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**Confidential**

**Proximity Talks, Nutts Corner Belfast**

**17 December 1998**

The British Government team was headed by Jonathan Powell and included the NIO's David Watkins, Stephen Leach and Tony McCusker. The residents were lead by Breandán MacCionnaith and included fellow councillor Joe Duffy, Rosemary Nelson (solicitor), Donna Griffin, Don and Tom. Their advisor Catriona Ruane (West Belfast) joined the talks around 5.00 pm. The Orange side was lead by Denis Watson (County Grand Master) and included David Burrows, George Patten, Steven McLoughlin, Stanley Thompson, Graham Montgomery and Nigel Dawson.

Eamonn McKee
Security Section
Anglo-Irish Division
17 December 1998

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cc. PSS
PSOI
Taoiseach Secretary
Cumann A.I.
Foreign - Washington
Saint Taoiseach

2/10

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1. I met with the British delegation at the outset. In response to their queries, I said that I could only guess that the residents' starting point would be the current situation on the ground in Portadown and that MacCionnaith would seek to resolve aspects of that. Beyond that, I did not know where the residents would take the talks. The British side related that the Orange were fixated on a date for the "return" parade before 31 December and Magee said that they needed something positive to alleviate the build-up to Saturday's march. As both this conversation and the day itself revealed, the NIO did not apparently have any plan of engagement and were content to let Powell bounce freely between both sides. (The absence of a game plan was somewhat ironic given Leach's presence.) Indeed, so poorly briefed was Powell that he was unaware that Ingram was in Portadown at the same time.

2. The first meeting between the residents and the British side began with MacCionnaith, inter alia, accusing the British of endangering the safety of his delegation by the choice of a venue to which the public had access, complaining about the non-smoking strictures (the sprinklers were subsequently shut off and the delegation was advised to ignore any arrival of fire brigades), presenting a dossier of violent and menacing incidents in Portadown, indicting Leach for his failure to ensure that the invitation to

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talks was promptly received, requesting a date for a meeting with the British Prime Minister and querying why Adam Ingram was in Portadown at the same time as the proximity talks were underway. This was received stoicly by Powell who proceded to respond to each point.

3. The second meeting resumed with Powell responding more fully to the points made - he accepted fully, for example, that proximity talks format represented a concession by the residents. He asked what message the residents wanted conveyed to the Orange. MacCionnaith called for a moratorium on all protests and parades over the Christmas period in return for which the residents would consider a parade - they having resiled from flexibility on the issue in the face of Orange protests. Powell went to meet the Orange having failed to elicit a "teaser" from the residents on what a moratorium would yield the Orange in terms of a parade and said that the negotiations would cease if one could not deal in hypotheticals (i.e. if they do this, we would do that etc.)

4. In conversation with Nelson and MacCionnaith, I proposed the text of a scheme for intensified engagement on a twin-track approach under the chairmanship of Adam Ingram and under the chapeaux of 'nothing agreed until everything agreed" (annex 1). Since MacCionnaith had made to the British much of the fact that he was not a plenipotentiary and that he was "handcuffed", I was surprised that, after some consideration, he adopted the paper.

5. Before the British side met the residents again, the paper was presented to them as being from the residents but to be deployed in such a fashion with the Orange side as to give them a sense of ownership. Watkins and Leach looked cooly at it and smacked their lips at perceived difficulties. Powell seized on it, seeing the chance to slip the issue onto Ingram's lap and set in train an intensified talks process - he joked that he loved the idea until the last sentence specifying his continued periodic involvement. Where Watkins/Leach suggested a phone line to Ingram's Department, Powell insisted on one to the Minister's private office. Where Watkins/Leach thought



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that Ingram would refuse to accept it, Powell said with an icy smile, he will accept. Magee advised to read it as an Orangeman would. McCusker wondered what was in it for the Orange. I pointed out that the residents get sustained political attention to the economic package/forum and the Orange got early and intensified discussions on the July 1999 parade. Powell then began to work on the draft, adding in two ingredients to be offered to the respective constituencies - a moratorium on parades over the Christmas period and agreement in principle by the residents to a parade. He suggested that Magee discuss it verbally and broadly with Watson.

6. The afternoon was apparently spent in talks within the British delegation on amendments to the text and possibly with some tentative discussions with the Orange Order. The residents waited patiently wondering at times what the Orange might offer but mostly satisfied that the Orange would be unable to move off their demand for a date for a march. Peter Quinn appeared to assure them that this was the most likely outcome and to advise that when the break came, the residents must position themselves as favourably as possible.

7. The British delegation returned with an amended text (annex 2), the key point of which was (v) - that Watson and MacCionnaith would meet to agree on the basis of a pre-determined outcome - a date for a march before July 1999 (i.e. completing the return leg). This probably represented as far as Watson could go and as such a concession in he would meet MacCionnaith (presumably as a fellow council man) and that 31 December was not explicitly mentioned as a parade deadline. The residents amended the text (annex 3) and this was offered to the Orange side. Their version of (v) represented a clear move from their stated position on the outset and, it seemed to me, to signal that they would be on for serious discussions about a parade next July. MacCionnaith was adamant that the July 1998 parade was over and that only traditional parade on the radar screen was July 1999.

8. As the Orange side were evidently taking their time responding (presumably hoping to run the clock out on the residents who had said that they had to leave around 8.00



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pm), their response text was elicited on the basis that Powell had to leave by 9.10 pm to catch a flight to London (news would break shortly later of the attack on Iraq). While this text (annex 4) contained some elements of the residents' paper, it merely offered a moratorium on parades on the basis of a guaranteed parade before 31 December and the assurance of parades for the future. At that point the process ended and both sides finalised their press releases (residents' one attached).

9. In conversation, Powell expressed his exasperation at the unwillingness or inability of the Orange side to negotiate. Earlier, McCusker opined that the day had got off to a better start than anyone had imagined and agreed that it would have been a good start to a longer process. Privately, Powell said that the Orange would not get in December what they had failed to get in July and that he would talk sternly to them about the need to act lawfully over the coming weeks. As far as he was concerned, the rush of disorder would have to be borne and that any resumption of the talks process would wait until January. The residents left content that they had seriously engaged in the talks, aware that the British had bought into their paper on the day and that the Orange remained so idiotically fixated on completing their march that they were virtually incapable of negotiation. The Orange left claiming to the press that they had been prepared to stay all night but the residents had withdrawn. The NIO departed having admitted that they did not know what turn out the Orange could muster for Saturday. It is probably safe to say that all sides left profoundly curious about Saturday as the events then will determine much of what happens over Christmas and into the New Year on Drumcree hill and beyond.

Eamonn McKee
Security Section
Anglo-Irish Division
17 December 1998



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ANNEX I

6/10

December 16th 1998

The GRRC proposes a two track process under the chairmanship of Adam Ingram (Security and Economy minister) to deal with all the issues of social and economic development, community relations and contentious parades.

We propose two working groups dealing with:-

1 Economic and social issues, and the community forum.

2 Community relations. confidence building measures and parades.

Working groups to meet in bilateral, proximity, or direct format.

HOT LINE TO M/S

AGREEMENT BY THE BRITISH GOVERNMENT THAT THERE IS NO AGREEMENT UNTIL EVERYTHING IS AGREED UPON THEREBY EXCLUDING UNILATERAL ACTION ON PARADES ALONE.

British govt undertakes no action without discussion and joint agreement within one or other of the two working groups.

All parties to actively endeavour to ensure a peaceful and non-threatening environment as an essential condition for progress.

A periodic review at appropriate intervals in proximity talks format, leading to direct talks, under the chairmanship of Jonathan Powell.

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ANNEX 2

7/10

**16 December 1998**

Proximity talks involving the Garvaghy Road Residents Coalition and the Orange Order, led by Government representatives and independent facilitators, were held today.

It was agreed that:

(i) a twin track process would be convened in the week beginning 4 January under the chairmanship of Adam Ingram (Security and Economic Minister) to deal with issues of social and economic development, community relations and contentious parades in Portadown. This will comprise two working groups dealing respectively with:

- economic and social issues, community relations and the Civic Forum;

- parades and confidence building measures.

The working groups will meet in bilateral, proximity or direct format, as agreed. Nothing agreed in the working groups will be implemented until an overall agreement has been reached;

(ii) a hotline will be established to the Minister's office to address urgently any relevant issues arising between meetings of the working groups;

(iii) the Government will make appropriate resources available for the Civic Forum and associated initiative once overall agreement has been reached in the working groups;

(iv) the Orange Order agree to call off all marches over the Christmas and New Year period;

(v) Mr MacCionnaith and Mr Watson [met tonight]/[will meet before 31 December] to agree the date of an Orange Order march down the Garvaghy Road in the first six months of next year.

It was agreed that a periodic review of these arrangements may take place at appropriate intervals in proximity talks format, leading to direct talks, under the chairmanship of Jonathan Powell.

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ANNEX 3

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16 December 1998-12-16

Proximity talks involving the Garvaghy Road Residents Coalition and the Orange Order, led by Government representatives and independent facilitators, were held today.

It was agreed that :

(1) a twin track process would be convened in the week beginning 4 January under the chairmanship of Adam Ingrim (Security and Economy Minister) to deal with issues of social and economic development, community relations and contentious parades in Portadown. This will comprise two working groups dealing respectively with:

- Economic and social issues, community relations and the Civic Forum
- Parades and confidence building measures.

The working groups will meet in bilateral, proximity or direct format, as agreed. Nothing agreed in the working groups will be implemented until an overall agreement has been reached;
[the British government undertakes to avoid unilateral action that would affect this process and accepts that nothing will be agreed upon until all issues are agreed by all parties]

(ii) a hotline will be established [ immediately] to the Minister's office to address urgently any relevant issues arising between meetings of the working groups;

(iii) the government will make [ the necessary ] [appropriate] resources available for the Civic Forum and associated initiative once overall agreement has been reached in the working groups;

(iv) the Orange Order agree to call off all marches [and demonstrations] over the Christmas and New Year period [and all parties will actively endeavour to ensure a peaceful and non-threatening environment as an essential condition for progress];

[(v) Mr. MacCionnaith and Mr. Watson [met tonight]/[will meet before 31 December to agreed the date of an Orange Order march down the Garvaghy Road in the first six months of the year ]

[(v) GRRC and Orange Order representatives will meet directly before 31 December to discuss the issues surrounding the July 1999 Drumcree march and thereafter].

It was agreed that a periodic review of these arrangements may take place at appropriate intervals in proximity talks format, leading to direct talks, under the chairmanship of Jonathan Powell.

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ANNEX 4

9/10

Proximity talks involving the Garvaghy Road Residents' Coalition and the Orange Order, led by Government representatives and independent facilitators, were held today.

It was agreed that:

1. The parade return along the traditional route to Portadown on or before 31 December 1998.

2. A process would be convened within 24 hours of the parade returning to Carleton Street under the chairmanship of Adam Ingram (Security & Economy Minister) to deal with issues of social and economic development, community relations and parades in Portadown. This will include confidence building measures and the establishment of a Civic Forum.

3. A hotline to be established to the Minister's office to address urgently any relevant issues arising between meetings.

4. The Government will make appropriate resources available for the Civic Forum and associated initiative once overall agreement has been reached.

5. The Orange Order agrees to call off all marches over the Christmas and New Year period in return for a written guarantee for a parade back to Portadown along their traditional route on or before 31 December 1998 and the assurance of future parades on the outward route along Northway and Dungannon Road together with homeward route along the Garvaghy Road.

   All parties will actively endeavour to ensure a peaceful and non-threatening environment for the future.

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# GARVAGHY ROAD RESIDENTS COALITION
## c/o 3 Ashgrove Road
## Portadown

# PRESS RELEASE

We entered this process in order to seek a long-term just and lasting solution of the problems underlying the divisions which exist in Portadown. It remains our desire, and that of our community, to achieve a peaceful resolution based upon equality and justice, in accordance with the spirit of the Good Friday Agreement.

As a demonstration of our commitment to this process, we entered these talks today by making a number of concessions to facilitate today's talks in a genuine attempt to achieve progress. The British have formally acknowledged these concessions. Arrangements are also being made to facilitate a meeting between the GRRC and Tony Blair. During today's sessions, we also presented papers which advocated proper accountable structures and mechanisms to assist the overall process. It is regrettable that the Orange Order did not find those proposals acceptable and continued to demand the completion of the July 1998 march and guarantees for all future marches.

We would point out that, during earlier bilateral meetings, the Orange Order, along with ourselves and the British government, agreed that each would assume their responsibilities for creating a climate of trust and mutual respect within which progress could possibly be made. Unfortunately, through its past and proposed future activities, along with unrealistic demands and its continuing veto over direct talks, the Orange Order has again prevented progress.

Our suggestion that a complete moratorium be called on all protests and demonstrations over the Christmas and the New Year period in order to create a peaceful and non-threatening environment where dialogue could be encouraged was rejected by the Order.

We have also requested information from the British Government on the action taken by the authorities to enforce the provisions of the parades legislation in Portadown since July last.

In view of the possible threat posed to our community on Saturday, we have raised concerns about the safety of families living along the route of the march to Drumcree. Assurances have been given by Jonathan Powell in this regard.

We reaffirm our commitment to resolving the problems facing our community through dialogue.

Ends

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