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From: **ROBERT CRAWFORD**
Political Affairs Division
23 July 1997

cc - via E-mail

PS/Secretary of State (B&L)
PS/Mr Murphy (DFP,B&L)
PS/Mr Ingram (DED,B&L)
PS/Mr Worthington (DENI,DHSS&L)
PS/Lord Dubs (DANI,DOE&L)
PS/PUS (B&L)
PS/Sir David Fell
Mr Thomas
Mr Steele
Mr Leach
Mr Bell
Mr Watkins
Mr Stephens
Mr Wood (B&L)
Mr Beeton
Mr Brooker
Mr Hill
Mr Lavery
Mr Maccabe
Mr Perry
Mr Priestly
Ms Bharucha
Ms Mapstone
Mr Whysall
Mr Sanderson, Cab Off (via IPL)
Mr Dickinson, TAU
Mr Lamont, RID FCO (via IPL)
HMA Dublin (via IPL)
Miss C Byrne, TPU, HO (via IPL)
Mr N Warner
Ms Healy
Messrs Cary, Reid & Poston (via IPL)
Mrs McNally
Mr Holmes, No 10

F:6
1/8**NOTE FOR THE RECORD****TALKS: 23 JULY 1997****Meeting with the Irish Delegation (10.50 am)**

The British and Irish delegations met this morning to discuss the handling of today's Plenary session and the way forward generally. The British side was represented by the Secretary of State,

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Mr Murphy, Sir David Fell, Mr Stephens, Mr Hill, Mr Lavery, Mr Whysall and myself. The Irish were represented by the Tanaiste, Ms O'Donnell, Mr O'hUiginn, Mr Cooney, Mr Donoghue, Mr O'Hare and Mr Hickey.

The **Secretary of State** began by giving her view of the UUP's position. She felt that Trimble could not accept the decommissioning paper prepared by the two Governments. He had however said that they would not walk out of the Talks. It was noted that Trimble himself would not be present today, although the Secretary of State felt that not too much should be read into this.

The **Secretary of State** thought that it was likely that no progress would be made today and wondered whether it would be necessary to meet next week if the two Governments' paper were rejected. The Irish preference was not to meet next week, particularly if such meeting were solely to facilitate the UUP, who had declined to attend today. After discussion it was agreed that it might be necessary to meet next week, but only if the two Governments themselves saw benefit in so doing. A decision on this might depend on the outcome of today's Plenary.

Mr Murphy suggested that it would be necessary to make a public statement today, to express the two Governments' determination to press on etc. He wondered whether it might be possible next week to say something more substantial about work to be undertaken between now and 15 September. In particular he asked about work on setting up the Independent Commission. The Irish view was that they were unhappy about setting up the Independent Commission next week. It would be "absurd" to reward Trimble, when he had failed to support the two Governments' proposals. **Mr Murphy** pointed out that the proposal to set up the Independent Commission was of course the two Governments' proposal; **Mr Burke** responded by stating that this was dependent on the launch of the three strands, noting that the implementation of structures for decommissioning came after the launch of the three strands on the Talks agenda.

Mr O'hUiginn also developed the argument that to press ahead with the setting up of an Independent Commission at this stage could ultimately create a problem for the UUP. If the Commission were in operation by the end of July, Trimble would surely be asked on 15 September why it had not been possible to secure any decommissioning before that date. It was also open to Trimble to make the same complaint to the two Governments. The Irish view though was that it would be better to finish without setting up the Commission and to return in September, perhaps a

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week earlier than planned, to "tease out" these issues. It is possible that a formula acceptable to the UUP might have been found by then. The Irish were quite prepared to continue with the preparatory work required, including the preparation of the necessary international arrangement, the identification of accommodation and of members of the Commission, with a view to having this work complete and ready to be implemented on 15 September. They were unwilling to complete this by the end of July and did not wish to give Trimble the impression that such work was being carried on through the pressure exerted by him. **Mr O'hUiginn** also pointed out that it might be helpful to hold in reserve publication of some of this work as Trimble would require as much window dressing as possible to allow him to come in when Talks resumed.

Mr Stephens noted that in order to get to the point of having a Commission ready to go to work on 15 September, it would be necessary, within the process agreed by the two Governments, to consult with the parties regarding the Chairman of the Commission, drawing a loud groan from the Irish delegation but no substantive objection.

The **Irish** further explained that they were content to have "options" for decommissioning in worked-up format available on 15 September for consideration by the Independent Commission and the Talks participants on that date. They would not be happy to have "schemes" available because such schemes were required to be discussed with the Talks participants. The **Irish** would be content to discuss mechanisms with the parties before 15 September, but believed that discussion regarding the precise method to be adopted required formal discussion and agreement in Plenary. The **Secretary of State** commented that it would then be open to the two Governments to say publicly that they were preparing for different options for decommissioning and that if the parties wished to discuss the details of these options they could ask for bilateral meetings during August. The **Secretary of State** thought that it would be necessary for the two Governments to be available for bilaterals for this purpose. It would be difficult to refuse if the parties wished to meet. She suggested that the Governments might also say that they hoped that the Chairmen would be available for this purpose, although this would need to be agreed with the Chairmen in advance.

Turning to the afternoon's Plenary session, the **Secretary of State** suggested that it would be presentationally very helpful if the two Governments were able to agree to abstain on two or three of the amendments proposed. This would provide a slightly different message to rejecting all of them. The **Irish** expressed some concern at this proposal; **Mr O'hUiginn** believing that it would

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provide opportunities for additional parsing and analysis which could be unhelpful. Nevertheless, the Irish agreed to consider the detail of HMG's proposal and asked for a note of the amendments thought suitable for extension to be provided. The number of amendments on which it was thought better for both Governments to abstain were subsequently agreed.

It was also agreed that the two Governments should make a joint statement at a joint press conference immediately following the Plenary session.

Meeting with the Independent Chairmen (12 noon)

The two Governments met the Independent Chairmen at 12 noon to review the procedure for voting during Plenary session what the Chairmen might say to the press after the conclusion of the Plenary session. They also discussed proposals for business in the week commencing 28 July 1997.

Senator Mitchell reported that the number of amendments to be discussed during the Plenary session had reduced substantially. One of the smaller parties might also suggest that a final vote on the joint paper be delayed. Given the volume of amendments to consider, he estimated that 3½ hours would be needed. On the assumption that the paper by the two Governments was defeated, he suggested that it would be worthwhile for the Chairmen to engage in bilaterals with the parties the following Monday, starting at 10 am, and to call a Plenary at 4 pm that day to discuss the way forward. Assuming this was accepted, Plenary would be adjourned until 4 pm on Monday. After today's Plenary the Chairmen proposed to give interviews to the press to envisage that the Governments were determined to stay on schedule, that they looked forward to returning in September to resume the Talks process and that they hoped that the positions of the parties would have matured by that stage to a point where substantive negotiations could commence.

Reporting on a meeting which he had with Mr Trimble, **Senator Mitchell** noted that Mr Trimble had been concerned at the authority which the decommissioning paper gave the Chairmen in making determinations on substantive issues. **Senator Mitchell** had offered to meet his party to discuss how the Chairmen's responsibilities might be discharged. In addition, Mr Trimble had indicated that he would not be concerned by a delay in voting on the two Governments' paper but that he wouldn't propose such a delay, and that if delayed, he would not wish to see the Plenary move beyond item 2 of the agenda until the decommissioning issue was resolved. He expected the two

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Governments to come forward with further proposals in September but it was evident that Sinn Fein's presence at that stage would make him uncomfortable.

After a good deal of discussion on which the pros and cons of a further Plenary meeting on Monday were discussed, it was agreed that:

- the Chairmen would make themselves available for further bilateral meetings with the parties on Monday;
- the two Governments would make themselves available in Dublin for trilaterals with the smaller parties, either before or after their meeting over lunch;
- the two Governments would set out their timetable for Talks in September at the conclusion of today's business;
- to facilitate Senator Mitchell, the two Governments would aim to reconvene talks on Tuesday 9 September.

Meeting with the Irish (12.35 pm)

The two Government teams met for 15 minutes. Discussion centred on the arrangements for the coming week. In addition it was agreed that officials would prepare a brief note setting out the arrangements for parties in respect of access to Castle Buildings, etc, in the month of August. In addition, it was agreed that the Independent Chairmen should be asked to consult urgently with the parties to canvass the proposals for the coming week before the beginning of the Plenary session at 2.00 pm.

Plenary Session

The Plenary session commenced at 2.00 pm. **The Chairman**, indicated that he would allow the proposer of each motion or amendment two minutes to speak to their proposal and that he would allocate two minutes for those wishing to speak against. The Plenary would first consider the proposals tabled by the DUP, UKUP and UUP (in that order), then the amendments tabled by the

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DUP and UUP (in that order), following which the two Governments' joint paper, including amendments if these were approved, would be put to a vote. **Mr McMichael** asked for permission to propose a motion before the final vote on the joint paper, indicating that he would request an adjournment of business without a vote in the hope that such a deferral might lead to greater support by the paper. There was no objection to this and the **Chairman** agreed to allow the UDP to propose such a motion.

DUP Proposal

The DUP had requested that their proposals be dealt with paragraph by paragraph. Each paragraph (17) was voted on separately. The DUP chose not to speak in favour of any of their proposals stating that they were self explanatory. No participant spoke in opposition, however **Mr Murphy**, speaking on behalf of both Governments, explained that the Government had real difficulties with some of the proposals and in such cases would vote against. In other cases they had a good deal of sympathy with the proposals, but believed that the paper prepared by the two Governments offered a better approach; in the case of such proposals the Governments would be likely to abstain. Mr Murphy made it clear that this would apply to all of the proposals and amendments offered by the parties.

The Chairman then put the DUP proposals to the vote. Voting was as follows:

Paragraph 1:

For: DUP, UKUP, UUP

Abstain: HMG, ROI, Alliance, Labour, PUP, UDP

Against: Women's Coalition, SDLP

Paragraph 2:

For: DUP, UKUP, UUP

Abstain: HMG, ROI, Alliance, Labour, Women's Coalition, PUP, UDP

Against: SDLP

Paragraph 3:

For: DUP, UKUP, UUP

Abstain: Alliance

Against: HMG, ROI, Labour, Women's Coalition, PUP, SDLP, UDP

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Paragraph 4:

For: DUP, UKUP, UUP

Abstain: Alliance

Against: HMG, ROI, Labour, Women's Coalition, PUP, SDLP, UDP

Paragraph 5:

For: DUP, UKUP, UUP

Abstain: Alliance

Against: HMG, ROI, Labour, Women's Coalition, PUP, SDLP, UDP

Paragraph 6:

For: DUP, UKUP, UUP

Abstain: Alliance

Against: HMG, ROI, Labour, Women's Coalition, PUP, SDLP, UDP

Paragraph 7:

For: DUP, UKUP, UUP

Abstain: Alliance

Against: HMG, ROI, Labour, Women's Coalition, PUP, SDLP, UDP

Paragraph 8:

For: DUP, UKUP, UUP

Abstain: Alliance

Against: HMG, ROI, Labour, Women's Coalition, PUP, SDLP, UDP

Paragraph 9:

For: DUP, UKUP, UUP

Abstain: Alliance

Against: HMG, ROI, Labour, Women's Coalition, PUP, SDLP, UDP

Paragraph 10:

For: DUP, UKUP, UUP

Abstain: Alliance, Women's Coalition

Against: HMG, ROI, Labour, PUP, SDLP, UDP

Paragraph 11:

For: DUP, UKUP, UUP

Abstain: Alliance

Against: HMG, ROI, Labour, Women's Coalition, PUP, SDLP, UDP

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Paragraph 12:

For: DUP, UKUP, UUP

Abstain: Alliance

Against: HMG, ROI, Labour, Women's Coalition, PUP, SDLP, UDP

Paragraph 13:

For: DUP, UKUP, UUP

Abstain: Alliance

Against: HMG, ROI, Labour, Women's Coalition, PUP, SDLP, UDP

Paragraph 14:

For: DUP, UKUP, UUP

Abstain: HMG, ROI, Alliance, Labour, Women's Coalition, PUP, UDP

Against: SDLP

Paragraph 15:

For: DUP, UKUP, UUP

Abstain: Alliance

Against: HMG, ROI, Labour, Women's Coalition, PUP, SDLP, UDP

Paragraph 16:

For: DUP, UKUP, UUP

Abstain: Alliance

Against: HMG, ROI, Labour, Women's Coalition, PUP, SDLP, UDP

Paragraph 17:

For: DUP, UKUP, UUP

Abstain: Alliance

Against: HMG, ROI, Labour, Women's Coalition, PUP, SDLP, UDP

At the conclusion of each vote, **the Chairman** formally declared that the proposal concerned had failed to gain sufficient consensus.

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UKUP Proposals

The Chairman then moved to the UKUP proposals. The UKUP had indicated that they wished a vote to be taken on each section (6). The Chairman accordingly put each section in turn to the vote.

Voting was as follows:

Section (a):

For: DUP, UKUP, UUP

Abstain: Alliance

Against: HMG, ROI, Labour, Women's Coalition, PUP, SDLP, UDP

Section (b):

For: DUP, UKUP, UUP

Abstain: Alliance

Against: HMG, ROI, Labour, Women's Coalition, PUP, SDLP, UDP

Section (c):

For: DUP, UKUP, UUP

Abstain: Alliance

Against: HMG, ROI, Labour, Women's Coalition, PUP, SDLP, UDP

Section (d):

For: DUP, UKUP, UUP

Abstain: Alliance, Women's Coalition

Against: HMG, ROI, Labour, PUP, SDLP, UDP

Section (e):

For: DUP, UKUP, UUP

Abstain: Alliance

Against: HMG, ROI, Labour, Women's Coalition, PUP, SDLP, UDP

Section (f):

For: DUP, UKUP, UUP

Abstain: Alliance, Women's Coalition

Against: HMG, ROI, Labour, PUP, SDLP, UDP

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At the conclusion of each vote, **the Chairman** announced that the proposal concerned had failed to gain sufficient consensus.

UUP Proposals

The Chairman then moved on to the UUP proposals (5). **Mr Empey** chose to speak briefly. On proposal 1, he said that the UUP had hoped that this represented common ground and he would be fearful for the success of the process if it did not. The UUP believed that it was consistent with what many participants had said both within the Talks and to the media. On proposal 2, the UUP believed that this was consistent with the assurances given by the two Governments both within the Talks process and outside. Proposal 3 he believed could and should be supported by all of the participants, while proposal 4 was put forward because the compromise established by Senator Mitchell and his colleagues in the report of the International Body now appeared to be abandoned by the two Governments. Finally, proposal 5 was intended to make it clear that the decommissioning of weapons should not be dependent on political negotiations or concessions.

Lord Alderdice chose to respond. He thought the UUP approach was misguided. Regarding proposal 1, he believed that this was dependent on participants seeing how matters would turn out. proposal 2 could be blocked by deferring votes and by continuing debate on detail, while proposals 3 and 4 added nothing to the paper prepared by the two Governments. On proposal 5, Lord Alderdice believed it was important that there should be linkage between substantive negotiations and decommissioning. Overall, Lord Alderdice believed that the UUP proposals were more likely to obstruct progress than to achieve it. There being no other comments, **the Chairman** put the UUP proposals to the vote. Voting was as follows:

Proposal 1

For: PUP, UDP, DUP, UKUP, UUP

Abstain: Alliance, Women's Coalition

Against: HMG, ROI, Labour, SDLP

Proposal 2:

For: DUP, UUP

Abstain: Alliance

Against: HMG, ROI, Labour, Women's Coalition, PUP, SDLP, UDP, UKUP

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Before giving the UKUP's view of this proposal, **Mr Wilson** asked the Chairman if it was possible for him to propose an amendment to the UUP proposal. **Mr Mallon** objected to this, contending that it was a breach of the procedure already agreed by the participants. **Mr Robinson** suggested that it was not necessary to determine this unless the proposals were likely to be agreed by the participants and suggested deferring consideration of this until a vote had been completed. After some discussion, **the Chairman** agreed to complete the voting and agreed to consider the issue if the proposal were agreed. As the proposal failed to gain sufficient consensus it was not necessary for the Chairman to consider Mr Wilson's amendment further.

Proposal 3

For: DUP, UKUP, UUP

Abstain: Alliance, Women's Coalition

Against: HMG, ROI, Labour, PUP, SDLP, UDP

Proposal 4:

For: DUP, UKUP, UUP

Abstain: Alliance

Against: HMG, ROI, Women's Coalition, Labour, PUP, SDLP, UDP

Proposal 5:

For: DUP, UKUP, UUP

Abstain: Alliance, Labour, Women's Coalition

Against: HMG, ROI, PUP, SDLP, UDP

The Chairman formally declared in each case that each proposal had failed to achieve sufficient consensus.

DUP Amendment

Voting on the participants proposals having been completed, the Chairman then moved to consider amendments to the two Governments' paper. The DUP had tabled a number of amendments, but indicated that they wished to put only one (Amendment 18) to a vote by the participants.

Mr Robinson spoke in support of the amendment, which called for the deletion of paragraph 2 of the joint paper. Mr Robinson said that paragraph 2 stated that the report of the International Body

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(The Mitchell Report) represented a realistic basis on which to proceed. This was inaccurate in that it was not the collective view of the Talks participants. It was not possible for HMG and the Irish Government to state this in their paper. The statement was untrue and would remain untrue even if approved by a vote of the participants. **Dr Paisley** challenged the Governments to say when this had been approved by the Talks participants. **Lord Alderdice** made the point that the Talks participant could determine whether or not they agreed with the statement by voting on the paper. He agreed with the paper overall. **Dr Paisley** asked that the minutes record that the DUP protested at the inclusion of this paragraph on the basis that the Talks participants were being asked to subscribe to a lie. The DUP and others, had made it clear that they were prepared to accept the Mitchell principles, but not the whole of the Mitchell report. There being no other comments, **the Chairman** put the DUP amendment to the vote. Voting was as follows:

Amendment 18:

For: DUP, UKUP, UUP

Abstain: -

Against: HMG, ROI, Alliance, Labour, Women's Coalition, PUP, SDLP, UDP

The Chairman declared that the DUP amendment had failed to achieve sufficient consensus.

UUP Amendments

The Chairman then moved to amendments tabled by the UUP. Mr Empey indicated that the UUP did not wish to call for a vote on all of their amendments, but only on numbers 1, 2, 7 9, 12, 16 and 20. He did not propose to speak the amendments as he believed they were self explanatory. In any event it had become obvious that the participants were only going through the motions. **The Chairman** then put the UUP amendments to the vote with the following results:

Amendment 1:

For: DUP, UKUP, UUP

Abstain: Alliance

Against: HMG, ROI, Labour, Women's Coalition, PUP, SDLP, UDP

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Amendment 2:

For: DUP, UKUP, UUP

Abstain: Alliance

Against: HMG, ROI, Labour, Women's Coalition, PUP, SDLP, UDP

Amendment 7:

For: UUP

Abstain: Alliance, DUP

Against: HMG, ROI, Labour, Women's Coalition, PUP, SDLP, UKUP

Amendment 9:

For: DUP, UKUP, UUP

Abstain: Alliance

Against: HMG, ROI, Labour, Women's Coalition, PUP, SDLP, UDP

Amendment 12:

For: UUP

Abstain: Alliance

Against: HMG, ROI, Labour, Women's Coalition, PUP, SDLP, UDP, DUP, UKUP

Amendment 16:

For: DUP, UKUP, UUP

Abstain: Alliance

Against: HMG, ROI, Labour, Women's Coalition, PUP, SDLP, UDP

Amendment 20:

For: UUP

Abstain: HMG, ROI, Alliance, Labour, Women's Coalition, PUP, UDP, DUP, UKUP

Against: SDLP

The Chairman declared in each case that the amendments had failed to achieve sufficient consensus.

UDP Motion

Gary McMichael then put the UDP motion to the meeting. The motion proposed the Plenary should be adjourned without taking a vote on the joint paper. David Ervine of the PUP supported the motion because the joint paper represented the last opportunity to make a determination on

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decommissioning. If a vote were taken today the paper was unlikely to be approved and he felt that it would be better to defer a vote until there was greater chance of success. He said that there were people on both sides who would prefer another process entirely.

Monica McWilliams supported the motion. The Women's Coalition recognised the UUP wish to consult more widely with other sectors of civil society in Northern Ireland. The Coalition was in favour of such consultation and was absolutely convinced that the community in Northern Ireland would speak in favour of a resolution of this issue. There was also some confusion about what deals had and had not been done and it was important that this be cleared up. It was important that the Talks participants were seen to support decommissioning, although it was only realistic to expect actual decommissioning in the context of substantive political negotiations. A deferral of the vote could be used to make these points openly and honestly to community groups, to the business and other sectors of civil society. The present process was a valuable process, which should not be displaced by statements about the possibility of an alternative process. The Women's Coalition would therefore support the UDP motion.

Lord Alderdice said that the participants had been discussing decommissioning since the start of the process. It was now time to vote, to clarify where each party stood on the issue. A timetable had been agreed by all participants and they should stick to it. Otherwise it would be impossible to know how long the process would be and there would be the danger that people might not maintain the position so far agreed. Other processes had found a timetable to be beneficial. He would like to think that wider consultation would be helpful however, he had no reason to believe that such consultation would be more helpful over the next few weeks than it had been over the last 18 months. **Peter Robinson** said that the participants had agreed to a somewhat peculiar procedure in allowing the UDP to table their motion. It was particularly peculiar in that the motion would be considered after conclusion of the voting on all amendments to the joint paper. If the motion were accepted when the participants returned they would be faced with the choice of accepting or rejecting the paper in its present form without any scope whatsoever for amendment as the opportunity for this had come and gone. The UDP were therefore suggesting the participants would in the end have to accept an unadulterated paper.

The **Secretary of State** said that she appreciated the constructive spirit in which the UDP were proposing their motion, and the commitment to the process that was evident from this.

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Nevertheless, she agreed with Lord Alderdice that it was important to have a timetable and she intended to stick to it. If UDP motion and the joint paper were both rejected the two Governments would continue to attempt to make progress. As the Women's Coalition had stated, the process was a valuable one and she wanted to ensure that it had been fully tested. She would not interpret a vote against the joint paper as a vote for an alternative process.

Mr Wilson indicated that the UKUP would oppose the motion. For almost a year, some of the parties had accused Unionists of putting off a decision on decommissioning. Today was the day set for such a decision and it should not be put off any longer. A discussion of a timetable needed to be treated with caution as the Government's timetable mentioned Sinn Fein entering Talks in September. The decision taking by the parties today could not be lightly ignored. The Unionist people were against bringing fully armed terrorists into the process. He believed that if their paper were rejected, the two Governments might conclude that they should impose their own solution on the Unionist people. His answer to that was "go ahead". The previous Secretary of State was recorded as saying that the Anglo-Irish Agreement was the greatest millstone around his neck, and the new Secretary of State should cut free from all of that. Should the talks process revisit the decommissioning paper, the UKUP would be ready and willing to leave the opposition to do that. The Government should not be attempting to short change the Unionist people.

There being no other comments on the motion, **the Chairman** put the UDP motion to the vote. Voting was as follows:

For: Women's Coalition, PUP, UDP

Abstain: UKUP

Against: HMG, ROI, Alliance, Labour, SDLP, DUP

The Chairman accordingly declared that the motion had failed to obtain sufficient consensus.

Joint Paper Prepared by the British and Irish Governments

The Chairman then moved to the vote on the joint paper on decommissioning prepared by the British and Irish Governments. **Mr Robinson** asked whether the vote would be on the whole of the document circulated, including the introductory comments. The **Secretary of State** clarified this,

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explaining that only the part of the paper headed "possible conclusions" on pages 5-12 were subject to the vote. **Mr McMichael** stated that the UDP would abstain on the basis that a vote should not be taken at this time.

There being no further comments the **Chairman** then put the joint paper to the vote. Voting was as follows:

For: HMG, ROI, Labour, Women's Coalition, SDLP

Abstain: PUP, UDP

Against: DUP, UKUP, UUP

The **Chairman** declared that the joint paper had failed to achieve sufficient consensus.

Future Business

The **Chairman** then raised the issue of how the participants should proceed. He suggested that the Chairman and the two Governments would be available for meetings with the participants next week. The Independent Chairman would consult all parties to take their views. The Talks facilities would also be available for any parties wishing to engage in meetings with each other. After next week, throughout August, the facilities would be available to all parties on the same terms and schedule as for last August. After 1 September, the facilities would be available on an unlimited basis for bi-lateral meetings. The Chairman proposed that the Plenary session should adjourn until 10 am on Tuesday 9 September.

Dr Paisley asked why the proposed adjournment was to 9 September rather than 15 September. The Chairman responded that the process had not gone beyond item 2 of the agenda. The timetable agreed assumed there would be agreement on decommissioning today. **Dr Paisley** replied that the change was because the Government had said to Sinn Fein that it would be able to come into talks on 15 September. It was therefore changing the timetable because of the setback today. **Dr Paisley** asked why the original timetable could be not be adhered to. **Mr Empey** said that the UUP would have no difficulty with the proposed arrangements for next week. He felt, however, that it was not necessary to determine a date for the next plenary before the discussion next week. To do so would prejudice what might come out of that discussions. If it were decided next week to hold a plenary,

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the Chairman could call one. **Mr Robinson** said that the timetable discussion had looked at dates and events in two columns. The resumption of the talks after the holiday break had been set at 15 September. The only change that had occurred was the subject for discussion on that date - the plenary would presumably now return on that date to discuss decommissioning. This was obvious unless there had been other discussions outside the Talks. A decision to resume earlier could only be intended to allow Sinn Fein to attend substantive political negotiations on 15 September with decommissioning already agreed the previous week. **Mr Robinson**, at the Chairman's suggestion, formally proposed that the Plenary adjourn until 15 September. **Mr Empey** added that the UUP were neutral about adjourning to 9 September and would not object to that date. If, however, the meeting in September was to discuss decommissioning, what was the purpose of next week's discussions?

Lord Alderdice said that the original timetable had assumed agreement on decommissioning today and substantive negotiations commencing on 15 September. It had also, however, included the understanding that there might be meetings in the intervening periods, for examples, meetings of the business committee to set up the necessary arrangements for substantive negotiations. He suggested that a plenary at an early stage would at any event be required to determine the way forward, possibly next week and by 9 September in any case. **Mr Empey** said that the only purpose of such a plenary could be to determine a change from the timetable. Decommissioning was the issue currently being addressed and would therefore be the issue to which the participants would return. If the timetable were changed now this would in effect be to make a decision in advance of the discussions on the way forward scheduled for next week.

The **Secretary of State** said that it was not contradictory for bi-laterals to be held next week. A plenary would be required in order to move forward. The two Governments had lost a vote today and there was no agreement on where to go next. There was nothing hidden in the proposal for an earlier resumption, it was simply an attempt to move forward. The two Governments remained committed to the launch of substantive negotiations on 15 September and intended to make preparations for that with the Chairman and the parties next week and over the rest of the Summer.

Mr Robinson said that the Talks were presently at item 2a on the Agenda - Decommissioning. There was clearly no prospect that that would be resolved until after 15 September. How then was it possible for the Secretary of State to say that the two Governments were committed to substantive

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negotiations on 15 September? **Mr Wilson** said that he wished to make the same point and to reinforce it. The Secretary of State was really saying that despite today's vote, the two Government's were going to leap-frog the process to bring Sinn Fein to substantive negotiations on 15 September. He wondered if there was any point of Unionists remaining in the process. He asked the Chairman on a point of information how it was that the Secretary of State could dictate to the participants that Sinn Fein would come into the process on 15 September. **The Chairman** replied that it was not for him to tell people what they could and could not say. **Mr Wilson** responded by asking the Chairman to clarify if one party, a Government or any other participant, could say that the participants were going to leave an item on the agenda and move to substantive negotiations on 15 September. **The Chairman** replied that he did not think that this was a matter for the Chair to rule upon. The Secretary of State had certain powers under the legislation which had set up the talks process and it was not for the Chairmen to advise her on the exercise of those.

Mr Wilson then asked the Secretary of State to talk through with the participants how she proposed to deal with the problem that there had not been a decision to move on from decommissioning. How, he wondered, could Sinn Fein be in the process if decommissioning had not yet been dealt with. **The Secretary of State** replied that the two Governments looked forward to working with all the parties over the Summer to seek the resolution of the decommissioning issue, with a view to commencing substantive negotiations on 15 September. **Dr Paisley** asked how the Secretary of State squared her statement on decommissioning in the House of Commons and elsewhere with her present position. This was another example of the underhand way that the two Governments had dealt with Sinn Fein. They had brought Sinn Fein into the building in an underhand way and would bring them into negotiations on 15 September. The promise made to Sinn Fein that they would be in negotiations on 15 September had to be kept, just as the entry to negotiations election date had had to be set to suit Sinn Fein. HMG could not get away with pretending that there was nothing dishonest about their actions when those actions could not be squared with the outcome of the vote today. Even Mr Spring had said that all weapons must be surrendered before Sinn Fein could come into talks. The two Prime Ministers had also said that decommissioning would have to be dealt with first. **Dr Paisley** said that the DUP would not be present, as the talks process was not a democracy. The Government was going back on what it had told the parties. He regretted that the British Government had given in to IRA blackmail. Mitchell McLaughlin had said earlier in the day that if they didn't like the line taken by the parties today, violent men would be back on the streets. Decomcracy's voice had been silenced, it was not the silence of weaponry, but the silence of

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surrender. **Dr Paisley** said he wished to conclude with the words of the mother of one of the RUC officers murdered in Lurgan, "was it worthwhile to pay that price when the British Government has done what it had done". The DUP had no further place at the talks as it was no place for democracy.

Dr Paisley then led the DUP delegation in leaving in the Chamber. As he left, **Lord Alderdice** commented that Dr Paisley should remember that violence of the tongue was just as harmful as that from the gun.

Lord Alderdice continued after the DUP departure, saying that there was no connection between decommissioning and the entry of Sinn Fein into talks. Sinn Fein entry depended on a ceasefire and an invitation from the Secretary of State. By not deciding on decommissioning today, the participants would have to sort out decommissioning with the Republican Movement rather than before that Movement entered the process. The date that Sinn Fein came into talks did not depend on the resolution of decommissioning. If there was no resolution on decommissioning, Sinn Fein would still be able to come in and would be part of resolving that issue.

Mr Mallon noted that, in the context of adherence to the timetable, there had been two days earlier that week, set aside to discuss decommissioning. He said that no matter who was in or out of the process, the realities of decommissioning had been drawn together by the two Governments based on the essential premises and principles set out by the International Body in its report. Sir Patrick Mayhew had said that decommissioning would, if ever, only come about on a voluntary basis. The interests of Unionists and the SDLP coincided on this. At the end of the day the people of Northern Ireland would have to live together. The approach that had not yet been tried was talking them out as opposed to taking them out. [Several Unionist representatives interjected that taking them out had not been tried either]. The only leverage available would be to get those holding arms to prefer negotiations to violence. He hoped he would not cause offence in saying so, but he and the SDLP could not effect decommissioning of guns which had killed Catholic citizens. It was only possible for those holding such guns to do that. Although there might not be a political imperative to decommission, he believed that there was a strong moral imperative to do so, because this was the only way in which a settlement could be reached. Unionists might think that they were winning a presentational battle, but they were doing no favours to all those who wanted to achieve decommissioning.

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Mr Empey said that Unionists were not thinking in terms of victories or battles won. The core of the UUP objections was that the joint paper purported to do something which its authors and others knew it could not do. The UUP had changed its view on decommissioning in an effort to make progress. The authors of the paper professed to adhere to the Mitchell report and emphasised it throughout, in particular paragraph 34. Leaving aside the issue of the interpretation of "consider", the fundamental compromise between the position that decommissioning should happen before substantive negotiations and the position that this should only come about at the end of the process was that some arms would be given up during the process. The effect of the joint paper, however, was that no arms would have to be giving up during the process. This conclusion was reinforced by correspondence between HMG and Sinn Fein and statements by Sinn Fein representatives. Today's debate represented a test of the sincerity of the Governments. Mitchell McLaughlin's remarks of earlier in the day was a thinly veiled threat which did little to inspire confidence within the Unionist community. The comments appeared to be inconsistent with paragraph 10 of the Downing Street Declaration which required a commitment to exclusively peaceful methods.

Mr Mallon said that there was not going to be a political settlement as a result of negotiations unless this was based on trust between the opposing positions. This would be impossible if legal weapons were still standing between the two sections of the community. Building trust of itself demand the giving up of weapons. He asked what imperative could be imposed which would be effective other than the imperative to reach an agreement. **Mr Empey** replied that if the requirement to comply with the International Body's compromise solution were removed no incentive at all would be left. Sinn Fein were seeking acceptability as democratic representatives but were in fact very different. Mitchell McLaughlin had said that unless the participants did certain things there would be consequences. This amounted to a thinly veiled threat. The two Governments claimed to they support the Mitchell report but had in fact abandoned it.

Councillor Smyth intervened to say that he wished to apologise to Mr Wilson for delaying his walkout. Mr Wilson had already missed one news broadcast. He did not know how the present debate had developed, but believed it had originated in a discussion on the timetable. He suggested that the participants should approve the schedule proposed by the chairman for the Summer and should not specify a date for a resumption of the plenary. The kind of discussion which he had just heard between Mr Mallon and Mr Empey could, he thought, produce fruit.

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Dr O'Brien stated that he had just seen that the talks proceedings were a complete farce. The Secretary of State had indicated that Sinn Fein, nothing except the political arm of an illegal army, would be seated in talks. This was a fait accompli. The talks body was being treated with contempt. The UKUP therefore proposed to withdraw from the talks and to put the issues before the people of Northern Ireland. He ventured to suggest that in a referendum the people of Northern Ireland would vote against the proposals. **Mr Wilson** asked a further point of information of the Chairman, whether the original timetable proposing a resumption on 15 September would be adhered to unless there was an objection to this. The **Chairman** stated that this would not be the case.

The UKUP delegation then left. **Mr Hume** indicated he wished to ask Dr O'Brien a question but was unable to do so before the UKUP departure. He had wished to ask whether Dr O'Brien had asked Sean McBride, a former IRA chief of staff, if he would decommission before Dr O'Brien had decided to work for him.

Mr Hume said that the people of Northern Ireland had never agreed among themselves. Discussions between him and Mr Adams, and those with HMG, had involved no secret deals in return for a ceasefire. The purpose of the discussions had been to stop the killing on the streets. He agreed with Mr Ervine that decommissioning would be a matter of trust. He accepted that and had met with the PUP and UDP. As a result of those meetings trust had been built up between the SDLP and those parties. The paramilitaries could hand over arms and get more the next day. Statements about an unequivocal restoration and a commitment to the Mitchell Principles were important and should be listened to. If the paramilitaries departed from that commitment, he and the SDLP would be the first to put them out the door. The SDLP's commitment to this should not be in doubt, as that Party had been constantly in the front line against Sinn Fein. If further reassurance was required, he was happy to meet with any Unionist party to explain what he had discussed with Mr Adams. Statements made by he and Mr Adams had said that any agreement would require the allegiance of both communities in NI. People should realise that there had been a major debate within Nationalist Ireland. No one was seeking a take-over, rather a way to live together. He had never heard of decommissioning until Sir Patrick Mayhew had mentioned it. He asked if there was anywhere a process had begun with surrender. No one should understand the sensitivities of this better than Unionists. The two Governments have promised that no agreement

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will be imposed and it will be for the people to decide. If the political parties could not produce an agreement the two Governments should produce proposals, consult the parties and put the final proposals to the people.

Lord Alderdice discussed the origins of decommissioning. He had first heard the word in conversation with Proinsias De Rossa, who he had asked how paramilitaries might be persuaded to give up their arms. De Rossa had told him "Don't call it disarmament, call it decommissioning. Decommissioning did not sound like surrender because it was something you can do yourself." This had become important in 1992, when the parties had been trying to draw up a memorandum of understanding of the principles required for a settlement. Out of this had come the Downing Street Declaration. The Republican movement had not signed up to that Declaration, nor had they signed up to the principle of consent in the Forum for Peace and Reconciliation, although all other parties within that Forum had done so. There were therefore serious questions about the bona fides of the Republican movement. Having failed to get any commitment from the Republican movement in these areas, it had been necessary to look for other indicators. The British Government had therefore turned, in Lord Alderdice's view foolishly, to decommissioning rather than the principle of consent. Referring to Mr Hume's comments, he said that people did read the statements made by Mr Hume and Mr Adams, the problem was that they did not believe them. They thought that those who were prepared to bomb and murder would have few qualms about a few lies. He believed that the Republican movement had betrayed many who had taken risks for peace, including Mr Hume. He did not trust them. However, decommissioning was not the only key issue. If decommissioning and political progress were linked, the Republican movement would be given a veto on progress. They could halt progress at any time by refusing to decommission. What ought to be linked to political progress instead were confidence-building measures. Republicans said that there must be confidence-building, why should this not include the building-up of Unionist confidence, or the confidence of those in Northern Ireland generally, including those who do not wish to be associated with either Unionists or Nationalists? Republicans had identified a range of issues, and this list was increasing. Why should Unionists not put down an equivalent list, eg decommissioning, dismantling of terrorist organisations etc? If there was movement on confidence-building measures for Republicans, a quid pro quo would be needed for Unionists. This would have the attraction that those on the Republican side who had most to gain from such confidence-building measures, eg prisoners, were those who had most influence regarding illegal weapons.

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Mr Hume commented that he had intended to emphasise that the major priority for all in the process was to begin the process of trying to reach an agreement. The best chance for such an agreement would be in a totally peaceful atmosphere. **Mr Burke** stated that the Irish Government too was committed to moving forward.

Having heard from all of the participants and after a short alignment, **the Chairman** revised his proposal. He suggested that bilaterals should take place next week and during August and early September. The Plenary would be adjourned subject to the call of the Chair during the week of 28 July. If a Plenary were not called during that week, the next Plenary would be set for 9 September at 10.00 am.

Mr Empey said that he did not wish to be committed to a particular date, and his preference would be to retain the agreed date for resumption of 15 September. **Councillor Smyth** suggested that the participants might agree that the Plenary should be at the call of the Chair, but no later than 15 September. **Mr Empey** said that he would prefer to leave this open, discussions were to take place next week and if something emerged from that the participants could decide to alter the 15 September date. **The Chairman** asked each party in turn for their views. **The Secretary of State** said that HMG would prefer the possibility of a Plenary before 15 September and favoured 9 September. **Mr Burke** said that the Irish delegation would be content to leave the resumption to the call of the Chair, but no later than 9 September. **Lord Alderdice** said he preferred the two Governments' date of 9 September, but could accept leaving this to the call of the Chair, no later than 15 September. **Mr Casey** and **Mrs McWilliams** said that they would be content with adjournment at the call of the Chair, they would prefer resumption on 9 September, but could accept no later than 15 September. **Mr Ervine** said that he was prepared to accept the call of the Chair, but no later than 9 September. The SDLP wished to retain the 9 September date as proposed. The UDP said that they wished to reserve judgement. After a short adjournment, **the Chairman** proposed that the Plenary should adjourn to 4.00 pm on Monday 28 July. The Independent Chairman would consult all of the parties during the day before the Plenary and that Plenary would then decide when to re-convene. This would in any event be no later than 15 September. There was no objection to this proposal and the Chairman declared it agreed. The Plenary then adjourned.

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Following the Plenary, the representatives of the two Governments invited all of the Talks participants to the bar for refreshment.

(Signed)

ROBERT CRAWFORD

SH EXT 27088

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