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FROM: John McKervill
 Talks Secretariat
 18 July 1996

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

File Note

TALKS: WEDNESDAY 17 JULY 1996

Summary

1. A relatively quiet day. A constructive meeting with an apparently chastened Trimble, who described the revised agenda as helpful. He would consult colleagues on the agenda and revert to Ministers. The British team impressed on Trimble the need to make early and real progress in agreeing Rules of Procedure and the agenda with the SDLP, through Mitchell's mediation. Trimble suggested that differences between the UUP and SDLP on Rules of

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Procedure were not insuperable. Mitchell was encouraged by the two Governments to consider calling a formal plenary on Monday 22 July to ensure momentum of the talks. He agreed to consider, but expressed "cautious scepticism". Irish and British officials agreed to consider a form of words that might help to resolve differences between the UUP and SDLP on paragraph 15 of Rules of Procedure. The two Governments and the Chairmen agreed to reassemble at 1000 the next day.

Detail

2. At the morning briefing meeting the British delegation set as its objective, the need to impress upon Trimble the urgency of the situation and the need now for constructive dialogue. It would be important to reach opening plenary by the time the talks rose for the summer. It was believed that, given goodwill on the part of both the UUP and SDLP, they could reach agreement on the Rules of Procedure. As for the agenda, the Secretary of State agreed to float the draft of 20 June, which we had agreed with the Irish, with Trimble. It was also left that the Secretary of State might speak to the Prime Minister to encourage him to contact Trimble by telephone, after the former's meeting with the SDLP, to impress upon him that the talks process was close to the edge and that urgent dialogue was required.

3. David Trimble, accompanied by a staffer, subsequently joined the Secretary of State and Michael Ancram for a meeting at 0950. The Secretary of State began by stating the gravity of the situation and the need for early and real progress. In return, Trimble said that, provided the SDLP were ready to engage, he envisaged no great problem in resolving differences over the procedural issues. Of course, he expected the DUP and UKUP would still enter into theological argument about the status of Ground Rules, at which he would have to "grit his teeth".

4. The Secretary of State agreed that it was important to stick to a spirit of cooperation and was encouraged at what the UUP leader

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had said. Turning to the issue of an agenda for the remainder of the opening plenary, the Secretary of State recalled that at the end of June, at a meeting with Trimble, the UUP had argued that their bottom line on the agenda was the curtailment of the Chairman's subjective adjudicating powers and the reordering of items on the agenda in order to have decommissioning discussed earlier in the process. Having reflected on Trimble's comments, the Secretary of State said the Government had drawn up a revised agenda, which he handed over to Trimble (with the 20 June date obliterated!). It sought, he said, to meet the UUP's concerns. After reading it, Trimble's reaction was to say that he believed it to be helpful, but that he would need to consult his colleagues, particularly on the mechanisms in paras 5(C) and 8 and would then come back to Ministers. The Secretary of State said that it would be helpful to have his further thoughts as soon as possible. (In the event, it was not possible to get any further feedback from the UUP during the day as Trimble had to go to London and the remaining delegation felt unable to speak with authority).

5. Following this meeting the Secretary of State departed for London. At 1150 the Irish delegation, led by Minister Coveney, had a meeting with Michael Ancram and officials which began with an oral report from Michael Ancram on the previous meeting with Trimble. He believed that, if possible, the Rules of Procedure and agenda needed to be sorted out between the UUP and SDLP by the next day if meaningful progress was to be achieved before the talks broke for the summer. The Irish concurred. The Irish also agreed to try and broker the revised agenda with the SDLP, bearing in mind that the latter's main players were in London meeting the Prime Minister.

6. There then followed a joint examination of the "Key Paragraphs: SDLP and UUP" document (circulated separately) and the two Governments' views were subsequently given to the Chairman. (see para 7). Michael Ancram also registered the issue of timing and suggested that both Governments might advise the Chairman, if progress were made and Rules of Procedure pretty well sewn up, that he should consider calling a formal plenary on the afternoon of

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Monday 22 July, at which the Rules of Procedure and agenda could be adopted, in order to be seen to maintain the momentum of the talks, with a further plenary possibly the following Monday (29th) to hear opening statements. He was concerned that if a plenary was not held on Monday (a plenary cannot be held on Tuesday or Wednesday because of a commitment given to the UKUP) we might lose the pressure on others to cut a deal. The Irish readily agreed, believing such progress was in the interest of the SDLP.

7. At this stage (1220) the two Governments were joined by the Independent Chairmen who invited their views on the Key Paragraphs document. On (UK1), both Governments maintained that reference to the Command paper had to be retained; that they had a preference to keep the words in brackets; but that neither would go to the wall if the UUP and SDLP agreed otherwise. Consideration of (UK1A), the Chairman explained, was linked to (17A) and insertion of "proceedings" in the former was linked to omission of "substance" in the latter. The Irish argued that "proceedings" opened up a broader field than "procedures" and believed the SDLP would consider this as reducing further the scope for Ground Rules to be invoked. Michael Ancram, however, asserted that the British Government would go along with anything agreed between the UUP and SDLP, a proposition which the Irish said they too could probably accept.

8. On para (15), Michael Ancram advised the Chairman that the SDLP language was not the same as the last joint Government formula which had made reference to "receiving a fair hearing". Again, if the two parties agreed on an alternative formulation, he would go along with it. Neither the two Governments nor the Chairman believed the omission of "an indicative calendar" in (17) would be a stumbling block for the SDLP. Finally, on the amendment to (GR17), both Governments insisted that referrals of representations should be to the two Governments for consideration and appropriate action. There was an inconclusive debate on the reasoning for the UUP's insertion of 6 June language in the proposed wording, although both Governments agreed it would not present a problem to either of them.

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9. Discussion then turned to the timetable, with Michael Ancram putting forward the proposal, he had earlier agreed with the Irish, for a plenary on Monday 22 July. Dubious about the prospect of such rapid progress, Senator Mitchell said he treated the proposal with "cautious scepticism". He reported that he had also told Dr Paisley that he would call a full gathering the following week, during which there would be an opportunity for general discussion, which would be likely to take up a considerable amount of time. At Sir David Fell's suggestion, the Chairman agreed that this might possibly be held on the Tuesday or Wednesday, or both. Senator Mitchell also questioned what would be the reaction of the UUP to breaking for the summer with completion of opening statements, but no discussion of decommissioning.

10. It was agreed, eventually, that the Chairman would consider further and that in the meantime the British and Irish Governments would test out this timetable with the UUP and SDLP respectively. The Irish undertook to report to the Chairman following their discussion with the SDLP later that afternoon. Michael Ancram said he hoped to have a further meeting with the UUP the next morning, perhaps on the VCR, at 0930. (NB: now arranged for 1200 today). Both Governments agreed to reassemble with the Chairmen at 1000 the next morning.

11. The day was completed with a meeting between British officials and David Cooney of the Irish delegation, who reported on his Government's meeting with the SDLP delegation. He reported that the SDLP had not conceded on any point in their two meetings with the Chairmen. He believed that the big difficulty - and the potential crunch point - was para (15). The SDLP needed to be assured that their legitimate concerns would be listened to and seriously addressed. This, he assured the British side, was not a point of debate, but a core point of principle which went back to parity of esteem. After some debate on potential wording which might meet both

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parties' concerns, both the British officials and Mr Cooney agreed to reflect on a possible formulation which might do the trick. Cooney confirmed that he had given the SDLP a copy of the revised agenda, which they had undertaken to consider.

(signed pp Diane McNally)

John McKervill
Ext 27088

cc: PS/Secretary of State (LAB) - B
PS/Sir John Wheeler (L. RACFP) - B
PS/Michael Andrew (L. RACFP) - B
PS/Malcolm Ross (L. RACFP & DMS) - B
PS/Bernard Denton (L. RACFP) - B
PS/PS (LAB) - B
PS/Sir David Bell - B
Mr Thomas (LAB) - B
Mr Bell - B
Mr Lodge - B
Mr Leach (LAB) - B
Mr Steele - B
Mr Watkins - B
Mr Wood (LAB) - B
Mr Beeton - B
Mr Currie - B
Mr Hill (LAB) - B
Mr Lavery - B
Mr Lindsay - B
Mr Macdonald - B
Mr Perry - B
Mr Stephens - B
Ms Checkfield - B
Ms Mapstone - B
Mr Whysall (LAB) - B
Ms Collins, Cab Off (via IPL) - B
Mr O'Mahony, TAU - B
Mr Lamont, RID - B
HMA Dublin - B
Mr Westmacott (via RID) - B
Mr Campbell-Bannerman - B
Mrs McNally (LAB) - B

Mr Harvill - B

TALKS: TUESDAY 16 JULY 1996

It may be helpful to colleagues to have a small gloss on your comprehensive record of Tuesday's meetings.

2. It emerged during Senator Mitchell's briefing on this morning with the SDLP that the SDLP had initially proposed that the talks procedure should simply be put to the assembled delegations and voted through by sufficient consensus. If the SDLP parted company from the SDP and UKUP it would demonstrate "fair good faith", otherwise the process would be over.

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