position

24. Mr Empey jokingly said that he thought the role of the Chairman was to protect individuals around the table. Two allegations had been made against him this morning that he spoke in quiet tones and he hadn't been protected! He said that we would be better off in trying to have agreement made in bilaterals between now and lunch time. He felt that if we stayed in at the meeting and go on with the present circle of arguments nothing will happen.

25. Mr McCartney said that the Unionist community as a whole is minimised by the SDLP going over their heads to Governments. Then they appeal to the UUP. Then they appeal to the DUP on their own.

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This marginalisation or gradualisation of the DUP and his party is plain. He had no ulterior motive in looking for a joint meeting with the SDLP. He doesn't have paranoia as alleged. He simply wants to talk to the SDLP to ascertain the areas of difference disagreement. He wants a process to isolate those areas, that's all that this is about. The UUP has 30 seats, the UK Unionists and the DUP together have 27 seats. Mr Mallon is not talking about the tiny rump of pro-union parties; their assent must be obtained to make this process workable. Mr Adams said that the meeting had discussed the matter enough; he endorsed Mr McCrea's appeal for bilateral meetings but what if no bilaterals take place? He considered what is the most productive way forward. At this point Mr McCrea said that it was Mr Empey that had suggested a break, not him. Mr Adams said that perhaps he was mistaken but he thought that Mr McCrea had suggested it at the beginning of the session.

26. Dr Alderdice said it has begun to become the norm to refer to pro-unionist parties as meaning the three parties opposite. His party has always described itself as a pro-union party without apology. This is a clarification of their position. Once the substantive discussions begin, the various parties will then lay out their stalls and such matters as this will be clarified by all the delegations.

27. Mr Wilson criticised Mr Mallon and the SDLP for their continuing reference to difficulties and bad faith being created by the pro-union parties. There is also the assumption that the UUP are reasonable and that the rest are bully boys who use arm twisting tactics to force the UUP into a certain position. Could the SDLP accept a single view from people on that side of the table? In essence the Ulster Unionists have unity of purpose with

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the other parties involved. The UUP no more accepts the Ground Rules than the UK Unionist or the DUP nor do they accept the role or the remit of the Chairman. Looking at the reality of the situation there is a fatal flaw in the SDLP's contentions.

28. The SDLP's approach is that they are quite content to put together a sinister pan Nationalist front or an unholy alliance comprising IRA/Sinn Fein, the Dublin Government, and the SDLP. This was evident in the shaking of hands between the various parties in the Mansion House (Government Buildings?). Yet Mr Mallon has a difficulty with the approach of the pro-union parties. Theirs is a unity of democrats. Mr Mallon's difficulty with tripartite meetings contrasts sharply with his meetings with IRA/Sinn Fein. The voices of the UK Unionists and the Democratic Unionist Party won't be less moderate over the next few weeks. Speeches will be made on platforms. The UK Unionists won't be saying things to markedly highlight the tension - theirs will be the reasonable voice of Unionism.

29. Mr McCartney said that he will not be making any statements from any platform. He is not a member of any of the organisations involved, unlike the other more moderate members. Neither is he involved in the marching session. He said that Mr Bleakley would appreciate that. Mr Wilson said that the offer of a meeting is still open. Mr Smyth said that he recognised that there were joint amendments by the DUP and the UK Unionists. The adjournment wasn't just on the amendments. He said that Mr McCartney had also wanted to know what elements of the Ground Rules were cast in stone and this matter could have been dealt with in the bilaterals also. This should help also to free up the problem. He appealed to the parties to let joint meetings take place to assist progress on the issue. Ms Kilmurray said that she concurred with that

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view. She said that Mr Empey's suggestion should be taken up and we should come back after lunch to move the situation forward. The Chairman said that the proposed rule 21 which is still under consideration provides that the Chairman may seek meetings with any delegation or a group of delegations. He proposed to do that and return at 14.00. He said he will meet with the UUP, SDLP, DUP, the UK Unionists and possibly other parties. It may be possible to devise a way forward in this manner. The meeting ended at 12.30.

[Signed]

Independent Chairman Notetakers
4 July 1996

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