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FROM: JOHN McKERVILL
 Talks Secretariat
 24 July 1996

cc: PS/Secretary of State (B&L) - B
 PS/Sir John Wheeler (B,L&DFP) - B
 PS/Michael Ancram (B, L&DENI) - B
 PS/Malcolm Moss (B, DHSS&DOE) - B
 PS/Baroness Denton (B, DOE&DANI) - B
 PS/PUS (B&L) - B
 PS/Sir David Fell - B
 Mr Thomas (B&L) - B
 Mr Bell - B
 Mr Legge - B
 Mr Leach (B&L) - B
 Mr Steele - B
 Mr Watkins - B
 Mr Wood (B&L) - B
 Mr Beeton - B
 Mr Currie - B
 Mr Hill (B&L) - B
 Mr Lavery - B
 Mr Lindsay - B
 Mr Maccabe - B
 Mr Perry - B
 Mr Stephens - B
 Ms Checksfield - B
 Miss Harrison (B&L) - B
 Ms Mapstone - B
 Mr Whysall (B&L) - B
 Ms Collins, Cab Off (via IPL) - B
 Mr O'Mahony, TAU - B
 Mr Lamont, RID FCO - B
 HMA Dublin - B
 Mr Westmacott (via RID) - B
 Mr Campbell-Bannerman - B
 Mrs McNally (B&L) - B

FILE NOTE

TALKS: TUESDAY 23 JULY 1996: SUMMARY

1. A long day of bilaterals and deliberate press briefing by the DUP and SDLP, with the actions of the latter bringing hopes of completing the opening plenary agenda seriously into doubt.
2. Responding to Dr Paisley's letter of 22 July, the Secretary of State issued a reply stating that the proposals in the "Opening

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Scenario" paper had effectively been overtaken, and that the paper was no longer on the table. Paisley subsequently went out to the press claiming that the Chairman's powers had been "emasculated" (which prompted Senator Mithcell to say that he would wish to speak to his wife before she had a chance to read the newspapers!) and that his wings had been clipped. The UUP were subsequently obliged to tell the press that this was no victory for the DUP in that the "Opening Scenario" paper had been removed from the table by the Irish as long ago as 12 June!.

5. Meanwhile, the Chairman had been holding separate bilateral

3. The SDLP's press briefing had a potentially greater negative impact. At a bilateral with Michael Ancram in late morning, the SDLP said they would be bringing forward proposals, to all the talks participants, on the agenda and on the immediate way forward. Seamus Mallon refused a request from the Minister to show his proposals to the two Governments before tabling them. There was no indication that within the next two hours, the SDLP would issue their proposals to the press as well as to the delegations. Their proposals effectively set a deadline of the following week for the completion of the agenda for the opening plenary, including discussion of the International Body's Report, and the establishment of machinery to take forward work on decommissioning.

Rules of Procedure was conditional on agreement of the Agenda. For

4. The Irish Government delegation, apparently as surprised as the British Government team at the SDLP's actions, sought during the rest of the day to distinguish between the form of releasing their proposal, as opposed to the substance of it. They argued that they shared the SDLP's desire to move forward as quickly as possible to addressing substantive issues (a proposition that the British Government team shared) but failed to recognise the damage that the SDLP's statement had caused in reaching that objective.

Michael Ancram and the Secretary of State tried to argue, apparently on deaf ears, that the SDLP's actions had only made it more difficult for the British Government to table a joint paper, as the Irish had wanted, pressing for quick resolution of the opening plenary before the Summer recess. To bring forward a paper

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on the back of the SDLP paper would arouse Unionist suspicions of a conspiracy. The Irish side refused to accept the British Government's proposal to ask the Chairman to convene an all-party gathering to debate the SDLP's paper. At the same time, the British Government refused to accede to Irish demands to agree the joint paper on a schedule for the completion of the opening plenary agenda (or as much of it as possible) until it had a chance to gauge reactions of Unionists to the SDLP's statement.

5. Meanwhile, the Chairman had been holding separate bilaterals with the UUP, the DUP and the SDLP to agree the outstanding points on Rules of Procedure. At close of play he informed the two Governments that he believed he had reached agreement between the UUP and the SDLP on Rule 15, which he described as the greatest single achievement of the day. Other drafting changes and amendments on other rules were still to be resolved, but on the basis of parties' amendments he proposed to have separate meetings with the three main parties early the next day to discuss revised Rules of Procedure, following which he proposed to draw up a final set of Rules, on which he proposed to reach agreement at a gathering of all the parties the next afternoon beginning, probably, at 1430. He made clear, however, that agreement of the Rules of Procedure was conditional on agreement of the Agenda. For their part, during the whole day, the Irish sought to maintain that the SDLP would only agree to a set of Rules of Procedure if there was also agreement to early completion of the Agenda for the opening plenary. The British Government maintained its position that it would have to gauge reactions of the Unionist parties to the SDLP's press release before committing itself to a joint paper with the Irish Government on the scheduling of the remainder of the opening plenary. The Chairman, in the meantime, hoped that both Governments could field a team to carry business forward on Thursday.

6. A more detailed note will follow.

(Signed)

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