

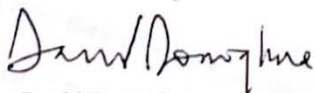
Confidential

Summary Report (23 July)

1. There was an intensive round of bilaterals today, lasting until 10.30pm, which dealt with the remaining difficulties in the draft rules, the items envisaged for tomorrow's informal round-table session and the timetabling of work between now and the recess.
2. The Government delegation, which was led by the Minister for Justice and the Attorney General, had a series of meetings with the British Government, the Chairmen and the SDLP. There was also a bilateral meeting with Labour and more informal contact with other delegations.
3. On the draft rules, the position reached is that differences have been narrowed considerably in a round of meetings between the Chairmen and the SDLP, the UUP and the DUP. While one or two formulations remain at issue, matters are heading towards final agreement. The Chairmen will prepare overnight a composite text which they will discuss with the three parties individually tomorrow morning.
4. The text which emerges from this exercise will be circulated to delegations in advance of the informal round-table session, tentatively envisaged for the early afternoon. Senator Mitchell expects that there will be a protracted discussion, with the UKUP and the DUP probably tabling hostile amendments, and that it may not be possible to reach the point of decision on the text until Thursday (which has been added to this week's talks days). Once agreed in this informal format, the rules would be forwarded to a Plenary next week for formal adoption.
5. The agenda and sequence of work for the remainder of the opening Plenary received close attention in lengthy exchanges between the two Governments, the Chairmen and the SDLP today. We emphasised the need for tomorrow's round-table session to agree a package covering both the rules and the agenda/timetabling issue. We proposed to the British Government that a joint position on the latter subject should be tabled in advance.
6. We supplied a draft in this respect under which the Chairman would propose the completion of all outstanding procedural issues before the recess (the end of next week). The Plenary beginning next Monday would ratify the rules, establish the Business Committee, adopt the comprehensive agenda for the talks (on the basis of written amendments invited by the Chairmen in the interim), establish formally the three strands, address the International Body's report and determine the procedural mechanism for dealing substantively with the latter. The opening statements would be deferred to the resumption of the talks in September.
7. Separately, the SDLP prepared a proposal of their own, broadly similar to ours but distinctive in certain respects (such as a proposed merging of the decommissioning

discussion with the opening statements). In the course of the afternoon, Seamus Mallon circulated this proposal to delegations but also issued it as a press release.

8. This unexpected development complicated the efforts which we had been making to achieve agreement with the British Government on a joint position on the lines of our draft. The British Government held that Mallon's breach of the tacit understanding on confidentiality would be turned against the SDLP by the Unionists and that, if it were to be followed by a paper in which the two Governments espoused a very similar position, the Unionists would allege a tripartite conspiracy. Mayhew and Ancram pressed for a round-table session this evening as part of a strategy of managing the difficulty which had arisen.
9. While agreeing that the SDLP's decision to go public with its proposal was unhelpful, we distinguished between the error of form committed by the party (entirely understandable in the light of recent hostile media lobbying by Taylor and Paisley) and the substance of their paper which, we believed, would be acceptable to both Governments and most delegations. We emphasised the acute political problems created for the SDLP by the events of the past fortnight and persuaded the British Government to drop their proposal for a round-table session.
10. In a bilateral with the Government delegation, Mallon was unrepentant about his decision to publish, contrasting his "upfront" approach in this regard with the surreptitious leaking engaged in by many other parties.
11. In the course of the evening, British concerns about the development abated somewhat (as it became clear that the story was not dominating the headlines and, indeed, was being overshadowed by more colourful claims by Paisley about an "emasculatation" of Senator Mitchell's powers). However, Ancram wishes to test the temperature tomorrow morning in terms of Unionist reaction to the proposal before taking further the preparation of a joint position. Work is underway at official level in the meantime on the terms of that position.
12. To facilitate the work envisaged by both Governments before the recess, the Chairman may propose extending the period scheduled for talks next week (Monday-Tuesday) to include Wednesday and Thursday (and possibly Friday).



David Donoghue
23 July 1996