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From: Julie Mapstone
IPL
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 Bell - B
Mr Leach - 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

NOTE FOR THE RECORD

TALKS: TUESDAY 5 NOVEMBER, AFTERNOON SESSION

The afternoon session started at 2.00 pm with questions from Mr Curran (Labour) directed at the two Governments. They covered the composition and roles of the Committee and the Commission, and the timing of the legislation. Mr McCartney developed this line of questioning by asking whether the establishment of the Committee was necessary to the timetable for the passing of the legislation, particularly as one of the Committee's roles is to comment on the legislation. Mr Ancram and Mr Coveney replied to the effect that the Committee was not a pre-requisite to the legislation because the timescale may not be favourable; both Governments intended to get the legislation through by Christmas if possible, and the Committee

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may not yet be established. Mr Ancram pointed out that the negotiations would not of course be in place by Christmas because they depended on the nature of the decommissioning scheme adopted.

2. In response to a question from Mr McBride of Alliance on the UUP interpretations of the principles underlying decommissioning was not just a matter of law and order, but was also political. He said that the UUP purpose was to ensure the issue was addressed to mutual satisfaction before proceeding to the three strands, but the issue would not be completed then. The progress of Sinn Fein into talks was closely related to decommissioning. The UUP would be seeking a meeting with Alliance to discuss their paper.

3. Mr McCartney then began a lengthy formal address to decommissioning, ^{quoting} heavily from the UKUP paper which had been tabled during the morning. The paper ranged over recent history, dwelling in particular on the alleged misdemeanors of HMG in respect of the pro-union course in Northern Ireland, especially the Anglo-Irish Agreement, and appeasement of the IRA. Mr McCartney proceeded to criticise the compromise approach of the Mitchell Report; some decommissioning during talks is not a mid-way position because it weighs in an equal balance constitutional democratic parties with unconstitutional undemocratic ones which hold and use illegal weapons. The price of Sinn Fein entry is an acceptance of the principles by which civilised parties order their affairs. Paragraphs 34 and 35 of the Mitchell Report have become the basis of the Government's position but decommissioning in return for political concessions is unacceptable. The Secretary of State had been unable to explain satisfactory to him on a previous occasion the meaning of "addressing decommissioning".

4. On Sinn Fein entry requirements, Mr McCartney said these must also relate to decommissioning if we were to avoid the situation of Sinn Fein, when they get in, arguing separateness from the IRA. The legislative requirements for Sinn Fein entry was inadequate because a restoration of the 1994 ceasefire was unacceptable. Making

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reference to the newspaper reports of Hume/Adams, he said that the two Governments wanted Sinn Fein in to the process at any price.

5. After a brief adjournment, the plenary resumed with further questioning of the UUP by the SDLP. These concerned the UUP's views of the principles of decommissioning and how for the International Body's report satisfactorily contained them. Mr Maginnis said the UUP had their own judgement on the strategy and intentions of the IRA, which differed from those described in paragraph 25 of the Mitchell Report. It was on the basis of this analysis that they would be looking at the modalities. Asked by Mr Farren if the UUP would be tabling additional documents on the required principles, Mr Maginnis suggested the Chairman may wish to extract from the International Body's report and from the contributions made at plenary a more detailed set of principles.

6. The questioning then moved on to the entry requirements for Sinn Fein. Although started by Mr McBride, this line of questioning was soon taken over by Mr McCartney. The Secretary of State reiterated the legal position set out in legislation. The requirement was an unequivocal restoration of the 1994 ceasefire. The Secretary of State could not issue an invitation until he was satisfied that paragraphs 8 and 9 of the Ground Rules Command Paper, referring to assurances of abiding by democratic methods as well as a ceasefire were met. Mr McCartney went on at length about the lack of the word permanent in HMG's requirements, claiming the Prime Minister had said it was not a requirement because the IRA would not agree to it. The Secretary of State said that the considerations attached to any ceasefire declaration were more than an adequate safeguard. These included dependent or in the words of Mrs Owen "credible and irrevocable", and that it admitted of no other explanation, and would also cover examination of practical indicators including events in the ground. It was not just a matter of language but of circumstances. That is why every atrocity widens the credibility gap.

7. After three quarters of an hour the Chairman decided the issue had been thoroughly explored and suggested other speakers

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should be allowed to come in in the short time remaining. Mr Mallon pointed out that the reason the International Body had been appointed to look at decommissioning was that there had been a collective failure to deal with it elsewhere. He pointed out that permanence was a matter for the paramilitaries and there was no way of determining it at the outset. The pressure on the paramilitary groups would be political, security, and international. These areas were where pressure needed to be built up on them. Mr Weir signalled that he would want to return to the question of Sinn Fein entry requirements the next day because they were inextricably linked with the issue of decommissioning.

8. In a final meeting with the Chairman, he suggested that at the end of the debate on decommissioning - possibly early next week - we should get the UUP and SDLP together to encourage them to hold bilaterals as this seemed the most fruitful possibility of a way out of the impasse.

9. As they were leaving, the Irish indicated they were prepared to give consideration to Ken Maginnis' emphasis during the morning on the naming of a Chairman designate for the Independent Commission.

JULIE MAPSTONE

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 Mr Weir for the UUP. His questions were directed chiefly at the

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