

FROM: IAN MAYE
INT 58/96

Security Policy and Operations Division
26 November 1996

1 ~~Julia~~ 27/11
2 ~~Jeff~~ 27/11
3 ~~PA~~

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)
PS/Baroness Denton (DED, DANI&L)
PS/PUS (B&L) - B
PS/Sir David Fell - B
Mr Thomas (B&L) - 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
Miss Bharucha - B
Ms Mapstone - B
Ms Whysall (B&L) - B
Ms Collins, Cab Office (via IPL)
Mr Dickinson, TAU - B
Mr Lamont, RID - B
HMA Dublin - B
Mr Westmacott (via RID) - B
Mr Campbell-Bannerman - B
Mrs McNally (B&L) - B

NOTE FOR THE RECORD

TALKS: 25 NOVEMBER 1996

Summary

A relatively quiet day, with only one bilateral, with the UUP, a meeting with the Independent Chairmen and the Irish Government, and a short plenary. A difficult bilateral with the UUP. Copies of the Government paper on decommissioning tabled for consideration. Mr

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Trimble, angry that he had not been shown a copy of the text of Hume/Adams response prior to it being given to the Irish and Hume. Later shown a copy of the text by Michael Ancram. A brief plenary, adjourned to 11.00 am on Wednesday 27 November to allow further time for bilaterals. UKUP attempt to flush out the UUP position, and force a determination of the decommissioning issue by tabling a paper for discussion, resisted by all other parties except the DUP.

UUP bilateral

2. A meeting took place between the British Government side and the UUP delegation at 11 am. Michael Ancram led for the British Government in the absence of the Secretary of State in Finland. In response to a question from Mr Trimble, Michael Ancram reported that the Prime Minister had written to the Irish with the text of a response to Hume/Adams. A copy had also gone to John Hume. Clearly taken aback, Mr Trimble argued that he should have been shown the text before it went back to John Hume. He had been promised this by the Prime Minister. Michael Ancram undertook to check the position, but his clear understanding that Mr Trimble was to be shown the text before publication, not before going to John Hume. He would check the position with No 10 and take Mr Trimble through the text later in the day (minuted separately).

3. Mr Trimble reported that the UUP had arranged a trilateral later that day to take forward work on decommissioning. Some small progress was being made, but it was of little consequence compared with the Hume/Adams initiative. Mr Empey added that the UUP were prepared to continue their discussions within talks on decommissioning. However the reality was that talks were now seen to be a secondary process to Hume/Adams.

4. Mr Taylor asked when HMG intended to publish Hume/Adams. Michael Ancram indicated that publication was likely later that week but that the precise date had not yet been settled. Mr Trimble argued that it should be published sooner rather than later, given that the Irish were likely to leak the text. Mr Maginnis added that

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Mo Mowlam had said that she would write to the Prime Minister to find out what sort of deal had been done. Michael Ancram added that once published the terms of entry for Sinn Fein would be clear. Mr Empey said that the SDLP were seeking the UUP views on Chapter 6 of the Mitchell Report, including their views on the confidence building measures set out in the report. There was an obvious link to Hume/Adams. The UUP would not wish to agree these issues in bilaterals; they were properly a matter for the plenary to consider. Michael Ancram reminded the UUP that the terms of entry on Hume/Adams related to the period up to the point where an invitation was issued to Sinn Fein to join talks. He suggested that Mr Trimble would find no surprises in the text.

5. Michael Ancram then handed over the Government paper on decommissioning. He explained that it followed the same format as the text which had been discussed with the UUP the previous week, and had not substantially changed. He then took the UUP through the proposals including the terms of reference of the proposed independent Commission, noting that the proposal that the Commission should offer a judgement on when decommissioning should start was opposed by the Irish Government and the UUP. Mr Trimble said that they would wish to consider the paper carefully. Michael Ancram agreed, reminding the UUP that the paper was not yet a proposal and was being put forward in confidence and for discussion only.

6. Mr Maginnis suggested that the Government should consider a more explicit and descriptive title for the independent Commission. Mr Trimble also suggested that it might also be best tactically to avoid repeating the text of paragraphs 34 and 35 of the Mitchell Report in the opening tiret and that it might be better to use different language to clarify the position and to avoid any further argument over the meaning of the compromise approach.

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Meeting with Chairmen

7. A meeting took place between the Chairmen and the two Governments at 11.30 am. The meeting considered the handling of the plenary that day. Senator Mitchell reported that the UUP had suggested a short plenary followed by further bilateral discussions.

8. Agreeing, Michael Ancram reported the possibility of a Rule 29 challenge to the continued participation of the UDP. It had been reported in the media that the UDA had issued threats against 20 named people in the Londonderry area, and that Mr David Nicholl, a PUP spokesman, had acknowledged that the threats, and recent kneecappings, could be construed as a breach of the Loyalist ceasefire. Mr Nicholl was also reported as suggesting that the actions were not of a sort to imperil the presence of the UDP in the talks, being essentially of a "domestic" nature aimed at their own community and not part of a "sectarian war". In addition, following weekend press reporting, there might be some speculation about a ceasefire and Hume/Adams. He added that there were no final plans for publication of the Hume/Adams text. On decommissioning, he noted that HMG wished to encourage further bilaterals between the SDLP and UUP. There was little point in holding a further plenary till those bilaterals had been played out. He further noted that the SDLP had indicated that the UUP would not wish to report on the outcome of their bilaterals before the DUP conference on Saturday. The Government would not wish to table its proposals on decommissioning until those bilaterals had been played out. It was difficult at present to envisage the bilaterals reaching agreement.

9. Mr Coveney noted that the Irish Government was also involved in bilateral discussions with the parties which they envisaged would continue. Concluding the discussion Senator Mitchell reported that the Chairmen would arrange bilaterals with each of the parties to update themselves on progress at the plenary he would suggest an adjournment until Wednesday am.

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Plenary

10. The plenary session began at 12.07 pm. The first item on the agenda was the approval of minutes of recent plenary sessions. The plenary agreed that the approval of recent minutes of meetings should be delayed until the next plenary session.

11. Senator Mitchell reminded the plenary that extensive discussion on decommissioning had taken place over a period of several weeks. He invited suggestions on how best to proceed. He had been advised of a number of bilaterals and trilaterals that day and on Tuesday and added that the Chairmen hoped to meet each of the parties over the next two days. He suggested that the plenary session might adjourn until 10 am on Wednesday 27 November to allow bilaterals and trilaterals to continue.

12. Mr McCartney reported increasing UKUP concern about delays in making a determination on decommissioning. His party was opposed to more bilaterals and trilaterals. He noted that his party had not been invited to participate in any of the meetings. He regarded them as a waste of time and proposed to move on to a determination of the decommissioning issue. He noted that at the last plenary session there was a clear Unionist consensus on all the core issues relating to decommissioning. It was clear that the pro-Union parties believed that there must be a ceasefire, complete and permanent, that there must be an immediate handing over of a significant ~~tranche~~ of weapons, ammunition and explosives to mark the beginning of an ongoing phase of decommissioning not connected with, or dependent on political progress. In addition both Governments should have in place enabling legislation and all other regulations and structures for decommissioning before admitting further parties to negotiations. Finally all parties to negotiations should be bound by the terms applicable to the parties already at the talks table. He wished to propose a motion on behalf of the UKUP combining these elements. He proposed to circulate and put before the plenary session a paper setting out these conclusions for discussion and to be voted upon. The UKUP view was that the

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Governments were intent on using the negotiations as a process to bring Sinn Fein/PIRA to a peace conference. His party was concerned about developments over the last week recognising that the talks were not the only show in town and that they were overshadowed by negotiations between Sinn Fein, John Hume and the British Government. He argued that the talks participants should decide on the terms of entry for Sinn Fein, not the two Governments.

13. Whilst expressing some sympathy with the UKUP position Mr Trimble wished to support the Chairman's suggestion. Several bilateral and trilateral meetings had already been arranged and some small progress was being made on the decommissioning issue. These were not yet fully played out. However he had some sympathy with the UKUP position. The "other show" was undoubtedly casting a shadow over talks. It was essential that the Government should put their views on Hume/Adams into the public domain as soon as possible. To do so might ease negotiations on decommissioning. Mr Neeson and Mr Mallon favoured adjournment, to continue bilaterals until Wednesday morning.

14. Dr Paisley, supporting the UKUP proposal, suggested that talks should proceed to deal with decommissioning and should not await the outcome of negotiations between the Government and Sinn Fein. IRA/Sinn Fein had put themselves outside the talks and the Forum. There was no evidence to suggest any commitment on their part to the democratic process. He supported Mr McCartney's motion to consider the UKUP paper and suggested that the other conclusions document submitted at the call of the Chair should also be considered. Mr McCartney went on to argue that lengthy oral debate and a plethora of written proposals had not moved the argument on decommissioning any further forward. He formally moved that the plenary should consider the UKUP motion on the principles of decommissioning and then move forward to consider the detailed modalities of decommissioning. He proposed an adjournment to 2 pm that day to consider the terms of the motion and the way forward. The Chairman's office then circulated the UKUP paper.

15. Mr McMichael, supporting the Chairman's suggestion, noted that it was his clear impression that there were matters to be pursued in bilaterals. He regarded an adjournment to facilitate such bilaterals as the sensible way forward. Mr McBride also supported the Chairman's suggestion. Mr Smyth went on to formally propose that the plenary should adjourn until noon on Wednesday. His proposal was supported by the two Governments and by all the parties, with the exception of the DUP and UKUP. After some further discussion the plenary agreed that the meeting should adjourn until 11 am on Wednesday 27 November 1996. The plenary concluded at 12.50 pm.

(Signed)

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