

Confidential

Summary Report (17 July)

1. The main focus today was on bilaterals between the Chairmen and, respectively, the SDLP and the UUP for the purpose of narrowing the gap on the draft rules of procedure.
2. The Chairmen circulated in confidence a tabular comparison of the proposals received last night from both parties in relation to the outstanding points. A separate note by Mr Cooney analyses this document in detail and the position reached on the various points at the end of today's discussions.
3. In summary form, there are three key issues which remain to be resolved.

First, the UUP wish to delete from the proposed introductory paragraph the explicit reference to the ground-rules. A compromise solution would be to retain the reference to the Command Paper but to delete the subsequent description which identifies the latter as the ground-rules. Both Governments and the SDLP recognise this as a compromise with which they could live, subject to satisfactory movement by the UUP on other points.

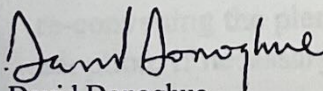
Second, the UUP are still challenging a crucial sentence which gives participants the right to raise any significant issue of concern to them. The SDLP had undertaken to come back with compromise language on this point, if they could identify any, but have so far been unable to do so. We have agreed to assist them in the search for an acceptable alternative. If none can be found, however, the text tabled by the two Governments remains on the table.

Third, the UUP are proposing that representations about non-compliance with the Mitchell principles would be referred to the British Government only, rather than to the two Governments. Both Governments and the SDLP are insisting on the latter approach (which commends itself to the British Government partly because of the possibility that alleged violations may occur during sessions of the talks in our jurisdiction).

4. Senator Mitchell has expressed the hope that agreement can be reached on these and the other outstanding points by close of business tomorrow. He remarked to the Government delegation that this would be a useful test of whether or not the UUP intend to do business. According to Michael Ancram, Trimble was in constructive form at a bilateral this morning. Contact is to be arranged between Ancram and Trimble early tomorrow morning.
5. A further development today was the informal circulation to the UUP and the SDLP of the draft agenda for the opening plenary (as agreed privately by the two Governments on 20 June). According to Ancram, Trimble was positive in his initial reaction to it. The extent to which he proposes amendments to it will, of

course, be the acid test. Ancram was characteristically sanguine on this point, claiming that Trimble recognises the gravity of the situation and accepts the need for rapid progress. We warned that any relapse into nit-picking and time-wasting, whether on the agenda or the rules, would be the clearest possible sign that the UUP do not intend to do business.

6. The SDLP reacted favourably to the agenda when the Government delegation handed it over. In general terms, the SDLP's representatives (Farren and Attwood) found themselves in a slightly uncomfortable position today. The party had decided not to be present at Castle Buildings (partly because of the Downing Street meeting and partly to register their unwillingness in present circumstances to have bilaterals with the Unionists). At the Chairman's request, however, they fielded two representatives to be available for consultations - only to find that important decisions were being expected of the party today on the draft rules. Farren and Attwood had to make clear the limits on their room for manoeuvre. It is likely that Seamus Mallon will lead their delegation tomorrow.
7. The Government delegation, which was led by Minister Coveney, had a bilateral today with the British Government and a number of meetings with the Chairmen (the first of which involved both Governments). In addition to several meetings with the SDLP, we had a bilateral with the Alliance Party.
8. On the general timetable, the two Governments proposed to the Chairmen that, if SDLP/UUP agreement on both the rules of procedure and the agenda could be reached by tomorrow evening, decisions on both might be "fast-tracked" as follows. Senator Mitchell would circulate the documents concerned to all delegations on Monday morning. He would then convene a full Plenary for, say, the late afternoon with a view to formal adoption of the rules and the agenda, if necessary by sufficient consensus. As the UKUP had already been given an assurance that there would be no plenary sessions on Tuesday or Wednesday next, and as the SDLP had received a similar promise in relation to Thursday, the Plenary might be reconvened for Monday 29 July for the purpose of beginning the opening statements.
9. Senator Mitchell responded positively to this suggested work programme but expressed doubts about whether matters would move quickly enough to permit a Plenary next Monday afternoon. The Plenary would also have to accommodate Paisley's repeated demands for an opportunity to vent views about last week. This in turn would put Trimble under pressure. A Plenary on Monday evening could be a protracted and difficult affair.
10. The Senator pledged, however, to do everything possible to achieve it and also made clear his determination to push through the adoption of the rules and agenda by sufficient consensus.



David Donoghue

17 July 1996