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CONFIDENTIAL

FROM: P SMYTH
Political Affairs Division
12 November 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
Mr Bell - B
Mr Watkins - B
Mr Stephens - 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
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

NOTE FOR THE RECORD

TALKS SUMMARY: 12 NOVEMBER 1996

GENERAL

The day was devoted to bilateral talks between the Government and the Ulster Unionists, the SDLP and the Irish. The first two of these meetings were mostly given up to debating the extent to which the Alliance proposals for an Independent Commission to handle decommissioning were acceptable to the political imperatives of the other two parties (UUP and SDLP). The third explored at greater length than the previous two meetings the scope for maneouvre which might exist in regard to admitting Sinn Fein to the Talks process.

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UUP

In general, the UUP felt that differences between themselves and Alliance were probably resolvable, but doubted if the SDLP would find the Commission concept to be so attractive. Nevertheless, the Party was prepared to show a greater degree of flexibility than formerly on such issues as benchmarking, and the extent to which all the details of a decommissioning scheme would have to be nailed down in advance, although this easement seemed to be predicated on the assumption that the Commission terms of reference, as agreed in advance, would prove "satisfactory". The Party was clear that its political requirements were to ensure that when Sinn Fein arrived at the Talks table they would sign up to a decommissioning deal which committed them, within a reasonable timeframe, to seeing arms given up as part of the ongoing political process. Towards the end of the meeting, possibly in order to avoid a detailed discussion on benchmarking, Empey appeared to deliberately steer the conversation towards the criteria for Sinn Fein's entry into the Talks process. The Secretary of State deployed the standard lines, refusing to specify details. The delegation took this opportunity to re-emphasise that, in view of their experiences at the hands of HMG since 1992, they did not find this absence of clarity to be reassuring.

SDLP

The SDLP delegation quickly put down markers that the Alliance decommissioning model was not to their liking. The sub-committee idea still seemed to them to represent the best means of dealing with decommissioning issues and moving expeditiously to engagement in the 3-stranded discussions. It was also crucial to avoid breaking all links between the Talks process and the consideration of decommissioning (which again was an implication of the Alliance

proposals). The delegation explained that they recognised the depth of Unionist concerns, and their pre-occupation with getting agreement on mechanisms before they would engage in discussion of the 3-stranded agenda; but the process had become unbalanced, with the SDLP making all the concessions and the UUP pocketing the gains. A brief and unenlightening discussion also took place on the criteria for Sinn Fein's access to Talks, with the SDLP repeating the mantra that Sinn Fein's credibility could most easily be tested once they were engaged in the political process, rather than by reference to pre-determined criteria. The delegation promised to provide in due course a readout of their bilateral with the UUP that afternoon.

Irish

A working lunch with an Irish delegation headed by Minister Coveney began on a slightly sticky note with the latter expressing surprise at the extent to which HMG seemed to approve of the Alliance decommissioning proposals. The Unionist position was basically undeliverable, and capable of breaking the political process: it remained a puzzle as to why Unionists should pretend that decommissioning could be anything other than a voluntary process. Uneasy silences and negative body language on the Irish side characterised this phase of the meeting.

Discussion then moved to conditions for Sinn Fein's entry to the Talks. Categoric assurances were given that Sinn Fein had no scope for manoeuvre in regard to accepting any conditions which appeared to bestow second-class citizenship or the need to serve a probationary period. On one level, the Republican movement probably recognised that each bomb did create a widening credibility gap, but (this not delivered quite convincingly) such was the compartmentalised thinking which prevailed that no connection would be held to automatically exist between the actions of the military wing and the aspirations of the politicians.

While the Irish recognised the difficulties confronting the Secretary of State in reaching a determination under the Negotiations Act, read in conjunction with paragraphs 8 and 9 of the Groundrules, they could not see Sinn Fein allowing the Secretary of State the primary role in determining whether or not they were to enter the Talks. They would probably be equally uneasy about any requirement to sign up to the Mitchell principles without first being guaranteed a place at the Talks table. Once in, there was a probability that Sinn Fein would help in converting the Republican movement to the political path; but it would be an evolutionary process, and was impossible to guarantee in advance as being risk-free. There was an argument that HMG had two options - (i) allow Sinn Fein in without worrying too much about testing the nature of the ceasefire, and take the short-term flack; or (ii) defer admission and face the difficulties of adjudicating on any incidents which might arise in the interim as they impacted on the interpretation of paragraphs 8 and 9. (It was noted, in passing, that the requirements of the Negotiations Act did not bind the Irish Government). It was pointed out that if Sinn Fein's entry brought an end to Talks, the chances were the ceasefire would also end.

Brief discussion then took place on whether there was any mileage in the idea of a natural break in the Talks process creating a period during which Sinn Fein could be brought in. The Secretary of State referred to the possibility of British officials meeting with Sinn Fein during this period. Minister Coveney expressed interest in seeing this developed. The HMG side made it clear that any request from Sinn Fein for a meeting would be considered on its merits, although it would have to be fully understood (a) the Ministers could not be involved initially, and (b) that details of the ceasefire were not being negotiated. The meeting ended on a cordial note, with both sides recognising the difficulty of the issues, and HMG reiterated the wish to thoroughly explore all avenues to political progress.

(Signed)

P SMYTH
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