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Confidential**Multi-Party Talks****Daily Report - 11 September 1996**

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PST; PS8; Ministers Owen,
de Rossa & Taylor; Attorney
General; Minister of State
Coveney; Messrs. Teahon,
Donlon & Dalton; Ambs.
London and Washington; Joint
Secretary; Counsellors A-I.

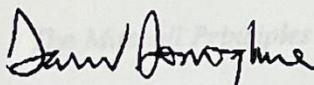
1. In summary, the two Governments presented in Plenary their decision on the DUP allegations against the Loyalist parties (which found no breach of the Mitchell principles). Alliance wrote to the Chairman alleging breaches by the UUP, DUP and the Loyalist parties. The Plenary has been adjourned until next Monday morning, when the parties will be allowed to comment on today's judgement.
2. The Government were represented today by the Tánaiste, the Minister for Justice and the Attorney General. Bilateral contact took place with the British Government, with the Chairman (Harri Holkeri in place of Senator Mitchell, who had to return unexpectedly to the US for personal reasons) and with the SDLP.
3. The two Governments worked through the morning on the terms of the judgement. In final form (attached), it reflected very substantially a draft provided by the Attorney General.
4. When the Plenary met at 2.30pm, the Chairman told the meeting initially that Alliance had conveyed written representations alleging breaches of the Mitchell principles by the UUP, the DUP, the UDP and the PUP. He proposed to follow the procedure applied in relation to the DUP complaint.
5. Warning the other participants of the detrimental effects which continued time-wasting on such issues would have on the negotiations (as well as on public perceptions of them), Seamus Mallon asked John Alderdice to reconsider his initiative. This sparked a tetchy response from the Alliance leader, who claimed that the SDLP had taken a different position in private and who underlined the importance of upholding all principles.
6. The Chairman then called on the two Governments to announce their decision on the DUP allegations against the Loyalist parties. The Secretary of State said the Governments had concluded that it was not established that these parties had demonstrably dishonoured the Mitchell principles and that, accordingly, no further action was appropriate. He made clear that the Governments would not be adding to the language in which they had formulated their decision. The text of the decision was then circulated.
7. The Chairman ruled that the matter had thereby been concluded. This was challenged by the UUP and the DUP, who held that the parties were entitled to comment on this decision (particularly in view of its precedent value). In a somewhat hesitant performance, the Chairman said he would not encourage such comments but

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recognised that he could not prevent them. The SDLP sought to close down further discussion with a procedural motion proposing a move to next business. This, in turn, was challenged by the Unionist parties, who suggested that this motion would not command "sufficient consensus". This was put to the test in a show of hands and duly confirmed.

8. After further procedural wrangling, it was agreed that the Plenary would be adjourned until 10am next Monday, when there would be a two-hour session in which participants would be free to comment on the decision (but the two Governments would not respond). It was also decided that today's decision would be published. As regards the Alliance document, the Chairman would convey this today to the four parties mentioned and the same procedure would be followed as in the DUP instance.
9. The SDLP had a bilateral with the UUP later this afternoon to discuss the comprehensive agenda. They took the opportunity to seek clarification of the nature of the engagement on decommissioning envisaged by the UUP (in the light of the discouraging signals received yesterday). They came away from it, however, with no greater reassurance than ourselves that the UUP have indeed embarked on a more pragmatic and constructive approach to this issue.



David Donoghue
11 September 1996