

CONFIDENTIAL

1708.

FROM: D J R HILL

CONSTITUTIONAL & POLITICAL DIVISION

25 SEPTEMBER 1997

Rt
file

3. That said, the DUP have major reservations to participating in negotiations with Sinn Féin in circumstances where there has not even been a truce commissioning.
4. Against that background their initial reply to be on
- cc: PS/Mr Murphy (L&B)
 - PS/PUS (L&B)
 - Mr Thomas
 - Mr Stephens
 - Mr Watkins
 - Mr Brooker
 - Mr Maccabe
 - Mr Lavery
 - Mr Woods (L&B)
 - Mr Whysall
 - Mr Warner
 - Mr Fergusson, RID
 - HMA Dublin
 - Mr Sanderson, Cab Off

PS/Secretary of State (L&B)

MEETING WITH DUP, 26 SEPTEMBER

Objectives

These might be to

- (a) encourage the DUP to rejoin the talks process;
- (b) provide a public demonstration that the DUP is at least indirectly engaged in the political process.

Background

2. It should be a key strategic objective over the next few weeks to keep the DUP at least indirectly associated with the talks process, and preferably to persuade the party to re-engage directly:

- (a) insofar as the DUP is at least indirectly associated with the talks process it will make it much easier for the UUP to sustain full participation;
- (b) the DUP are more effective negotiators than the UUP so any agreement in which they are involved is perhaps more likely to strike a fair balance;

CONFIDENTIAL

CONFIDENTIAL

- (c) without at least the acquiescence of the DUP it will be difficult to secure sufficient support in the Unionist community to make any agreement stick. Dr Paisley may still retain the negative power to prevent an agreement being endorsed.
3. That said, the DUP have major political and doctrinal objections to participating in negotiations with Sinn Féin, especially in circumstances where there has not even been a tranche of prior decommissioning.
4. Against that background their initial focus is likely to be on
- criticising the Governments' decision not to expel Sinn Féin on foot of the UUP representation (with a side show about the validity of their own representation, a point on which Senator Mitchell has yet to rule);
 - criticising the decision to move on to substantive negotiations without securing adequate reassurances on decommissioning.
5. Another issue which seems to be exciting the DUP is whether, as "participants" within the meaning of the Northern Ireland (Entry to Negotiations etc) Act, they should be receiving minutes and other talks documentation, a matter on which Senator Mitchell has sought the views of the other participants. The DUP's desire to remain on the circulation list for papers may be encouraging (although they are probably only looking for ammunition with which to attack the UUP, the Government and other participants). [The Government has yet to respond to Senator Mitchell's request for views, but it may be right to argue that parties which have formally withdrawn from the process should not receive detailed minutes of meetings, but only copies of agreements reached in the talks. If Senator Mitchell were to take this line it would perhaps give the DUP and UKUP an incentive to rejoin, but without penalising non-attendance at particular meetings].
6. Immediately after their latest walkout the DUP was exploring the possibility of moving forward in an alternative "proximity"-style negotiating structure. Even though the current talks process remains in being they may be ready to explore the possibility of remaining engaged on a "proximity" basis, meeting the other participants (except Sinn Féin), perhaps outside Castle Buildings. Dr Paisley has met Mr Trimble two or three times in recent days and the DUP was due to meet at least the PUP and possibly the UDP today. Such contacts should be encouraged. Arms length engagement is better than none. And if the DUP were prepared to use their offices at Castle Buildings it would be a major breakthrough.
7. Consistent with the policy of wanting to engage the DUP, it would be appropriate to provide them with copies of the Governments'

CONFIDENTIAL

CONFIDENTIAL

determination on the UUP representation against Sinn Féin and of the procedural motion. The latter has not been formally published but is clearly in the public domain.

Attendance

Handling the meeting

8. Rather than get sucked into a discussion of the determination on the UUP representation against Sinn Féin, the Secretary of State might aim to look ahead to the substantive negotiations which are about to commence, and to bring out

- the benefits of DUP participation (opportunity to influence the course of negotiations, to deploy their undoubted negotiating skills, to ensure the Unionist case is robustly and effectively presented etc);
- the safeguards and other factors which should enable the DUP to participate without loss of principle and without prejudice to their essential interests (reaffirmation of principle of consent, requirement for sufficient consensus, commitment to abide by the decision of any referendum in Northern Ireland; recognition by plenary that the decommissioning issue must be resolved as an indispensable part of the process, establishment of Independent Commission, support for the two Governments' views regarding some decommissioning of illegal arms during the negotiations).

9. A further powerful "political" argument which the Secretary of State might deploy is that the DUP has clearly preserved its principles by standing aside from the procedural motion: the motion was adopted by sufficient consensus with the DUP clearly disassociated from it; their renewed participation at this point would enable them to exercise real influence without being seen to compromise.

10. On past form, perhaps the most productive way of working towards DUP re-engagement would be to build up contact with Peter Robinson. The Secretary of State might say that Mr Murphy will brief Mr Robinson on a regular basis, or even suggest a follow-up meeting at that level.

11. I attach a checklist of points which might be covered during the meeting.

Press Line

12. Much of the value of the meeting lies in it being seen to happen, especially if it is possible to create an impression that the DUP remains keen to participate, if only indirectly, in the political process. It would therefore be helpful to ensure that the event gets some publicity and is

CONFIDENTIAL

CONFIDENTIAL

"spun" our way. I attach a possible press line which might be issued as a press notice or used in a subsequent doorstep or in press briefing.

Attendance

13. Mr Maccabe will be available to attend the meeting. You might wish to arrange a pre-brief with them and Mr Woods.

David Hill

D J R HILL makes clear that the two Governments regard Sinn Féin and
Constitutional & Political Division linked; that any terrorist activity by a
11 Millbank, ☎ 6591 paramilitary organisation clearly linked to a party in the

2. Status of DUP representation

- a matter for the Chairman. He has sought views, not consensus, but has yet to rule;
- now that the UUP representation has been determined the DUP representation may fall anyway.

3. Case for DUP participation

- opportunity to influence the course of the substantive negotiations;
- opportunity to deploy your analysis and negotiating skills;
- opportunity to ensure the Unionist case is robustly and effectively presented;

CONFIDENTIAL

CONFIDENTIAL

MEETING WITH DUP, 26 SEPTEMBER

Points likely to arise

1. Representation against Sinn Féin

- nothing to add to determination
- [it makes clear that the two Governments regard Sinn Féin and the IRA as inextricably linked; that any terrorist activity by a paramilitary organisation clearly linked to a party in the negotiations would be likely to lead to that party's expulsion; and that the two Governments deplore the IRA's statement in An Phoblacht, which they regarded as worrying and unhelpful].

2. Status of DUP representation

- a matter for the Chairman. He has sought views, not consensus, but has yet to rule;
- now that the UUP representation has been determined the DUP representation may fall anyway.

3. Case for DUP participation

- opportunity to influence the course of the substantive negotiations;
- opportunity to deploy your analysis and negotiating skills;
- opportunity to ensure the Unionist case is robustly and effectively presented;

CONFIDENTIAL

CONFIDENTIAL

- responds to the wishes of your electorate.

4. Safeguards/other factors

- principle of consent reaffirmed;
- requirement for sufficient consensus and validation by referendum in Northern Ireland reaffirmed;
- debate on decommissioning adjourned; plenary has acknowledged that it needs to be resolved as an indispensable part of the process and supported the view of the two Governments on some decommissioning of illegal arms during the negotiations.

5. "Political" argument

- your hands are clean;
- could you not now participate, having been seen not to compromise your views.

6. Nature of DUP participation

- access to minutes etc is a matter for the Chair. He has invited views;
- "proximity" participation: may well be a possibility. Any party is free to choose which meetings it attends and which parties it engages with in bilaterals. Attendance at Castle Buildings would

CONFIDENTIAL

CONFIDENTIAL

certainly enhance your ability to influence developments, even if you avoided meetings with Sinn Féin.

Draft cross line statement

7. Continued contact with Government

- keen to remain in close touch;
- subject to rules of confidentiality, ready to keep you abreast of developments. Perhaps Paul Murphy could brief Peter Robinson from time to time;
- want to take account of your views;
- ? regular meetings. Fix date. Perhaps Peter Robinson would like to have a meeting (or dinner) with Paul Murphy on his return.

Commenting after the meeting, she said:

"The planary has of course resolved by sufficient consensus to adjourn consideration of the issue of decommissioning, to establish the necessary decommissioning machinery and to launch substantive and inclusive negotiations. If the DUP were prepared to accept those decisions I believe the party - which was not party to them and continues to have reservations about some aspects of them - could rejoin the negotiations on that basis and make a valuable contribution".

"Equally, I have assured Dr Paisley and his colleagues that if they decide not to resume full participation in the negotiations at this stage, I and Paul Murphy will always be ready to meet them. Subject to the need to preserve confidentiality in respect of other parties' positions, we will try to keep them generally abreast of

CONFIDENTIAL

CONFIDENTIAL

SECRETARY OF STATE'S MEETING WITH DUP DELEGATION

Draft press line/statement

The Secretary of State for Northern Ireland, Dr Mo Mowlam, today met a DUP delegation led by the Reverend Dr Ian Paisley MP MEP accompanied by [].

Dr Mowlam briefed Dr Paisley in general terms on the progress made in the multi-party negotiations and urged the DUP to rejoin the negotiations. She pointed out that with the negotiations moving into their substantive phase it would be valuable if the DUP's analysis and influence could be brought to bear directly in the search for a lasting and widely acceptable political settlement.

Commenting after the meeting, she said:

"The plenary has of course resolved by sufficient consensus to adjourn consideration of the issue of decommissioning, to establish the necessary decommissioning machinery and to launch substantive and inclusive negotiations. If the DUP were prepared to accept those decisions I believe the party - which was not party to them and continues to have reservations about some aspects of them - could rejoin the negotiations on that basis and make a valuable contribution".

"Equally, I have assured Dr Paisley and his colleagues that if they decide not to resume full participation in the negotiations at this stage, I and Paul Murphy will always be ready to meet them. Subject to the need to preserve confidentiality in respect of other parties' positions, we will try to keep them generally abreast of

CONFIDENTIAL

CONFIDENTIAL

developments; and we will do our best to ensure that their views are given due weight."

"It would of course be far more effective for the DUP to make their input directly in their normal robust fashion, alongside the other Unionist and Loyalist parties".

It was agreed that a further meeting would be held [within two weeks].

As I mentioned to you yesterday, we have been working with the Irish to put together a paper which summarises our proposals on how the decommissioning issue should be handled.

I enclose a paper which has now been agreed between us. It is presented as a draft statement of the conclusions which plenary might be invited to reach as the outcome of the "address" to decommissioning.

We have worked very hard with the Irish to achieve agreement on this and there does not seem to be any further room for manoeuvre. It goes as far as we believe is possible to meet your stated concerns while remaining consistent with the two Governments' policy positions.

I want to ask you to weigh the paper very carefully before reaching any conclusions on it. I look forward to discussing it with you tomorrow. I hope you will set out your reactions at the next bilateral meeting for Monday.

I recognise that this paper will raise difficult issues for you, requiring careful consideration. I am ready to do my best to assist you in this regard. I am looking forward to plenary in the next few days and will be happy to discuss the paper with you in the meantime. I would make clear that, as

CONFIDENTIAL