

RECEIVED 18 JUL 1997
NC/44/7

CONFIDENTIAL

UNDER SEC 504/7

17 JUL 1997

INT 35/97

FROM: JACKIE JOHNSTON
CENTRAL SECRETARIAT
16 JULY 1997

CENT SEC

PS/Secretary of State (B&L)
PS/Mr Murphy (DFP, B&L)
PS/Mr Ingram (DED, B&L)
PS/Mr Worthington (DENI, DHSS&L)
PS/Lord Dubs (DANI, DOE&L)
PS/PUS (B&L)
PS/Sir David Fell
Mr Thomas
Mr Steele
Mr Leach
Mr Bell
Mr Watkins
Mr Stephens
Mr Wood (B&L)
Mr Beeton
Mr Brooker
Mr Hill
Mr Lavery
Mr Maccabe
Mr Perry
Mr Priestly
Ms Bharucha
Ms Mapstone
Mr Whysall
Mr Sanderson, Cab Off (via IPL)
Mr Dickinson, TAU
Mr Lamont, RID FCO (via IPL)
HMA Dublin (via IPL)
Miss C Byrne, TPU, HO (via IPL)
Mr N Warner
Ms Healy
Messrs Cary, Reid&Poston (via IPL)
Mrs McNally
Mr Holmes, No 10

NOTE FOR THE RECORD

TALKS: PLENARY SESSION 16 JULY 1997

Chairman's Opening Remarks

Prime Minister Holkeri chaired the session with the Secretary of State and Mr Murphy representing HMG. The Chairman opened by

announcing the sudden death of Maureen McConnell, Secretary of the Alliance Party, expressing the condolences of the Talks to her family and the Party. The minutes of the Plenary Sessions on 1 July and 8 July were agreed with one change to the 1 July tabled by **Cedric Wilson(UKUP)** which corrected the view given that the DUP did not share the UKUP's view of the two Governments' decommissioning proposals.

Further Contacts With Sinn Fein

The **Chairman** introduced the timetable for today's plenary and invited the Governments to present their approach to providing clarification on the decommissioning proposals. **Peter Robinson(DUP)** interjected enquiring if the Aide Memoir given to Sinn Fein was part of the overall proposals on decommissioning. He also suggested that as the Secretary of State had said publicly that further clarification had been given to Sinn Fein since 11 July should that not be on the table for all parties to see. The **Secretary of State** replied that the Aide Memoir was not part of the proposals on decommissioning and that her response to Ken Maginnis in today's Daily Telegraph answered Mr Robinson's second question on contacts with Sinn Fein. She went on to say that when she is sure that there are no more points of clarification to be given to Sinn Fein she will publish the latest letter sent to them.

Robert McCartney(UKUP) launched an attack on the Talks stating that they are becoming empty and fraudulent as negotiations have been going on outside between HMG and Sinn Fein. He suggested that HMG was becoming as corrupt as those with who they are dealing and that the tactile geniality of the SOS was not going to take the Talks forward. **Seamus Mallon(SDLP)** asked the Chairman to rule that there is a difference between presenting a robust argument and personal

abuse such as that displayed by Mr McCartney. The **Chairman** asked participants to respect others in their exercise of free speech.

Mr McCartney replied in the same vein as before suggesting that the process of democracy in Northern Ireland was being subjugated by the requirements of mainland security.

Ken Maginnis(UUP) noted that the SOS in her response to Mr McCartney had used the term "no contacts with Sinn Fein" when in fact she meant "meetings" and that demonstrated the confusion arising on meetings, contacts and relationships, etc. He asked if minutes and records noting the duration of telephone calls with Sinn Fein had been kept. **Peter Robinson** complained that he had not seen the letter in the Daily Telegraph and it was not good enough to refer him to the press to see something which should be on the table.

Robert McCartney joined-in complaining that the parties had not seen Sinn Fein's document of 10 October 1996 and stated that until he sees this it would not be possible for the him to give a rational response to the Aide Memoir. **David Trimble(UUP)** stated that it was quite improper of the SOS to withhold the latest letter that has gone to Sinn Fein as such action brought into question her fair dealing with the parties at the Talks.

The Governments' Clarification

The **Chairman** returned to the agenda and invited the two Governments to provide their response to the requests received for clarification. **Mr Murphy** responded delivering the speech set out in the two speaking notes dated 16 July, circulated by Diane McNally, on the Aide Memoir and the Two Governments' Joint Paper of 25 June. **Mr Burke** concurred.

The Governments declined to give further clarification on their proposals or to answer further questions as answers would only lead

to further questions. A heated discussion followed involving Peter Robinson and Robert McCartney alleging that they had been mislead about the purpose of today's agenda as they understood that they would have the opportunity to ask further questions. **David Trimble** suggested that as today's business appeared to be over perhaps the plenary should adjourn for the day. **Peter Robinson** tabled an adjournment to give HMG time to get its act together and decide whether today was to be a day of clarification or not. The **Chairman** adjourned for 30 minutes.

On returning to the plenary when it became apparent that the Governments had not changed their view the DUP and UKUP walked-out of today's plenary leaving observers. The UUP did not walk out but was represented by a junior observer. The meeting continued with all other parties continuing to express support for the Governments' proposals although **Lord Alderdice(Alliance)** expressed dissatisfaction with HMG's handling of the further contacts with Sinn Fein, following the Lurgan murders, and noted that he had reacted with extreme scepticism to Lord Richards comments made in the House of Lords at that time regarding further contact. He was also deeply worried about the public perception of how these contacts are being handled. **Seamus Mallon(SDLP)** stated that there had been no misunderstanding by any party of the timetable for the remainder of the opening plenary when it had been agreed.

All agreed that the business of the day was concluded and the **Chairman** adjourned until 2.00pm on Monday 21 July.

[Signed: JJ]

JACKIE JOHNSTON

CONFIDENTIAL

NC/45/7
RECEIVED 18 JUL 1997

555X INT 35/97

From: Peter Smyth
 Political Affairs Division
 16 July 1997

PS/Secretary of State (B&L)
 PS/Mr Murphy (DFP, B&L)
 PS/Mr Ingram (DED, B&L)
 PS/Mr Worthington (DENI, DHSS&L)
 PS/Lord Dubs (DANI, DOE&L)
 PS/PUS (B&L)
 PS/Sir David Fell
 Mr Thomas
 Mr Steele
 Mr Leach
 Mr Bell
~~Mr Watkins~~
 Mr Stephens
 Mr Wood (B&L)
 Mr Beeton
 Mr Brooker
 Mr Hill
 Mr Lavery
 Mr Maccabe
 Mr Perry
 Mr Priestly
 Ms Bharucha
 Ms Mapstone
 Mr Whysall
 Mr Sanderson, Cab Off (via IPL)
 Mr Dickinson, TAU
 Mr Lamont, RID FCO (via IPL)
 HMA Dublin (via IPL)
 Miss C Byrne, TPU, HO (via IPL)
 Mr N Warner
 Ms Healy
 Messrs Cary, Reid & Poston (via IPL)
 Mrs McNally
 Mr Holmes, No 10

NOTE FOR THE RECORD

TALKS: WEDNESDAY 16 JULY 1997

PRE-PLENARY DISCUSSIONS

Summary

Pre-plenary meetings were held in order to roll the pitch in advance of the two Governments explaining their joint paper on

decommissioning of 25 June. The main concern was giving comfort to the UUP on specific points, without at the same time unbalancing the substance of what had already been agreed between the two Governments. In the course of meetings with the UUP, doubts began to surface as to whether comfort on points of detail were really at issue, or whether the Party was seeking to unpack the whole approach to decommissioning which had been developed by the two Governments. Further attacks on the position of the Governments were anticipated during the Plenary itself.

Detail

At a 9.00 am meeting with the Minister, discussion took place on additional points which might be included in the text of the Speaking Notes explaining the two Governments' paper of 25 June, to pick up on points which subsequently had been surfaced by the parties, particularly the UUP. It was agreed that, subject to Irish consent being forthcoming, the Speaking Notes might be amended (i) to include additional text specifically on the HMG/Sinn Fein position following the issuing of the former's Aide Memoire; (ii) to give comfort to the UUP by, for example, including language pointing up the commitment of the two Governments to the total disarmament of all paramilitary organisations, and detailing steps to establish the International Commission and (iii) to address the concerns of the Women's Coalition about chairing the decommissioning sub-committees. There was general agreement that the text of the Speaking Notes should be released to the press, as well as to the Talks participants.

Following this, at 10.15 am HMG officials met their Irish counterparts. The Irish side expressed a strong preference for the HMG comments on the Aide Memoire to be clearly (and physically) separated out from any text representing the position of the two

CONFIDENTIAL

Governments. As to the proposed additions to the Speaking Notes, there was some feeling that the changes proposed would oblige the Governments to give a definite ruling on the meaning of paragraphs 34 and 35 of the International Body's report; but that the British side should provide text for the proposed amendments on which the Irish could comment. The Irish also expressed a preference for the Speaking Notes to be circulated to Talks participants, but not to be issued to the press; and were of the view that Trimble should not be shown the Notes in advance of delivery, in order to minimise the opportunities for him to prepare his anticipated hostile response.

At 12.20 pm a bilateral meeting took place between the Ministerial and official teams of the two Governments. The Irish side gave a read-out of their meeting that morning with a UUP delegation, where Ministers had emphasised in general terms their commitment to making progress on decommissioning, as exemplified in the joint paper of 25 June: but beyond this had expressed the view that further details of their position might be deferred until the debate in Plenary. This had been accepted by Trimble, who had then moved on to try and force the issue of whether, if there was no decommissioning by 15 September, the Irish would support the expulsion of Sinn Fein from the Talks (on the assumption that the latter would be present at that time). Overall, the Irish side were left with the impression that the UUP were unlikely to prove co-operative in furthering business over the next week.

Discussion then took place as to whether Trimble should be shown the text of the Speaking Notes in advance of that afternoon's Plenary, or whether he should be given only paragraphs 9 and 10, which dealt with his main area of difficulty - removing of obstacles to decommissioning taking place on 15 September. It was agreed that Trimble should be shown just paragraphs 9 and 10, and only if he

CONFIDENTIAL

proved exceptionally difficult thereafter should he be shown the full text for a few minutes.

At the subsequent trilateral meeting (12.45 pm) between the UUP and the two Government teams, **Mr Murphy** rehearsed the actions which could be taken to have decommissioning mechanisms teed up for 15 September, concluding with the pledge made by the two Governments to give immediate effect to an appropriate scheme "as soon as there is any indication of an intent" by a paramilitary organisation to commence decommissioning. A rather grumpy and off-hand Trimble (who was the only member of the delegation to speak throughout) deemed such language to be too passive, and lacking in any commitment by the Governments to put pressure on the paramilitaries. In effect, he claimed, it created a situation where there would be no decommissioning scheme until Sinn Fein asked for one.

This point he developed at some length, before moving on to query what exactly was meant by the "compromise approach" referred to in paragraphs 34 and 35 of the Report of the International Body. In various places, he claimed, the language of the Report was ambiguous, and the joint paper of 25 June failed to resolve these areas of uncertainty. The UUP interpretation of paragraph 34 was that the compromise approach involved some decommissioning actually taking place during negotiations, and if the Governments shared this view, they should explicitly say so. He had difficulty, too, with the reference in the Speaking Notes to the International Commission being in a position before 15 September "to formulate options for draft schemes for decommissioning", which he also declared to be insufficiently precise. **Mr O'hUiginn** interjected at this point to observe that, while the two Governments were on the record as being committed to implementing all aspects of the Mitchell Report, he was not sure of the UUP's commitment to paragraph 38 (details of decommissioning, including timing and sequencing, to be determined

CONFIDENTIAL

by the parties themselves). Clearly taken by surprise at finding himself answering a question from the enemy, Trimble eventually developed a strongly indignant line about Irish Government inactivity preventing definitive timetables from being developed in advance of 15 September.

After the delegation withdrew at 1.10 pm, officials discussed language which might be incorporated into the Speaking Notes to give the UUP a degree of comfort. This was done in the clear understanding that Trimble's real objective might well prove to be the re-negotiation of the substance of decommissioning, rather than securing drafting changes on points of detail.

At a meeting between the Chairmen and the two Government teams at 1.45 pm, it was agreed that permission to raise questions during the Plenary on the position of the two Governments would have to be given, although that did not mean answers would have to be provided on the spot. **Mr Burke** was particularly anxious to register that the Governments' position had been derived after a great deal of painstaking work, and was very carefully presented - it would be unacceptable to have it unravelled by piecemeal attacks during the course of the debate.

After further discussion, it was agreed that, following this day's session, Plenary should resume on Monday 21 July at 2.00 pm, leaving the morning free for planning the conduct of the ensuing three-day debate.

Signed

PETER SMYTH

CONFIDENTIAL

10