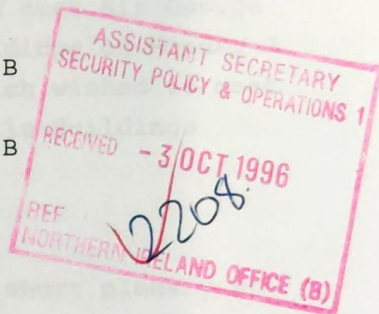


51/10

FROM: TED HALLETT
3 OCTOBER 1996

cc PS/Secretary of State (B&L) - B
PS/Sir John Wheeler (B&L) - B
PS/Michael Ancram (B&L) - B
PS/Malcolm Moss (DHSS, DOE & L) - B
PS/Baroness Denton (DED, DANI & L) - B
PS/PUS (B&L) - B
PS/Sir David Fell - B
Mr Thomas - B
Mr Steele - B
Mr Leach (B&L) - B
Mr Bell - B
Mr Watkins - B
Mr Wood (B&L) - B
Mr Beeton - B
Mr Priestly - B
Mr Hill (B&L) - B
Mr Lavery - B
Mr Maccabe - B
Mr Perry - B
Mr Stephens - B
Ms Bharucha - B
Ms Mapstone - B
Mr Whysall (B&L) - B
Ms Collins, Cab Off (via IPL) - B
Mr Dickinson, TAU - B
Mr Lamont, RID FCO - B
HMA Dublin - B
Mr Westmacott (via RID) - B
Mr Campbell-Bannerman - B
Mrs McNally (B&L) - B
Mr Holmes, No 10



cc (A)

NOTE FOR THE RECORD

TALKS: 2 OCTOBER

Summary

A day of considerable activity, but little concrete progress, though as a result of bilaterals between the parties and with the Government, signs were beginning to emerge of a possible compromise on the agenda for the remainder of the opening plenary. There will be further bilaterals at the beginning of next week, before a

resumed plenary at noon on Tuesday 8 October. Overnight, Mr Thomas produced a revised draft agenda, which drew heavily on UUP language. This was discussed with the Irish, who proposed some changes and indicated that they could probably sign up to it if we could sell it to the Unionists. Ministers decided not to deploy the text with the Unionists until next week, however, in the hope that they could reach agreement among themselves and with the SDLP.

2. The afternoon plenary was dominated by an unexpected and acrimonious discussion of whether delegates should meet Sir George Quigley's Business/Economic Group at Castle Buildings on Monday 7 October. It was concluded that those parties which wished to meet him could do so, but at a location away from Castle Buildings.

Detail

3. The formal business of the day began with a short plenary at 12.10, with Mr Holkeri in the chair. He proposed that, as discussions on the agenda were taking place in bilaterals on the agenda, the plenary session should be adjourned until 15.30, to allow these to continue.

4. The Secretary of State outlined the difficulties posed next week by the Conservative Party Conference. He hoped it would be possible to move shortly to discuss decommissioning. The British Government would naturally wish their team to be led by Ministers, but this would not be possible next week. He proposed, therefore, that the business next week should be taken up with bilaterals, with plenary meetings resumed the following week. In discussion, it was pointed out that this pre-supposed that agreement was reached before the end of the day on the agenda. If this was not the case, there would need to be further plenary sessions next week to finalise the agenda, so as to enable the decommissioning discussion to begin on 14 October.

5. Dr Paisley, while expressing understanding for the position of British Ministers, hoped that similar understanding would be shown to those delegates who were members of the European Parliament. They had to maintain a certain level of attendance, otherwise their

secretarial allowances were cut. He asked the Secretary of State to write to the European Parliament authorities about this, as he had done for the 1991 and 1992 talks. The Secretary of State undertook to do this.

6. The plenary session was then adjourned until 15.30.

7. A short bilateral meeting was held with the Irish at 12.45 at which they were shown the draft agenda which the British side had produced overnight. The initial reaction from Mr O'hUiginn was negative, on the grounds that the agenda appeared to place too much emphasis on reaching "agreement" on decommissioning. After further discussion, however, it appeared that the draft might provide the basis for agreement, subject to minor amendment, with "agreement" replaced by "agreed procedures". Discussion continued with Ministers over lunch, at which the Irish side indicated that they would probably sign up to the British draft if we succeeded in selling it to the Unionists, though they would not wish to put it forward as a joint British/Irish proposal.

8. Michael Ancram met a joint delegation of the DUP and the UKUP at their request at 14.30, to discuss the draft agenda. The discussion was based on the British draft of 30 September, not the later draft which had been shown to the Irish. Dr Paisley emphasised the need for a thorough debate and "conclusion" on decommissioning before any discussion of the comprehensive agenda. He expressed "alarm" by the joint paper on decommissioning which the two Governments had published the previous day. There must be no "fudging" on decommissioning in the view of the three Unionist parties. The proposal in the draft agenda merely to "address" the Mitchell Report's proposals on decommissioning was not sufficient. The DUP did not accept Mitchell's proposals. There must also be an opportunity to discuss other parties proposals on decommissioning, with a clear decision at the end of the debate.

9. Mr McCartney agreed with the approach set out by Dr Paisley. The UKUP had never accepted the Mitchell Report, as distinct from the Mitchell principles. All proposals on decommissioning must be

debated, and this must lead to a "determination". It was necessary to have a clear understanding of the terms on which Sinn Fein might join the talks. He questioned the Government's position that an "unequivocal" restoration of the previous ceasefire was all that was necessary. Michael Ancram replied that the Secretary of State had made clear that an "unequivocal restoration" would have to be judged in the light of events on the ground at the time. We had made clear, as had the Irish Government, that the talks would continue irrespective of whether Sinn Fein joined. If they did join, however, they would have to accept the "acquis" which had already been agreed by the other participants.

10. Returning to the agenda, Michael Ancram stressed that the Government's aim was merely to find formulations which would enable the discussions to move forward. It was necessary to devise an agenda which enabled each party to set out its own views on how decommissioning and the comprehensive agenda should be approached. He hoped the parties themselves could do this, but would offer further suggestions if this proved impossible.

11. Mr Robinson appeared to suggest that the DUP would accept a formula which provided for all proposals to be considered, an attempt to reach agreement in light of these, committed the parties to implement whatever agreements were reached, and established mechanisms to enable this to happen. Michael Ancram, sensing that this provided the basis for possible agreement, sought to establish clearly that this was all that the DUP required, but Mr Robinson appeared reluctant to commit himself.

13. After further repetitive, but largely good natured, discussion, Michael Ancram concluded that he understood that the DUP and the UKUP the requirement was for a debate on all proposals on decommissioning, which led to a conclusion. Before that were possible, however, it was necessary to devise a form of words for the agenda. He urged the DUP and the UKUP to seek agreement with the SDLP. The two parties indicated that they were seeking a bilateral with the SDLP and would wish to resume discussion with the British team after that. The meeting concluded at 15.25.

14. The plenary session resumed at 15.45, with the intention of an early adjournment to allow time for further bilaterals. This proved impossible, however, when the DUP and the UUP raised strong objections to a letter from the Office of the Independent Chairmen concerning invitations from Sir George Quigley on behalf of the Business/Economic Group to meet representatives of the parties involved in the talks. The letter indicated that the British Government had provided a room for the meeting at Castle Buildings at 10.00 am on 7 October. In a long, repetitive and at times acrimonious discussion the DUP and the UKUP made clear that they regarded Sir George Quigley's approach and the way it had been handled by the Independent Chairman and the British Government as inappropriate. Dr Paisley argued that any proposal that a delegation of talks participants should meet any outside body could only be decided collectively, and no such decision had been made. Mr McCartney saw the approach as an attempt by Sir George Quigley's group, with the connivance of the British Government, to put pressure on the talks participants to make more rapid progress.

15. The discussion was eventually concluded when Mr Holkeri formerly withdrew the letter from his Office and Michael Ancram agreed to inform Sir George Quigley that it would not be possible for him to meet talks participants as a group but that the Government would provide facilities away from Castle Buildings for a meeting with any delegation prepared to see him.

16. Returning to the intended business, it was agreed that the next plenary session would begin at 12.00 on Tuesday 8 October, preceded by further bilaterals on the agenda.

17. The UK team held a short bilateral meeting with the UUP, led by Mr Empey, at 17.30. Discussion was again on the basis of the British draft agenda of 30 September. The UUP indicated difficulty with what they saw as an inconsistency between items 2 and 3 of the draft. Why did item 2 merely provide for an "address" on decommissioning, while item 3 referred to "discussion and agreement" on the comprehensive agenda? Michael Ancram replied that while item 3 was merely

procedural, item 2 was substantive. We accepted the need for a substantive debate on decommissioning, leading to a conclusion. In order to have such a debate, however, it was necessary to devise a form of words acceptable to all. We had no particular problems with wording and were prepared to accept whatever could be agreed between the parties themselves. Unless there were such agreement, however, there was no basis for a debate. Mr Empey appeared to indicate that the UUP could accept a formulation which provided for the adoption of the comprehensive agenda after the debate on decommissioning and a commitment to "establish" whatever machinery was agreed in that debate. The UUP would be having further discussions with the SDLP with a view to reaching agreement on this. Michael Ancram hoped that the parties themselves would come up with agreed formulations, rather than continuing to look to the British Government to do so.

18. Mr Empey then turned to Sinn Fein's possible entry into the talks process. He sought clarification of what was meant by an "unequivocal" restoration of the ceasefire and on what would happen if a restoration immediately followed a further terrorist outrage. Michael Ancram reiterated the Secretary of State's formula that any restoration would have to be judged "in the light of events on the ground". Mr Empey pressed for a more specific indication of what this would mean in practice, particularly regarding the passage of time which would be necessary to judge whether Sinn Fein/IRA were really committed to exclusively peaceful methods. Michael Ancram resisted going beyond the formula used by the Secretary of State, but Mr Empey urged the British Government to give further thought to the criteria used to judge Sinn Fein/IRA's commitment to a further ceasefire. He implied that the greater the clarity which could be offered on this, the more flexibility the UUP might have on decommissioning.

19. A further bilateral meeting was held with a DUP/UKUP delegation at 1845. Dr Paisley reported on their bilateral meeting with the SDLP, which had been "short and useful". Mr Robinson thought that there was some possibility of convergence between their positions. The SDLP did not want "decisions" on decommissioning until the comprehensive agenda had been agreed, but appeared to be ready to

debate decommissioning before reaching agreement on the comprehensive agenda. The SDLP appeared to accept the need to discuss other proposals on decommissioning, as well as those in the Mitchell Report. He reiterated, however, that the DUP's position was that there could be no move to the three-stranded negotiations until there had been agreement on decommissioning.

20. In the hope of moving towards a possible compromise, Michael Ancram reiterated that he understood that the DUP/UKUP requirement was for a debate on all proposals on decommissioning, with the aim of reaching agreement, a commitment to implement that agreement and the establishment of the necessary machinery to do so. Neither party appeared to dissent. The two parties raised the question of Sinn Fein's entry into the talks process, but appeared satisfied with Michael Ancram's assurance that Sinn Fein would have to accept the "acquis" previously agreed by the other participants.

21. Dr Paisley concluded that, while he would not wish to be over-optimistic, there were grounds for hope that agreement could be reached with the SDLP. Sean Farren, who had led the SDLP side, was a man he "could do business with".

22. In a short wash-up session with the Irish and the Independent Chairmen, at 19.20, it was agreed that the business for next week should be to encourage further bilaterals between the parties in the hope that they would reach agreement on the agenda for the rest of the opening plenary and that there were signs that a possible compromise was beginning to emerge. Michael Ancram said that, contrary to earlier expectations, he would be available for some talks business on Monday 7 October. Thereafter, for the remainder of the week, the British side would be represented by officials.

(Signed)

T HALLETT