

Confidential

Summary Report (24 July)

1. For much of the day, the Chairman carried out further consultations with the UUP, the DUP and the SDLP on the draft rules and reported developments at intervals to the two Governments. His compromise text reflecting an agreed outcome of this work (attached - NEG 3/96) was finally circulated to the other delegations at 6pm. The informal round-table session to consider this text was convened at 6.30pm and concluded at 10.30pm.
2. An unwelcome development was the DUP's notification to the Chairman, very shortly before this session began, that they wished to table a number of amendments which might be discussed when the session resumes tomorrow. They indicated privately that they expected these amendments to be voted down and were essentially going through the motions. They were also willing to accept a time limitation for debating them (a few minutes each). Pointing out that it would in any event not be possible to agree the rules ahead of Monday's Plenary, they proposed that the round-table group would agree that the first item of business at that Plenary should be the adoption of the decision-making section of the draft rules (which enshrines sufficient consensus). This would permit the subsequent adoption of all the other rules.
3. Senator Mitchell was attracted to the DUP proposal as it appeared to hold out the prospect of avoiding a lengthy dispute at this evening's session on the issue of where authority to take the rules towards decision resided. He was not inclined to view it as a delaying tactic. He understood, furthermore, that the UUP and the UKUP supported it (including the time-limitation aspect).
4. The two Governments warned that there would be a strong reaction from other delegations to an attempt to extend an already extraordinarily protracted negotiation and to reopen matters which had been settled, after hard-fought compromises all round, in the Chairman's text. There was no guarantee that a time-limitation undertaking would be honoured by each of the Unionist parties. Moreover, valuable time which had been earmarked for discussion of the agenda would be lost.
5. These and many other concerns were indeed voiced by the SDLP and most other delegations during this evening's session. The general theme was that, after forty days of exhaustive consultation on these rules, the time had come to decide on them. The Secretary of State mentioned a view, inside and outside the talks, that "enough was enough" and the Minister for Justice strongly endorsed his remarks. The two Governments and eight parties signalled their clear support for the Chairman's text.
6. The DUP duly circulated nine amendments, all of which were familiar from earlier exchanges (attached - NEG 4/96). The UUP said it would not be putting forward amendments, and anticipated decision on these rules next Monday, but expressed support for some of the DUP amendments (not specified).

7. It was ultimately agreed that parties would be free to table amendments up to 11am tomorrow (but no later) and that these would be considered at tomorrow's session.
8. An additional complication was created this evening by the behaviour of the UKUP representative (Paddy Roche, in McCartney's absence on holiday). Announcing that his party would also be tabling amendments, Roche indicated that one of them would relate to sufficient consensus. The Chairman pointed out that, combined with the DUP proposal, this could have the effect of preventing any decisions being taken on any matter by the round-table group and would, accordingly, have very serious consequences for the talks.
9. The row which subsequently developed may have arisen to some extent from ignorance on the part of Roche, an infrequent attendee, about the position taken by his own delegation earlier in the talks on a matter which, it was agreed, would be handled in the form of a resolution to be moved by the Chairman in Plenary. A number of sallies by the DUP to rescue Roche did not appreciably reduce his isolation. The evening concluded with the Chairman supplying him with a draft of the resolution in question and agreeing to discuss it with him. The episode deepened suspicions on all sides about UKUP intentions in relation to the talks.
10. The second major development today was agreement by the two Governments on a joint paper which will circulate to delegations the proposed agenda for the opening Plenary (as agreed between us on 20 June) and propose the completion prior to the recess of the decommissioning discussion and the discussion/adoption of the comprehensive agenda. This paper also proposes that the three-stranded negotiations would begin no later than 16 September. It will be distributed early on Thursday morning, partly with a view to providing an alternative focus for discussion in the round-table session (which resumes at 10am).
11. In addition to a round of meetings with the Chairmen and the British Government, the Government delegation had bilateral contact today with the SDLP and the NIWC.

David Donoghue
24 July 1996