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

### Meeting with the Chairmen

The Government delegation, led by Minister Coveney, had a bilateral meeting with Senator Mitchell and his two colleagues at Castle Buildings today.

Recognising the concerns we had expressed about the recent British paper at our meeting with him last night, the Senator presented a proposal of his own on the way forward which, he indicated, arose from his understanding of the current SDLP/UUP contacts.

He suggested that, on or around 10 January, the two Governments would announce the creation of an Independent Commission, whose mandate would be to furnish a report on the modalities of decommissioning. On the same day, the parties, through the Plenary, would create the envisaged sub-committee. A week later, each of these mechanisms would have an initial organisational meeting.

On or around 1 February, the opening Plenary would resume following the Christmas recess and would complete its work on the comprehensive agenda. Ten days after this happened, the three-stranded talks would commence. Ten days later, the Independent Commission would present its report to the sub-committee, which would in turn refer it to the Plenary. Once it had issued its report, the Commission would go into abeyance until such time as the participants decided that decommissioning should be implemented, at which point the Commission would be reconvened for its verification role.

The Senator argued that a package of this kind would contain something for both the SDLP and the Unionists, though each would also have to make sacrifices. The SDLP would get a definite time for the beginning of the three strands whereas the UUP would get their Commission and an early report on modalities (though not before the commencement of the three-stranded talks). The Senator recognised that the SDLP and the Irish Government would be unhappy at the apparent privileging of the decommissioning agenda over the political agenda. However, the Commission's mandate would be limited to a report on modalities and this would be deferred until the three strands were underway.

The Chairmen had originally thought of the report appearing on the day the three strands began.

However, one of the Loyalist parties expressed anxiety about this, fearing Unionist pressure for immediate action arising from the report, and preferred a later date.

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The Senator highlighted his expectation that the Unionists would not accept this package. He readily acknowledged that there were risks in every direction but felt that deferring potential blockages to a later stage, particularly following the launching of the three strands, would be preferable to a breakdown of the talks in the short term. If there were an IRA ceasefire and Sinn Féin entered the talks, the resulting departure of the DUP and the UKUP might engender a more constructive atmosphere at the talks which, he hoped, would facilitate the achievement of some decommissioning on the basis set out in the Mitchell Report.

In subsequent discussion, the Senator accepted that it might well prove difficult to find and appoint suitable candidates for the Commission if this were to be launched as early as 10 January (with the Christmas recess intervening). He explained that he wished to see his scenario underway as soon as possible in order to complete it before the UK election campaign imposed itself. He could, however, contemplate a date later on in January if necessary.

He recognised the improbability of the Commission having contact with the paramilitary groups before it delivered its report. He recalled, however, our own suggestion that the technical work involved should not be too complex and he speculated that, if e.g. self-destruction under verification were ultimately to be the agreed method, the Loyalist parties might see fit to propose this to the Commission. We pointed out that the key role would still be that of the paramilitaries.

Other points which emerged in the discussion included the following. The Senator, who admitted frankly that he and his colleagues were still thinking through their proposal, did not believe that sufficient time remained before the Christmas recess to achieve agreement on a way forward and to complete the remainder of the opening Plenary agenda. He had no clear ideas as to what the sub-committee would do between its establishment and the launch of the three strands. He was quite clear, however, that, if the Unionists tried to delay the latter, the Commission's report should also be delayed (i.e., even if completed, it would not be presented until the agreed point ten days after the launch, whenever that was).

When we noted the possibility that the Unionists would try to drop the three-stranded talks in favour of a lengthy Plenary debate on the report, once presented, the Senator agreed that this risk existed. He pointed, however, to a corollary Unionist fear that the report might never exit from the sub-committee (on which the SDLP and the Irish Government would be crucial to sufficient consensus) and suggested that some reassurances would need to be provided on this score.

General De Chastelain noted that the Business Committee, which would be activated with the



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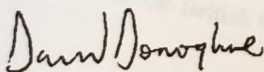
launching of the three strands, would have an input in terms of the scheduling of the various proceedings. The Senator, whose staff will be preparing a written version of his proposal later today, planned to incorporate a suggestion that the Business Committee would meet for this scheduling work shortly before the three strands began.

The Government delegation thanked the Senator for his constructive proposal and undertook to refer it to Dublin for consideration at political level. By way of preliminary comment, we noted that it raised a difficult issue of principle in that activity in relation to decommissioning was being contemplated ahead of progress on the political agenda. We pointed out that the suggestion that the sub-committee would start work before the launch of the three strands was likely to provoke opposition as it would clearly be seen as giving priority to decommissioning over substantive political negotiations. We also drew attention to our desire for a reasonably long break in negotiations during January so that, in the event of an IRA ceasefire, the two Governments would have the space to agree to invite Sinn Féin to enter the negotiations when they resumed.

Senator Mitchell agreed that there were strong arguments for delaying the establishment of the sub-committee until the launch of the three strands and suggested that this would also appeal to the Unionists as it would appear, on the face of things, to be giving precedence to the Commission over the committee.

We indicated that the Government would wish to give careful consideration to all aspects of the proposal before furnishing a response. Minister Coveney stressed that we would be very anxious to cooperate with any viable exit strategy and that this approach could be such a compromise, provided we could be sure everyone was ready to sign up to it. We would give a fuller response once we had seen the proposal in writing. Senator Mitchell cautioned that it was subject to change in the light of contacts with other delegations.

The Senator and his colleagues had not presented this proposal to any delegation prior to our own. They would, however, be doing so later today (and we are to be briefed on the reactions of others). We understand that the written version of the proposal will be made available to us tomorrow.



David Donoghue

4 December 1996