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PST; PSS; Ministers Owen,
de Rossa & Taylor; Attorney
General; Minister of State
Coveney; Messrs. Teahon,
Donlon & Dalton; Amb.
London and Washington; Joint
Secretary; Counsellors A-I.

Secure Fax: 1191

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To: HQ

From: Belfast

For: Second Secretary O hUiginn

From: Joint Secretary

Subj: Conversation with Chairman's staff

1. I have had a read-out this evening from David Pezorski and Kelly Currie of the Chairman's staff on the meetings which the three Chairmen had following their conversation with us. These meetings were with Alliance, the UUP, the SDLP and the British Government.
2. As indicated on the phone, Senator Mitchell's proposal will not, after all, be available in written form tomorrow. For logistical reasons, the three Chairmen (who have now left Belfast) will not be able to consider before next Monday a draft which the staff are preparing for them. Senator Mitchell, furthermore, will be absent from Belfast until Monday week (16 December).
3. The Senator has also indicated an intention to await the possible outcome of bilaterals and trilaterals which are scheduled for early next week before taking his own initiative further. In particular, the SDLP, Alliance and the UUP have arranged a trilateral for 11am on Monday. According to Pezorski and Currie, the UUP and the SDLP asked at their meetings with the Chairmen this afternoon for space to pursue their own dialogue on terms of reference for the Commission and committee. The Senator felt obliged to grant this, taking the view that any deal which the UUP and the SDLP might construct among themselves would be preferable to any initiative which he himself might launch.
4. Reading between the lines, what is more likely is that the British Government encouraged the Senator towards this position in order to preserve space for their own initiative, to which they are clearly giving precedence. I understand that the reaction of British officials to the Senator's proposal, when they met him this afternoon, was to indicate that the British Government would have no difficulty if he pursued it but that

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there would be considerable scepticism about the chances of its attracting Unionist support. Thomas and Hill claimed that their own paper would be more likely to bring the UUP on board and to achieve an agreed transition to three-stranded talks. I understand, however, that the Senator told them bluntly that "the 'call' is not on".

5. From a conversation I had with the SDLP following their meeting with the Senator, it is clear that, although reference was made to the ongoing contacts with the UUP, the SDLP did not wish these to take second place to whatever the Chairman might initiate. It was understood that the contacts would continue in order to settle the terms of reference only and had no wider objective.
6. Both the UUP and the SDLP reported to the Chairman a discussion they are having on the question of where "other confidence-building measures" should be considered. The SDLP regard the key subjects under this heading (prisoners etc.) as appropriate for the committee rather than the Plenary, where they are unlikely to receive serious attention. The UUP, on the other hand, reportedly fear a dilution of the decommissioning focus in the committee and do not favour discriminating between substantive issues (by assigning some to the committee while keeping others for the Plenary).
7. The UUP fielded a third-rate team for the meeting with the Senator (Peter Weir, Peter King and David Brewster). Although there were promises to report the proposal to the party leader, the Senator's staff noticed that no notes were taken on the UUP side. Weir made one or two remarks to the effect that, if terms of reference for the Commission and committee could be agreed with the SDLP, there would be no particular problem about the timings for the individual phases of the package. The UUP emphasised, however, that they would not like the Chairman to do anything which might interfere with their ongoing dialogue with the SDLP. In an aside, Weir also cast doubt on the commitment of our Government to introducing decommissioning legislation.
8. The SDLP told me that the Senator presented his proposal to them in terms identical to those used with us - except that the date of 15 January was proposed for the launching of the Commission. They undertook to forward the proposal to Hume and Mallon for consideration. By way of initial reaction, they suggested that, if the proposal was compared to a train, "decommissioning could be seen as its engine". This drew from Senator Mitchell the response that, if anything, the Commission's

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report on modalities would be the "caboose".

9. Privately, the SDLP indicated to me that they are concerned about the proposal, on the one hand, to establish the Commission on 10/15 January but, on the other, to leave over the start of three-stranded talks until ten days after the conclusion of the opening Plenary (whenever that may be). They fear serious political damage if the Unionists receive the Commission as a trophy on an early and fixed date but they themselves have to await the conclusion of an open-ended process, with endless capacity for delays in agreeing the comprehensive agenda, before the three strands are to begin. They would ideally need the latter to be moved up to coincide with the establishment of the Commission (as provided for under the agreed agenda). They cannot tolerate politically a situation in which the Unionists are perceived to be playing further games with the agenda at their expense. I have flagged these points on the SDLP's behalf to the Chairman's staff.
10. At their meeting with the Senator, the SDLP also referred briefly to their contacts with the UUP and promised to report back to the Chairman following Monday's trilateral. They also indicated that they might propose next week that the Chairman have a joint consultation with the SDLP, UUP and Alliance, as provided for under rule 26 of the rules of procedure.
11. Alliance indicated to the Senator that they preferred their own paper, as they wished to see a clear separation between decommissioning and the political process. They objected, in particular, to the Commission issuing its report and then "going into hibernation". This would be acceptable to them only if Sinn Féin were not at the talks.
12. Earlier today, as you are aware, the Chairmen had contact with the PUP, UDP, Labour and the NIWC (who favoured strengthening the role of the committee). These parties either responded positively to the Senator's idea, which was exposed in much sketchier terms than at his meeting with us, or indicated a willingness to consider it.
13. The Senator also saw the DUP and the UKUP (just before us) but did not see any merit in expounding his proposal to them.
14. To sum up, my impression is that the Chairman intends to develop his proposal early next week, and to present it in written form to delegations, but to take his initiative

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forward in a manner and at a pace which fits in with the ongoing bilaterals and trilaterals.

15. As Monday's decommissioning debate at Westminster will require the presence of UUP MPs, the UUP's input to the trilateral on Monday morning will no doubt carry no greater authority than today's team wielded and further delays in definition and commitment on the UUP's part may be expected. The Chairman's staff expect Tuesday's Plenary to adjourn fairly quickly (DUP and UKUP diversions permitting) to facilitate further bilaterals and trilaterals.

16. If it is indeed the Chairman's intention to subordinate his initiative to whatever may emerge from these, and bearing in mind that he will not be back in Belfast himself until Monday 16 December, it does not seem likely that his initiative can be actively promoted, let alone taken to the point of decision, before 16 December at the earliest.