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Meeting of the Multi-Party Negotiations
Dublin Castle
16 - 18 February

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Multi-Party Negotiations, 16-18 February 1998

Steering Note

Overview

This week the negotiations make their long-anticipated visit to Dublin. Although it was agreed in the Rules of Procedure that Strand Two negotiations should take place in Belfast, Dublin and London, the eventual decision to move to Dublin was particularly warmly welcomed by Sinn Féin. It is ironic therefore, that the visit to Dublin Castle is likely to be dominated by their expulsion from the negotiations. A challenge to Sinn Féin's participation appears inevitable following Friday's statement by the Secretary of State that the RUC Chief Constable is of the opinion, based on the evidence available to him, that the IRA were involved in the murders of Brendan Campbell and Robert Dougan. Monday will almost certainly be entirely given over to indictment of Sinn Féin, and the probable decision by the Government's to expel them will set the headlines for the week. Strand Two is likely to be discussed on Tuesday and Strand Three on Wednesday.

Timetable

The negotiations are due to begin at 11 am on Monday morning. The Minister is scheduled to meet with the Secretary of State at 10 am. Senator Mitchell will join them at 10.30 am, having arrived in from the US that morning. (The Secretary of State is due to arrive in Dublin on Monday morning. Paul Murphy will be arriving on Sunday evening.)

The Taoiseach is to visit the negotiations on Monday evening and to hold bilateral meetings with the parties from 5.00 pm on. He will then host a reception in St. Patrick's Hall. The US Ambassador is offering a buffet dinner in honour of the delegates at her Residence, beginning at 8 pm.

Negotiations on Tuesday and Wednesday are provisionally scheduled to start at 10 am. The Minister is offering a buffet dinner in St. Patrick's Hall at 6.30 pm on Tuesday evening.

Indictment of Sinn Féin

We understand that the British Government intends to make a formal representation to the Independent Chairman on Monday morning that, under paragraph 29 of the Rules of Procedure, Sinn Féin should no longer be entitled to participate in the negotiations on the grounds that they have demonstrably dishonoured their commitment to the Mitchell Principles. The British initiative follows from the assessment of the RUC

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Chief Constable that the IRA were involved in the murders on Brendan Campbell, a known drug dealer, and Robert Dougan, a member of the UDA/UFF. The Chief Constable's assessment is based on forensic evidence and intelligence. Details of the evidence have been forwarded to us through the Secretariat and via security channels. The British accept that much of the evidence available to the Chief Constable could not be used in Court, but there is no information available independently to us which causes us to challenge the Chief Constable's assessment.

The British may invite the Government to join them in making a joint indictment, as occurred with the UDP. However, there is a difference between the two cases, in that the UFF had openly admitted to having broken their ceasefire. In this instance, no such admission has been made by the IRA, and since the indictment is based solely on the assessment of the RUC Chief Constable, there may be a case for allowing the British Government to make a unilateral indictment, even though any decision to expel Sinn Féin will have to be taken jointly.

Once the indictment has been tabled, the Chairman will be obliged to convene a meeting of the Plenary to allow: a) the case against Sinn Féin to be put; b) Sinn Féin to respond; and c) the other parties to comment. (Initial speaking points are included in the brief but will have to be adapted in the light of events.) Even though the absence of an admission of guilt by the IRA makes this case less clear-cut than that involving the UDP, it is difficult to imagine what the IRA or Sinn Féin might say to alter the present expectation that the Governments will have little alternative but to expel Sinn Féin from the talks. Nevertheless, it is essential to the process that the Governments should not give the impression of having arrived at a decision before the matter is discussed in the Plenary.

This will be an extremely difficult decision for the Government, particularly in light of the fact, uncomfortable as it may be, that a substantial proportion of Northern nationalists would not regard the murder of a drug dealer and a loyalist suspected of involvement in the murder of innocent Catholics as sufficient reason to eject Sinn Féin from the talks. However, leaving aside moral questions and the reliability of the evidence available to the Chief Constable, for the Government to refuse to back the British assessment would almost certainly bring about the collapse of the negotiations on the back of a public row with the British Government and the departure from the talks of the UUP.

Since it is evident that no business will be done in the Strands until this issue is resolved, there is every argument in favour of the Governments issuing their adjudication on Monday afternoon. This will at least allow the remaining participants to use Tuesday and Wednesday to focus on Strands Two and Three, even though media attention will inevitably be largely focussed on the consequences of Sinn Féin's departure from the talks.

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No more than with the UDP, the Governments will wish to make clear that they do not regard Sinn Féin's departure from the talks as other than for a matter of weeks. They should also acknowledge, in their written judgement, the positive contribution of the Sinn Féin leadership to the peace process.

As regards the timing of Sinn Féin's return, assuming no further infringements of the Mitchell Principles, the UDP are poised to re-enter to the talks on 23 February, only four week's after their expulsion. We should think in terms of inviting Sinn Féin to return after three weeks (on 9 March), on the basis that they need to be readmitted at a reasonable distance from the Government's target date of the end of March for the conclusion of an agreement. It is also likely that if Sinn Féin are interested in returning to the negotiations, they will want to do so in time to allow them to participate fully in the St. Patrick's Day events in Washington. In addition, the longer they are out, the greater the negative impact on the leadership of Adams and McGuinness.

Strand Two

As mentioned above, it is unlikely that the Strand Two discussions will commence until Tuesday morning. The participants are likely to have before them a paper tabled by the Independent Chairmen, which seeks to identify points of agreement and disagreement distilled from papers tabled by the parties in response to the paper tabled by the two Governments at Lancaster House.

As of Friday, all parties except Alliance and the NIWC had submitted papers. The paper tabled by the UUP was particularly disappointing, envisaging North/South cooperation only as a sub-set of relations covered by a "Council of the British Isles". Sinn Féin proposes an independent Council with no possibility of veto from a Northern institution; they suggest that the Northern representatives on the Council be directly elected from a list system. The SDLP's proposals are broadly in line with the Framework Document. Copies of each of the papers, together with an overall summary of their contents, are included in the brief.

While there is some level of agreement between the parties, there are still inevitably areas of disagreement. These include the relationship between the North/South Council and the East/West arrangements; whether decisions of the Council require ratification by the Oireachtas and the Assembly; whether the responsibilities of the Council should be set out in the agreement; the nature and extent of implementing bodies; and what to do in the event of a failure to agree.

It is likely that Senator Mitchell will invite the participants to confirm the existence of agreement on certain points and to address those areas on which no agreement has been noted. a speaking point and Q&a material is included in the brief.

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If Strand Two business is not completed on Tuesday, the Chairman may seek to reconvene the meeting on Wednesday afternoon.

Strand Three

The Governments are committed to convening a Strand Three liaison meeting on Wednesday morning. The purpose of the meeting will be to discuss the responses of the parties to the paper tabled by the two Governments in Lancaster House. However, only the UUP have so far offered any response in relation to Strand Three. The absence of further papers probably reflects the differing importance of this Strand to the various parties.

Preparation for this meeting will be carried forward in Dublin Castle on Monday and Tuesday. In the absence of further written views from the parties, it may be necessary for the Governments, as joint Chairmen, to invite the parties to offer oral comments on the matters for consideration identified by the Governments in their Lancaster House paper.

Business Committee

A meeting of the Business Committee is likely to be convened on Wednesday to agree the future schedule for the talks. The Government is normally represented at official level.

Anglo-Irish Division
Department of Foreign Affairs

13 February 1998

**Outline Draft Programme for Multi-Party Talks,
Dublin Castle - 16-18 February 1998**

Monday 16 February

- 11.00 am Meeting - Strand Two**
- 12.30 pm Lunch (lunch will be served between 12.30 and 2.30 pm each day in Castle Hall)**
- 2.30 pm Meetings continued**
- 5.00 pm Taoiseach, Mr Bertie Ahern will meet separately with Party Leaders in the State Apartments, Dublin Castle (between 5.00 and 6.00 pm)**
- 6.30 pm Reception in honour of delegates hosted by the Taoiseach in St. Patrick's Hall**
- 8.00 pm Buffet dinner in honour of delegates hosted by the Ambassador of the United States, Jean Kennedy-Smith, at the Ambassador's Residence, Phoenix Park**

Tuesday 17 February

- 10.00 am Meeting - Strand Two**
- 12.30 pm Lunch**
- 2.30 pm Meeting continued**
- 6.30 pm Buffet dinner in honour of delegates hosted by David Andrews, Minister for Foreign Affairs in St. Patrick's Hall**

Wednesday 18 February**10.00 pm Meeting - Strand Three****12.30 pm Lunch****pm Business Committee?****5.00 pm Meetings to conclude**

Multi-Party Talks, Dublin, 16-18 February 1998

Possible Representation Under Rule 29: Speaking Points

- On behalf of the Irish Government, I want to make clear that we are deeply conscious of the extreme gravity of the situation now confronting the talks and the peace process as a whole.

- We are very sorry that, as on the first day in London, we find ourselves having to turn our attention away from the substantive business of negotiation. But it is clearly necessary.

- The Irish Government is totally opposed to, and condemns utterly, all killings of any person, and for any purpose. We equally repudiate the use or threat of violence for political purposes.

- In addition, the principles of democracy and non-violence are the basis on which the talks are founded, and are fundamental to the integrity of the process. Any charge that they have been demonstrably dishonoured is a most serious one, and requires very careful consideration. Moreover, as we are all aware, this procedure has been invoked on a number of occasions. It is important that our rules are applied equitably and consistently.

- The views of the RUC Chief Constable on the involvement of the IRA in the murders of Brendan Campbell and Robert Dougan are clearly of particular significance.

- We must also, of course, be careful to take all other relevant matters into account, including the IRA's statement that its cessation of military operations remains intact.

- We are anxious to hear the views of all parties around the table on this matter, and in particular that of Sinn Féin. Sinn Féin has made a most valuable and important contribution to the negotiations since its entry last September - for which I would wish again today to pay special tribute. It is important that the party be given every chance to set out its position, including in relation to these killings and to the Mitchell Principles.

- The Governments will then review all the elements involved and decide whether, and if so what, appropriate action may be required.

Confidential

Murders of Brendan Campbell and Robert Dougan
Background Note

Brendan Campbell

1. Brendan Campbell (30 years) was shot dead outside Plank's Restaurant on the Lisburn Road, Belfast on the night of 9 February 1998. Campbell was accompanied by a female companion, who received gunshot wounds. The attack took place yards from Lisburn Road RUC station. Campbell had been previously wounded in an attempt on his life outside the Meadow Tavern on Boucher Road, South Belfast on 6 January last. Campbell was a suspected drugs dealer. First reports indicate two males may have carried out the attack. The condition of his female companion is described as comfortable.
2. The INLA were suspected, but have denied any involvement in the attack. Suspicion has centred on Direct Action Against Drugs (DAAD), a known front organisation for the IRA, which was responsible for 6 killings during the first IRA ceasefire. The RUC claim they have forensic evidence linking the weapon used to previous DAAD killings.

Robert Dougan

3. UDA member, Robert Dougan (38 years) of Oranmore Drive, Suffolk, West Belfast, was shot dead on 10 February 1998 by two men dressed in Post Office uniforms as he sat in his car at Balmoral Textiles, Station View, Dunmurry. Dougan escaped unhurt when the INLA attacked his home in 1993. In 1994, he was slightly injured in an IRA murder attempt. INLA are reported, via the IRSP, to have emphatically denied any involvement in this murder either.
4. A car believed to have been used by the gunmen was later found abandoned in Twinbrook and seven people were subsequently arrested in the area. We understand that as of late Friday evening three people are still in detention at Castlereagh. No charges have yet been made.

Response to murders

5. No group has claimed responsibility for either murder. The IRA issued a statement on 12 February which read as follows:

"Contrary to speculation surrounding recent killings in Belfast, the IRA cessation of military operations remains intact. We reiterate our preparedness to facilitate a climate which enhances the search for a democratic settlement through real and inclusive negotiations."

Gerry Adams has claimed that the IRA ceasefire is intact and said whoever is involved

in the two killings should accept and claim responsibility.

British Government response

6. The following statement was issued by SOSNI on 13 February:

“The Chief Constable has given me a full briefing on the murders of Mr. Campbell and Mr. Dougan, along with his assessment that the IRA were involved in these murders. This will now have to be considered very carefully with the Irish Government and the other parties in accordance with the proper procedures. The integrity of the Talks Process and the commitment to exclusively peaceful means are paramount and all parties must be treated fairly and equally. “

7. A report from the Joint Secretary on the Chief Constable's assessment of the killings is attached.

Security Section
Anglo-Irish Division
13 February 1998.