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FROM: ALLEN McVEIGH
TALKS SECRETARIAT
26 July 1996

cc PS/Secretary of State (B&L)	- B
PS/PUS (B&L)	- B
PS/Sir David Fell	- B
Mr Thomas (B&L)	- B
Mr Bell	- B
Mr Steele	- B
Mr Watkins	- B
Mr Lavery	- B
Mr Lindsay	- B
Mr Maccabe	- B
Mr Perry	- B
Mr Stephens	- B
Ms Checksfield	- B
Miss Harrison (B&L)	- B
Mr Whysall (B&L)	- B
Mr Campbell-Bannerman	- B
Mrs McNally (B&L)	- B

Mr Hill (B&L) - B

NOTE FOR THE RECORD

TALKS: THURSDAY 25 JULY 1996: UNIONISTS POSITION ON DECOMMISSIONING

It may be helpful, in advance of the detailed note, to set out the emerging positions of both the UUP and DUP yesterday; the latter, and Peter Robinson in particular, showed a willingness to avoid running into the sand, more so than the UUP. However, by the end of the day both the UUP and DUP came together and appeared to have reached a joint strategy to force the issue on driving decommissioning further up the agenda. (The Irish and SDLP, and most likely others, though not established for definite, particularly the Loyalists take an opposite view.)

10.15 am

2. Jeffrey Donaldson first gave a hint of what was to come from the UUP in the morning informal conferral session, indicating that agreement was needed on 2(c) - agreement on the mechanism for decommissioning - before agreeing 2(f) - launch of the

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Three-stranded negotiations in parallel - of the Governments proposition paper of 25 July. Also, he indicated that 4(b) of the resumed Opening Plenary agenda should limit the participants commitment only to Section 6 (modalities) of the IB Report rather than "all aspects"; otherwise he argued the debate on this could take days.

12.40 pm

3. In the first DUP bilateral of the day, Dr Paisley also expressed concern about "all aspects" of decommissioning on the agenda, taking the view that until all the (never ending) confidence-building measures that would be sought by SF/IRA were in place there would never be actual decommissioning. He also asked if the "establishment of agreed machinery" in paragraph 8 referred to introduction of legislation but was told that this envisaged the establishment of a sub-committee. He also dismissed the bench-marking suggestion of Ken Maginnis, saying, "what will Ken come up with next!". He also made a stinging attack - with reference to the McGoldrick killing - on the Loyalists in passing. (In the subsequent wash-up it was agreed that the 4(b) wording should be looked at again.)

1.20 pm

4. The UUP came next and revealed the full extent of misunderstanding (or back-peddling?) of their now firm position on decommissioning moving to the top of the agenda. In essence they wished to avoid any scenario in which SF could join the process and claim they were involved in negotiations without decommissioning having commenced. Empey continually pushed the line that such a complicated issue could not possibly be resolved quickly and certainly not in a couple of days. They chose to ignore earlier understandings that they had agreed that movement to complete the Opening Plenary agenda now would allow a positive beginning to negotiations proper in September.

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5. The UUP proposed a working group (this term was to avoid confusion with sub-committee) to look at decommissioning over August and to report back with preliminary findings in September. They listened but gave no commitment to a request to identify what issues they wished to see the proposed working group address before its first report back to the Plenary. Also, on bench-marking they would not listen to reasoned argument that this would be seen as a trade-off: Empey was adamant this had earlier been agreed in discussion with Trimble. Their only "concession" was a recognition that a UK legislative framework was unlikely to be in place this side of Christmas and they expressed grave doubts about whether or not the Irish were seized to take action on this aspect.

2.05 pm

6. In a sombre wash-up it was agreed that it was important to re-establish directly with Trimble exactly where the UUP now stood on this issue. Their turnaround had taken the gloss off the hard work of the day before to reach agreement on the agenda for the remainder of the Opening Plenary. (It was also agreed at that point to hold off briefing the Irish until the UUP had tabled their agenda paper.)

3.15 pm

7. In the mid-afternoon informal conferral session the UDP, DUP, UUP and UKUP only tabled proposals to go alongside the Government's proposal of 25 July for the agenda for the remainder of the Opening Plenary (to be circulated separately). This confirmed the revised stance now adopted by the UUP during the morning. The UUP sought to restrict discussion on decommissioning proposals - see 4(a) - to modalities only (Chapter 6 of the IB Report) but even the DUP appeared to accept that this would be too restrictive and contrary to the language of the 28 February Communiqué. Peter Robinson pointed out that in 4(b) - participants commitment to work constructively to implement all aspects - the wording was flawed since the parties did not have the authority to do all that was

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proposed. He suggested a general affirmation on decommissioning only principle was needed, which the DUP would accept, before getting down to detail. On 4(c) - consideration of mechanisms necessary - this to him suggested a lack of commitment, but again Robinson thought that re-wording should resolve this point. (The Secretary of State acknowledged this and agreed to insert "agreement" after "consideration" in 4(c).)

8. There appeared to be a difference of opinion between the UUP and DUP on whether or not decommissioning would stall (the DUP apparently against) the next items proposed for the Opening Plenary agenda: discussion (item 5) and adoption (item 6) of a comprehensive agenda for negotiations. It was at this point Plenary heard suggestions muted that extra time might be necessary next week in order to reach the hoped for agreement. Once again in a helpful intervention, Peter Robinson, who agreed that decommissioning would take a considerable length of time to resolve, suggested that the mechanisms only should be set up in the agenda under general rather than specific headings. Early next week would then establish what might be needed - whether it was a working group or more time needed - to resolve. All bar the UUP, who kept quiet at that stage, concurred.

9. Debate on the Governments proposal (item 8) - establishment of agreed machinery to carry forward work on decommissioning; launch of three-stranded negotiations - revealed UUP and DUP unanimity in opposing this parallel approach. Shortly afterwards Plenary adjourned to allow further bilateral meetings.

6.20 pm

10. The UUP continued to hold their ground that decommissioning should be addressed prior to negotiations. They even suggested the agenda as it stood played into the hands of the DUP who could keep SF out for good and also drive out the UDP and PUP for good measure. Again protracted reasoned argument, especially that the

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agenda as drafted did not prevent the UUP from advancing their particular argument, fell on apparently deaf ears; brought about by their fear of potentially sitting in negotiations with SF without decommissioning come September. A key phrase came from Empey: "unless we get progress on decommissioning we are not minded to move into political negotiations", although this was tempered somewhat by some willingness expressed to tie up all other procedural matters quickly and to make progress on other parts of the agenda.

11. A hint came that re-wording of (item 8) - to match negotiations with decommissioning pace - might help thaw their present mind-set but it was stressed that they could not give a commitment (suggesting consultation with Trimble both by them and HMG was necessary).

7.00 pm

12. In the wash-up the British side agreed to urgently look again at the re-wording of the agenda but concluded that it was beyond reach to get an agreement before the weekend.

7.15 pm

13. In a second bilateral with the DUP, confirmation that decommissioning needed to be afforded a higher point on their agenda; no sympathy for any constituency other than their own; and confirmation from Dr Paisley that the DUP would be prepared to go on with the talks while the working group proposed by the UUP, which they had now warmed to, drafted up interim recommendations meantime. They immediately then went off for further consultations with the UUP.

10.00 pm

14. The final bilateral of the day saw a joint UUP/DUP delegation come in fairly optimistic mood which the British side quickly sought

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to dampen. Again, Robinson continued to seek to lessen the UUP stance which Empey promoted (Donaldson had gone by this stage): he suggested the half-way house of an interim report from the (UUP proposed) working group on decommissioning would suffice. Both parties agreed however that the skeleton proposal of the Governments would not suffice and that it was time for Nationalists to go the extra mile for a change. In the second and final part of the meeting it was agreed that deadlock and a complete breakdown should be avoided at all costs and that it might be necessary, with which Dr Paisley agreed, to pull back and stop at the point just before agreement ended.

15. The outcome of the Secretary of State's meeting with Trimble would be important, although the latter had already put down a marker with No 10 for a "crunch meeting" with the PM early next week.

[signed AMcV]

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