

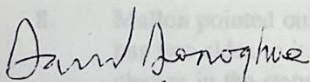
Confidential

Summary Report (2 July 1996)

1. A full day of negotiations today (10am-7pm) achieved little in the way of measurable progress.
2. The principal culprit was Robert McCartney, who launched sustained tirades against the two Governments and the Loyalist parties in the context of various amendments under discussion. The most heated exchange of the day occurred between McCartney and David Ervine, who objected strongly to the UKUP leader's imputations about the PUP. McCartney also crossed swords with the Women's Coalition and other delegations.
3. The frequent interventions by Ian Paisley and his colleague Nigel Dodds were less acrimonious but no more productive in terms of making progress. Reg Empey was generally constructive but clearly felt constrained about committing his delegation in the temporary absence of his party leader (who returns tomorrow).
4. During the morning, delegations considered a series of DUP amendments to the draft rules of procedure. Two of these related to the role of the Chairpersons. One proposed to deny the latter the right to make public comment while the other sought to confine them to the rules of procedure and to preclude recourse to the ground-rules.
5. On the first of these, the British Government noted the existing provisions for confidentiality. We pointed out that a situation far more likely to arise than that conjured up by the DUP was that the Chairmen might find themselves exposed to unwarranted public criticism and would have to have the means of defending their own dignity in such circumstances.
6. On the second, the two Governments resisted protracted Unionist efforts to ensure that negotiations would be governed solely by the draft rules of procedure. The British Government suggested that this was both inappropriate and unnecessary. They put forward a possible compromise formulation but, when it became clear that this would not satisfy McCartney and Paisley, signalled their intention to withdraw the suggestion and to stick to the original text.
7. Discussion then turned to a further four DUP amendments, tabled in conjunction with the UKUP. One of these, which introduced the unhelpful concept of compliance with the non-violence requirement being judged "from time to time", was hotly debated and sparked the exchanges between McCartney and the Loyalist parties.
8. The other DUP/UKUP amendments sought to marginalise the ground-rules and were used by Paisley and McCartney to reopen the status question. In a private conversation with the two Governments, the Chairman noted the SDLP amendment in the opposite direction and observed that matters were now approaching the point where the status of the ground-rules would have to be resolved once and for all. He subsequently proposed to delegations that

this debate should be tackled now.

9. The afternoon session was devoted to a discussion of a surviving UUP amendment (two others having been withdrawn) which dealt with the question of expulsion from the talks in the event of non-compliance with the principles of democracy and non-violence. The Unionists demanded an involvement for the parties in the reaching of any such decision. The British Government tabled a possible reformulation of the amendment to build in a mechanism for handling the matter. Empey reserved his position on this.
10. The Chairman availed of an early evening session to open the debate on the status of the ground-rules (on the basis of the memorandum which he circulated last week).
11. In a low-key intervention, Empey suggested that the UUP were seeking a commitment on the part of the two Governments to the rules of procedure as the authoritative document of reference and wished essentially to satisfy themselves that the ground-rules will not impinge "in a superior way" on the agreed rules. Mallon reiterated the SDLP amendment and took issue with suggestions by McCartney that the ground-rules, and the major documents negotiated between the two Governments over the years, amount to a nationalist prospectus to the detriment and exclusion of the Unionists.
12. Minister Coveney restated the position taken by the Government delegation on the ground-rules issue at earlier meetings. He said that the absence of clarity about the draft rules of procedure made it impossible to decide whether in practical terms the rules could be a self-sufficient document for the purpose of the conduct of the negotiations.
13. At the close of business, the Chairman said that, in order to avoid a circular debate about ground-rules and the rules of procedure, delegates should decide "which was the chicken and the egg". Empey suggested that time be left tomorrow for bilateral contacts.
14. The Chairman is to prepare overnight a composite draft of the rules of procedure reflecting the work done over the last few days on the two basic documents. This will be provided to delegations at 9.30am tomorrow. The consultations will resume at 11am for the purpose of considering the composite draft and pursuing the status debate (the two exercises being recognised to be closely interconnected).
15. Delegations have also been asked to indicate by Thursday their preferences in terms of the work schedule for the coming weeks.



David Donoghue
2 July 1996