

FTallan

FROM: G HARRISON
TALKS SECRETARIAT
21 JUNE 1996

cc: PS/Secretary of State (L&B) -B
PS/Sir John Wheeler (L&B) -B
PS/Malcolm Moss (L,DOE&DHSS) -B
PS/Baroness Denton (L,DANI&DED) -B
PS/PUS (L&B) -B
PS/Sir David Fell -B
Mr Thomas (L) -B
Mr Bell -B
Mr Legge -B
Mr Leach (L&B) -B
Mr Steele -B
Mr Watkins -B
Mr Wood (L&B) -B
Mr Beeton -B
Mr Currie -B
Mr Hill (L&B) -B
Mr Lavery -B
Mr Maccabe -B
Mr Perry -B
Mr Stephens -B
Ms Checksfield -B
Ms Mapstone -B
Mr Whysall (L&B) -B
Ms Collins - via IPL -B
Mr O'Mahony, TAU -B
Mr Lamont -B
HMA Dublin -B
Mr Westmacott - via RID -B
Mr Campbell-Bannerman -B
Mrs McNally (L&B) -B

PS/Michael Ancram (L&B)

TALKS: MICHAEL ANCRAM'S MEETING WITH THE SDLP ON THURSDAY 20 JUNE 1996

Summary

A low key but constructive meeting in which a clearly weary Seamus Mallon did most of the talking. The SDLP were willing to consider incorporation of procedural elements of Ground Rules into Procedural Rules, provided that the Ground Rules themselves remained intact and that the two Governments rather than Senator Mitchell were the arbitrators in any future disputes arising from discrepancies

between the two. They also indicated that it would be acceptable if Mr Trimble was allowed to say he had not signed up to the Ground Rules (but not that they had been scrapped) provided that the two Governments clearly adhered to Ground Rules.

Detail

2. Michael Ancram met Seamus Mallon, Dennis Haughey and Sean Farren from the SDLP on Thursday 20 June at 1.20 pm. This formed part of a series of bilateral meetings with the parties to discuss issues relating to procedural rules and the Ground Rules, following the previous day's multi-party discussions. The Minister was supported by Mr Leach.

3. Michael Ancram explained that the purpose of the meeting was to see where the process was going after the DUP had raised the issue of the status of Ground Rules the previous day. Senator Mitchell considered that the two Governments should take the lead in resolving issues relating to Ground Rules and so the Government was discussing these matters with the Irish Government and the parties. The Minister then went on to make the following points:

- in view of the legislation, the Ground Rules provided the basis for Talks and if the Ground Rules were subsequently changed or amended, so as to change the nature of the Talks, then the whole statutory basis for the Talks, the ability to pay delegates and to operate the Forum would be put into question;
- the key is paragraph 7 of the Ground Rules and we had been discussing the conduct of the negotiations for the past two days as anticipated in the Ground Rules - for example the rules on sufficient consensus. These involved areas where the Chairman needed more specific guidance than was provided in Ground Rules;

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- HMG's aim was to get the procedural guidelines agreed and so look at incorporating in these guidelines the procedural aspects of the Ground Rules, while leaving the Ground Rules document as a whole intact. The procedural guidelines would give Senator Mitchell and the other Chairmen (including HMG in Strand One) sufficient authority to run the meetings and Mr Trimble would be able to say that he had not signed up to the aspirational aspects of Ground Rules.

4. In discussion, Seamus Mallon made the following points: albeit half-heartedly;

- the onus of dealing with procedural elements should rest with the Chairman, whereas the onus for dealing with Ground Rules must rest with the two Governments;
- if there was any future argument about Ground Rules, and its relation to procedural rules, it must be the responsibility of the two Governments to arbitrate. It was unfair to put Senator Mitchell in the position of having to arbitrate in this context;
- the Ground Rules must remain intact, and their integrity maintained. The SDLP cannot allow the Ground Rules to be weakened by transfer to procedural rules, for political rather than procedural reasons;

5. Michael O'Donnell said that he had not signed up to the principles in the Ground Rules but could agree to the Procedural rule- if changes to procedures are proposed on their merits to fill a clearly defined gap, the SDLP will look at these and see what can be done. But they will insist that Ground Rules remain the ultimate source. For example, who participates in the Strands is not a substantive issue, neither is the Ground Rule that provides that parties can have one negotiating team; the SDLP if it had been scrapped would not have contradicted the Ground Rules. The SDLP were still able to point to the Ground Rules as the foundation of the Talks.

7. - agreed with Michael Ancram that Mr McCartney's argument that the Ground Rules precluded him of advocating his particular integrationist agenda, was a false one;
8. - in their discussions with the UUP, it seemed to the SDLP that the UUP were confusing the Opening Agenda with the substantive agenda;
9. - the SDLP were concerned about the tactics being used by the unionists. The three Strands of unionism were "upping the ante" for each other and Mr Trimble was responding albeit half-heartedly;
10. - the SDLP were in a very vulnerable position. There was a considerable onus on them as the only nationalist party involved in the negotiations. But acknowledged that if Sinn Fein did come into talks, the SDLP would be in a similar position to the UUP.
11. - warned that both the UUP and the SDLP needed to help each other during the talks as a whole but that the SDLP's "bucket would be empty" if they were pushed too hard over procedural issues;
12. Michael Ancram suggested that we might aim for an outcome whereby Mr Trimble was able to say that he had not signed up to the principles in the Ground Rules but could agree to the Procedural rules.
13. In response, Dennis Haughey said that it would not serve the SDLP if Mr Trimble could say publicly that the Ground Rules had been scrapped (Seamus Mallon had said earlier that the SDLP would have to contradict any such statements). But it would be acceptable in circumstances where the two Governments acknowledged their ownership of Ground Rules and the SDLP were still able to point to the Ground Rules as the foundation of the Talks.

7. In response to a question from Mr Leach, Mr Mallon said that he would prefer paraphrases from Ground Rules to be incorporated in the Procedural Rules, rather than direct quotations.

8. Michael Ancram concluded by saying that a Plenary Session could not be re-convened until after Senator Mitchell returned on Tuesday. Mr Holkeri would chair the meeting on Monday. The Government hoped that matters would be sorted out Wednesday. The meeting concluded at 2 pm.

Comment

9. A constructive meeting in which some of the comments made may have had more to do with the SDLP's relationship with the Irish Government in view of the latter's agreement with the UUP.

signed Gillian Harrison

G HARRISON (MISS)
Talks Secretariat
21 June 1996