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Summary Report (24 June 1996)

1. Delegations met twice today in the conferring format. There was also a round of bilateral meetings. The next conferring session has been scheduled for 10am tomorrow.
2. The talks continue to be deadlocked on the issue of the relationship between the ground-rules and the draft rules of procedure. While broad support has been registered for the approach of transposing the procedural elements of the ground-rules into the rules of procedure, progress towards agreement in this respect was impeded today by UUP efforts to modify the terms of one of the key ground-rules which the two Governments envisage importing.
3. The UUP had been shown a copy of the draft reflecting this approach which was prepared by the two Governments last Thursday following the informal consultations. They indicated this morning a continuing concern about the implication (which they felt the draft contained) that the UUP would have to sign up to the Framework Document. The British offered them a version of the relevant paragraph which would make clear that no outcome to the negotiations would be "limited by anything other than the need for agreement". We indicated that we could accept this change in the interest of compromise.
4. It subsequently emerged that the UUP also wished to qualify in the same paragraph the freedom of participants to raise any issue (also provided by para 3 of the ground-rules) - so as to undermine possible claims by Paisley and McCartney that the Union could be open to debate. David Trimble circulated a redraft of the paragraph which dropped the explicit reference to "constitutional issues" and added the element indicated above as well as the stipulation that any agreement reached "shall take precedence" (aimed presumably at the Framework Document, though conceivably the Anglo-Irish Agreement as well, and a potential threat to the "nothing is agreed....." proviso).
5. Efforts were made in a comprehensive series of bilaterals to find solutions to these difficulties. The Government delegation (led by the Minister for Equality and Law Reform, the Attorney General and Minister Coveney) had bilateral meetings with the SDLP, the UUP, the UDP, the PUP, Labour and the NIWC as well as with the British Government and the Chairmen. (Notes on some of these meetings to follow) The negotiating atmosphere was not improved by a pattern of sustained bilateral contact for much of the day between the UUP and the British Government - despite undertakings on the UUP's part to talk to the SDLP and the outstanding proposal from our delegation for a meeting (acted upon only in the late afternoon).
6. We made clear at all of these bilaterals that the proposal to handle the ground-rules dimension in this way represented the outer limit of what was reasonable or viable if parties were to remain at the table. We emphasised to the British Government the

very considerable efforts already made to accommodate Unionist concerns and the acute political risks for the SDLP if Trimble was put in a position where he could demonstrate that the ground-rules had been overturned. While we could countenance marginal adjustments in language in the interests of overcoming the impasse, we could not accept fundamental redrafting of the ground-rules.

7. The Chairman (Harri Holkeri, substituting for Senator Mitchell) opened this morning's session by reporting that some progress had been made in the bilateral consultations last Thursday. An adjournment till noon to facilitate further consultations was agreed.
8. In the event, the full conferring format did not reconvene until 5pm. The Chairman told delegations that consensus had not yet been achieved. He proposed an adjournment until tomorrow morning (10am), when a revised draft of the rules of procedures paper (originally promised for 11am this morning) would be circulated. This draft would incorporate changes already agreed to the 19 June version. A companion document would reflect amendments proposed during the informal consultations last Thursday and again today. He invited delegations to submit written proposals in the latter respect before 8pm this evening.
9. British Ministers subsequently canvassed with us a number of amendments which diluted, or removed, key aspects of the ground-rules. We made clear that these were unacceptable and they were withdrawn. Two points were, however, agreed (one a minor clarification, the other more significant but catered to elsewhere in the text). These two amendments were jointly tabled this evening on the strict understanding that the British Government would deal resolutely with any further changes sought by the Unionists. We made abundantly clear that we would not allow our agreement to them to be treated by the Unionists, or the British Government, as the point of departure for a further round of negotiation.
10. The two Governments have agreed a number of other amendments which have been jointly proposed to the Chairman. The revised draft and companion document are to be made available to delegations at 9am tomorrow.
11. A date for a resumed Plenary will be set in the light of progress on these issues and also on the draft agenda (to which the Chairman originally hoped to turn today).

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