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POLICY & OPERATIONS 1

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REF
NORTHERN IRELAND OFFICE (B)

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FROM: KEITH JAGELMAN (AM)
IAN MAYE (PM)
6 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: 6 NOVEMBER 1996

Morning Session

1. The morning plenary, lasting just over two hours, continued the round of questioning to the two Governments adjourned from last evening.
2. Following a short (15 minute) adjournment to await the arrival of British and Irish Government Ministers, this session was opened by

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Mr Weir for the UUP. His questions were directed chiefly at the Irish Government, and concentrated initially on the nature and terms of any IRA ceasefire which might be deemed sufficient to enable Sinn Fein to access the talks process. Mr Weir pressed Mrs Owen in particular for a definition of her stated requirement for an "unequivocal" ceasefire. Mrs Owen, successfully adopting a less defensive approach than in previous sessions, indicated that her Government would look at the terms and language of any ceasefire, but that ultimately the decision was one for the Secretary of State, not the Irish Government.

3. Mr Weir handed the baton to Mr Ken Maginnis who prefaced his questions with the observation that in his view both Governments lacked a sense of urgency and reality on the issue of decommissioning. He probed the reasoning behind the "working assumption" reached by the Governments following the August '94 ceasefire, rejecting the assertion made by both the Secretary of State and Mrs Owen that the assumption had not been a matter of political expediency, but had represented a practical step taken in an attempt to keep the process going. Turning to the issue of parallel decommissioning, Mr Maginnis expressed his fear that Sinn Fein's idea of political progress was nothing short of the establishment of a 32 county Marxist state. He remained unmoved by assurances both from the Secretary of State and Mrs Owen that the furtherance of any one party's objectives in isolation could not in this sense represent political progress, and that such progress could in any event be pursued only by democratic and peaceful means.

4. Mr Maginnis went on to press both Governments for confirmation that they would require a ceasefire that was "complete, permanent and universal". The Secretary of State indicated that the intent of the Republican Movement must be that the ceasefire was for ever, and universal. How that intent was gauged would depend upon all the circumstances.

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5. Mr Robinson then took the floor, to probe the Irish Government further on the concept of parallel decommissioning, and in particular what circumstance might initiate the act of decommissioning. He pointed out that unlike that of the unionist population in Northern Ireland the Irish Government's judgement of the last ceasefire had ultimately proved incorrect. Why then should unionists rely on the Irish Government's judgement this time around? Mr Robinson invited Mrs Owen to consider this issue from a unionist perspective, but after a short and fruitless exchange both conceded that this role-play approach was perhaps not the best way to proceed!

Afternoon Session

6. The afternoon plenary, lasting just over four hours, continued the round of questioning to the two Governments focussing again on the Irish Government's conditions for Sinn Fein's entry to negotiations.

7. Continuing his earlier line of questioning, Mr Robinson probed Mrs Owen at length on what the Irish Government believed the word "during" in paragraph 34 of the Mitchell report meant (following a similar line of questioning to the Secretary of State on Tuesday). Did it allow for decommissioning on day one of Sinn Fein entering talks? Mrs Owen, suggesting that the word carried its ordinary meaning, put in the context of the report as a whole. Decommissioning, she suggested, could not in reality begin until the details of how it was to be achieved were tied down, given that it would be voluntary in nature. Mr Robinson then returned to the charge on entry conditions, in what became a protracted, and ultimately barren, exchange. Mrs Owen maintained the position that the Irish Government would look at the terms and language of any ceasefire, but refused to be drawn on the considerations which might lead her Government to conclude that a ceasefire was "unequivocal" and the time which such consideration might take.

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8. Mr McCartney, with his customary tenacity, returned to the subject of permanency, on which he had harried the Secretary of State the previous day. Suggesting that the Irish Government had used "permanence" publicly as a criterion prior to the August 1994 ceasefire, he wondered why the Irish could not do so again. Again the exchange proved fruitless, Mr McCartney repeating the same question several times, Mrs Owen not deviating from her line. Eventually, and with an evident sigh of relief from many of the participants, the Chairman called a halt to the questioning, suggesting that it was repetitious and wasteful of time. Mr McCartney conceded with uncustomary grace moving on to the question of whether signing up to the Mitchell principles provided sufficient evidence of Sinn Fein's intent to abide by the democratic process.
9. Following a question from Cedric Wilson, Dr Paisley took the floor, suggesting that HMG should not accept that PIRA, for reasons of its internal constitution, could not use the word "permanent" in any statement. Should not HMG press them to do so? A somewhat heated exchange with the Secretary of State followed, in which the Secretary of State maintained the line that it was for PIRA, by word or deed, to convince the Governments as to its intent. If they could not use the word permanent, then they would have to find other means of persuading the Governments that a ceasefire was so intended.
10. Finally, in response to a question by the Secretary of State, Lord Alderdice spoke to the Alliance Party proposal for dealing with modalities of decommissioning, in which the core of a Commission would be established to draw up detailed proposals as necessary with Plenary by means of specific liaison arrangements. Following questions by the SDLP, Lord Alderdice conceded that the Commission might liaise with a specific sub-committee of Plenary, but that it should not be under the authority of the sub-committee.
11. In response to a suggestion by the Secretary of State, it was agreed that the parties should set out their suggested conclusions on the decommissioning discussion in concise papers, if they so wished.

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It was agreed that the papers should be submitted to the Chairman's Office by 10.00 am on Wednesday 13 November, and that the Plenary should reconvene at noon on Monday 18 November.

(Signed)

KEITH JAGELMAN

IAN MAYE

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