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FROM: D J R HILL
POLITICAL DEVELOPMENT TEAM
23 JULY 1996

cc: PS/Michael Ancram (L&B) -B
PS/PUS (L&B) -B
PS/Sir David Fell -B
Mr Thomas (L&B) -B
Mr Leach -B
Mr Bell -B
Mr Stephens -B
Mr Lavery -B
Mr Maccabe -B
Mr Currie -B
Mr Campbell-Bannerman -B
Mr Lamont, RID -B
HMA Dublin -B
Ms Harrison -B
Mr Whysall -B

PS/Secretary of State (L&B) - B

TALKS, 23 JULY - HANDLING PLAN

The main issues for today are to

- (a) support the Independent Chairmen in producing a final "best judgement" draft of the rules of procedure;
- (b) engage with the Irish and SDLP (and the UUP if necessary) on the agenda for the rest of the opening plenary session and the timescale for completing the necessary work before the summer break.

Rules

2. On the rules I (and David Cooney) gave the Independent Chairmen an initial steer yesterday. The UUP and SDLP, having mended fences yesterday, may close the remaining gap even further. Subject to that, the main judgement to be made is in relation to the proposed wording of the penultimate sentence of the "SDLP" draft of

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rule 15. This is clearly important, for different reasons, to both sides and indeed to HMG. Our best shot is probably still the version put forward by the two Governments (third column of the analysis circulated on 22 July). Senator Mitchell is inclined to take the SDLP formula subject to the deletion of the words from "without their to the negotiations". We need to offer advice.

3. Additionally, the two Governments need to offer Senator Mitchell a draft resolution on the point raised by Mr McCartney under 27A (political efficacy). We have put the text at Annex A to the Irish but have no response.

4. Meanwhile, Dr Paisley has written to secure the Secretary of State's view on the Irish delegation's statement that the 6 June Scenario paper was off the table, mentioning that a quick response would have a bearing on their interpretation of the draft rules. See separate draft reply.

Agenda/timeframe

5. So far as the UUP are concerned we should keep them up to the mark, but we should get our own readout of Seamus Mallon's position. It may be more realistic than the image conveyed by the Irish; and the UUP/SDLP bilateral may bear fruit. The broad options are, with some variations:

- break before opening statements (deliverable; marks move from "procedure" to "substance"; talks resume on positive political note; but approach to decommissioning not resolved);

- break after address to decommissioning (cannot be guaranteed - the address will in reality take some considerable time; Unionists likely to resist Governments' "pressure"; talks would resume on a more "political" note but approach to decommissioning would not be completely in the bag);

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DRAFT LETTER FROM SECRETARY OF STATE

- complete the opening plenary (completely unrealistic - after the address to decommissioning, the discussion of the agenda can be expected to take a long time to sort out; but would allow talks to resume with substantive discussions in all relevant formats).

6. Subject to Seamus Mallon's position, the need is to agree with the Irish as a matter of urgency the text of a proposition, covering the compromise agenda and which aims to secure firm commitment a [n heroic] timescale, which could be circulated to other delegations during the afternoon, for discussion on Wednesday. [The draft we gave them yesterday morning is at Annex B - it needs updating and the Irish will want the final tirit to be more definite].

7. Other timescale related questions included: could we reasonably ask Senator Mitchell to override McCartney, in recognition of the "emergency situation", and convene a plenary tomorrow? Could we plan to meet Thursday this week and after Wednesday next week?

Timetable

8. The UUP and SDLP are meeting at 10 am. The Chairman will be meeting both Governments at 11.40 am. They expect to circulate their draft rules of procedure during the afternoon.

(signed)

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