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FROM: D J R HILL
CONSTITUTIONAL & POLITICAL DIVISION
30 SEPTEMBER 1997

cc: (see attached)

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Jan
1/10.

File Note

TALKS, 30 SEPTEMBER - BUSINESS COMMITTEESummary

A friendly, low key and efficient meeting of the Business Committee paved the way for the formal opening of each of the three strands on Tuesday 7 October.

2. General concern was expressed about the need for the talks to develop a better media strategy, partly in response to the DUP/UKUP campaign to wreck the talks, but also in order to build public confidence in the talks process and begin to develop wider public ownership of the outcome.
3. There was no significant debate on the DUP's status or whether they and the UKUP should receive minutes, but the two Governments subsequently agreed with Senator Mitchell that as a first step he should write to Dr Paisley with a view to establishing that the DUP had formally withdrawn from participation.

Detail

4. The Business Committee met this morning from 10 am until about 12.20 pm and dealt with all the agenda items which had been suggested.
5. Apart from the Alliance Party in expressing their views on media access, everyone was determinedly low key and constructive and no significant differences of opinion emerged. Everyone seemed keen to move rapidly into substance and no-one pressed any points (eg the timing of the establishment of the various Liaison sub-Committees) which could perhaps have caused difficulties.
6. Martin McGuinness made a number of positive contributions, conveying the sense that the negotiations were likely to throw up difficult issues for all participants which could be worked through with good will and commitment all round.

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7. This took up nearly half the meeting with the Alliance Party (Seamus Close and Sean Neeson) asserting the case for plenaries to be filmed and all the other participants expressing varying degrees of doubt about the wisdom or value of that whilst also accepting the need to raise and improve the public profile of the talks, especially given the assault which the DUP and UKUP were making on them. The hope was expressed that, having secured the move to substantive negotiations, the pressures on the participants to brief the media and "spin" stories their own way would lessen. The Committee agreed that there was no need to change the rules of procedure, which allow publicity where the participants agree.

8. At a subsequent meeting between the two Governments and the Independent Chairmen it was agreed that HMG and Senator Mitchell as Chairmen of strands one and two respectively should invite participants to agree that the press should be invited in to cover the opening moments of each strand on 7 October (although it was acknowledged that UUP sensitivities might make this impossible) and suggest that opening statements might be published. Meanwhile the parties agreed to reflect further on the issues. [Mr Thomas and I held in reserve the suggestion that participants should agree a "talks statement" each day, giving them all something to rest on if they wanted to and thus minimising the risk of conflicting media briefings.]

Action: Mr Whysall, to prepare a draft letter from the Government to the strand one participants with proposals for handling next Tuesday's opening session. Mr Woods, to note the press arrangements proposed for Tuesday, although these remain contingent on the participants agreeing; and to let the talks team have any further suggestions on media handling which might be fed in.

Scheduling the strands

9. The Committee noted early on that its role was to advise and that detailed arrangements for each strand were for the relevant Chairmen/participants. It was agreed that rule 11 required negotiations in all three strands to "open" on the same day, and that the relevant Chairmen should be advised to convene meetings for this purpose on 7 October: strand one, 10 am - 1 pm; strand two, 2.30 - 5.30 pm; and strand 3; 7 - 9 pm. As to the future, there was some discussion of the desirability of scheduling fixed days each week for each of strand one, strand two and the strand three liaison arrangements, or scheduling a week at a time, but it was agreed that the relevant Chairmen should be invited to consult participants on 7 October and feed views back to a further meeting of the Business Committee to be held at 10 am on 8 October.

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10. The two Governments subsequently agreed with Senator Mitchell that so far as strand two was concerned he should seek to encourage participants to produce papers on each of the agenda items in turn, as a basis for general discussion, before beginning to identify areas of common ground and areas of difficulty and moving into real negotiation. The general point was that adopting a sequential approach to the issues would risk running up against blockages; and that to maximise the scope for trade-offs it would be sensible to get all the issues at least on to the table before beginning to move towards agreement on individual items. Mr Murphy agreed that HMG would aim to follow a similar approach in strand one.

11. In a further conversation between Mr Thomas and Reg Empey the latter confirmed the UUP's preference to concentrate on strand two (and strand three) issues, subject to the need to observe the proprieties so far as strand one was concerned. They were planning to discuss this with the SDLP. Mr Thomas confirmed that HMG would be unlikely to oppose such an approach (and we know the Irish Government would be content). It may be that such an approach to structuring the negotiations will begin to emerge at next week's Business Committee.

Liaison sub-Committees

12. Rather to my surprise, neither the UUP nor Sinn Féin pressed for early movement on these sub-Committees. It was agreed that parties could field "representatives" (ie not necessarily "delegates") to attend these sub-Committees, not necessarily the same team for each, and that "supporters" could also attend. Senator Mitchell was invited to consult the parties about fixing meetings and he subsequently said he would aim to hold initial meetings on the afternoon of Wednesday 8 October.

13. Sinn Féin raised the question of how issues were to be referred to the Liaison sub-Committee on CBMs and were referred to the terms of reference set out in the procedural motion.

Minutes of meetings

14. It was agreed that the minutes of the Business Committee should be restricted to agreed conclusions. (I hope this will become a model for other formats.)

15. In a very brief discussion of the circulation of minutes General De Chastelain said that this was a matter on which Senator Mitchell had sought the views of participants and had yet to rule.

16. In the subsequent meeting between the two Governments and the Independent Chairmen, Senator Mitchell agreed that there would be

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tactical advantage in him writing to ask the DUP how they viewed their current status, in the hope that this would provide the active participants with a clearer and more defensible basis for refusing to send minutes to the DUP and UKUP.

Miscellaneous

17. Mr Burke (answering questions in the Dail) and the Prime Minister (speaking at Brighton) were informed of developments and thus given the opportunity to make positive references to this evidence of further forward movement in the talks.

18. The Committee agreed that to maintain informality its membership should continue to be limited to a maximum of two people per delegation.

19. Martin McGuinness put on record in a very low key way Sinn Féin's opposition to HMG chairing strand one of the negotiations, on the basis that HMG was not "neutral". Reg Empey drew the Committee's attention to rule 4 of the rules of procedure which is quite clear on the point.

20. No-one at the Business Committee raised the possibility of holding strand two meetings in London or Dublin. The Irish and the UUP had previously signalled privately to us that they did not want to make an issue of this point at this stage. Mr Cooney subsequently told us, however, that the Irish Government would like a strand two meeting in Dublin, probably in the New Year. **Action: Mr Dickinson**, as a contingency could you please check on the availability of Lancaster House or another London venue for January 1998.

21. The two Government teams agreed that the formal business of the opening meeting of strand three on 7 October should be to agree a draft paper for circulation to the parties. The Irish undertook to let us have early comments on the text sent to them in August. The meeting might also consider the modalities of establishing the necessary strand three liaison arrangements and give Ministers an opportunity to review developments overall. This might almost conveniently be done over a working dinner. **Action: Mr Dickinson**, to make the necessary arrangements for a working inter-Governmental dinner at Castle Buildings on 7 October, subject to confirmation that the Secretary of State would be content with that arrangement.

Work now in hand

22. In addition to the action points noted above,

- CPL will begin to work up some illustrative examples of how the negotiations might be scheduled, to aid consideration at next week's Business Committee;

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- IPL will prepare formal opening statements by HMG for deployment in each of the three strands next Tuesday, which might subsequently be published;
- IPL will begin to prepare a paper on "principles and requirements" for strand two, and possibly a similar paper for strand one (although we may be able to rely on Annex A to the Framework for Accountable Government).

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TALKS: 30 SEPTEMBER - BUSINESS COMMITTEE

cc: PS/Secretary of State (L&B)
PS/Mr Murphy (L&B)
PS/Mr Ingram (L&B)
PS/PUS (L&B)
PS/Mr Semple (L&B)
Mr Thomas
Mr Steele
Mr Watkins
Mr Leach
Mr Bell
Mr Stephens
Mr Lavery
Mr Perry
Mr Maccabe
Mr Beeton
Mr Priestly
Mr Woods (L&B)
Mr Whysall (L&B)
Mr Dickinson
Ms Mapstone
Ms Bharucha
Mr Warner
Mr Fergusson, RID
HMA Dublin
Mr Cary, W'ton via RID
Mr Holmes, No 10
Mr Sanderson, Cab Off

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