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FROM: ROBERT CRAWFORD
PAB
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cc: as attached

NOTE FOR THE RECORD

TALKS SUMMARY 17/9/97

UUP Arrival

The key event of the day was the unexpected arrival of the UUP delegation, led by David Trimble, accompanied by the PUP and UDP delegations. The three delegations arrived together in strength shortly after 10.00 am, completely upstaging the arrival of Sinn Fein some 20 minutes earlier. David Trimble read a prepared statement to the assembled media in which he stated that the UUP were present at Castle Buildings to confront Sinn Fein rather than negotiate with them, to meet the British Government to press it on decommissioning, to meet the Independent Chairmen to agree the handling of their request that Sinn Fein be excluded on the grounds that it was guilty of a breach of the Mitchell principles, and, if time permitted, to have a bilateral meeting with the SDLP.

Meeting with the UUP

The Secretary of State and Mr Murphy met the UUP at 11.30 am. The mood was very relaxed, even friendly. Trimble asked if the British Government had anything further to offer following his meeting with the Secretary of State the previous evening. The Secretary of State countered by enquiring whether the UUP had any additional suggestions to offer. On being told there were none, she advised that officials had not yet had time to follow up the points raised by the UUP the previous evening. Trimble was entirely relaxed about

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this and gave the impression that he was in no hurry to complete the drafting.

Mr Trimble advised that he had met the Independent Chairmen and agreed with them that there would be a Plenary on Tuesday 23 September to discuss the UUP's indictment of Sinn Fein (confirmed by the Chairmen). The Secretary of State put forward the suggestion that HMG and ROI officials should get together with representatives of the UUP to complete the drafting; this would be easier than circulating amendment after amendment. While emphasising their willingness to look at further amendments Trimble and Maginnis expressed reservations about such an approach, saying that they did not want to create a precedent as they would not wish in the future to see such a "cosy relationship" operated between the two Governments and Sinn Fein. It was agreed that Geoffrey Donaldson, in the absence of Reg Empey, would act as the UUP contact point.

First Plenary Session

Plenary began shortly after 12 noon. The Chairman put to the meeting the suggestion that it should adjourn until Tuesday, at which time would be considered the UUP indictment of Sinn Fein. Gerry Adams complained (several times) that the UUP, not even present in the Plenary, had been able to persuade the two Governments and the Chairmen to deliver a Plenary meeting to discuss the UUP's indictment of Sinn Fein, while it was impossible for other participants to get the two Governments to say when substantive negotiations would start or when the procedural motion to facilitate this would be tabled. He suggested that the two Governments should put down a motion indicating that they intended to table the procedural motion on Monday 22 September at 12.00 noon. He said that the constituency he represented would be unhappy if at the end of today's session the only concrete result was that David Trimble had managed to secure a date to indict Sinn Fein and no clear

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progress had been made towards substantive negotiations. After some further discussion, the Chairman adjourned the Plenary at the call of the Chair for approximately 2 hours.

Meeting with the Irish

The Secretary of State and Mr Murphy then had a brief meeting with the Irish delegation. The Irish Ministers urged that it was necessary to respond to Sinn Fein's concerns, which were also shared by the SDLP and the Irish Government itself, and it was important that some form of statement be made to identify a date for the procedural motion to be taken. After discussion, it was agreed to work up a draft which did not specify a date but which noted the intensive work which was continuing and the commitment of talks to participants to share in this with the aim of achieving agreement next week. It was agreed that this could also refer the opportunity of an informal round table discussion, in Plenary, next week on the broad shape of the overall outcome of the Talks, the principles which this should reflect and any implications for the scheduling and organisation of the negotiations.

Meeting with the PUP

The Secretary of State then had a short meeting with the PUP. Mr Murphy set out the likely course of events over the next week, with the UUP indictment being discussed on Tuesday 23 September and the procedural motion, when agreed, being tabled thereafter. Mr Ervine was content with this outline. David Ervine emphasised the important of giving the UUP some time, saying it was unreasonable to expect Trimble to walk straight into a Plenary meeting with Sinn Fein. Everybody, however, knew this would happen eventually. Sinn Fein's complaints about their frustration should be given little weight - the other participants had experienced much greater frustration awaiting the restoration of the IRA ceasefire. He said the PUP was interested in the wording of the procedural

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motion and Mr Murphy agreed to take the Party through the final wording before the motion was tabled.

Meeting with the SDLP

Mr Murphy met the SDLP briefly. John Hume said the UUP statement was "disturbing". It was a list of concessions, several of which caused his party particular concern. Those were the Government's announcement on education; the Government's agreement on powers of District Councils; the Secretary of State's undertaking to attend the Forum; and the Government's attempt to remove General de Chastelain as Chairman of the International Body.

Mr Hume said the SDLP were considering putting forward a motion calling for a fixed date for substantive negotiations. The Minister queried this approach, saying that if the motion failed that would cause problems for the whole process. As regards the statements on education and local government, both of these were matters for consultation. As far as the UUP assertion regarding General de Chastelain's removal, that was simply incorrect.

Mr Murphy said that the Government side were working on the wording of a statement and he expected that to be finalised soon. He would let the SDLP see that when completed. The delegation left saying that they were dissatisfied with the way in which the Government was 'feeding' Mr Trimble; Mr Durkan added its like 'feeding a junkie's habit'.

Meeting with the UDP

Mr Murphy had a short meeting with the UDP. Gary McMichael said his Party's view was that the UUP should go straight in to Talks and he hoped that the Plenary on the indictment of Sinn Fein would provide a cushion to allow them to stay in. The UDP hoped that the procedural motion could be tabled and agreed on Wednesday 24

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September. While the UUP were playing hardball at present he believed they wanted the procedural motion to be nodded through. The last thing the UUP wanted at this time was a protracted debate on decommissioning. This would only serve to highlight that they had achieved no victory on this issue. The UDP had argued that the UUP should join the process yesterday, deploying the argument that to delay would allow time for another bomb which would make entry even more difficult.

Mr McMichael repeated his Party's view that the first paragraph of the procedural motion should include a very clear statement that the final referendum in Northern Ireland should be paramount in determining the way forward. McMichael's view was that even if the referendum in the Republic of Ireland is negative, the British Government should proceed on the basis of a positive in Northern Ireland. Explanations of the difficulty of this fell very much on deaf ears although the Minister and officials promised to look again at the wording.

Meeting with Sinn Fein

The Secretary of State met Sinn Fein at their request to discuss the handling of the procedural motion and the UUP indictment. While Adams claimed to be sympathetic to the Government objective of bringing in the UUP, he believed that a failure to set a date for tabling of the procedural motion was bad tactics. His view was that the UUP would not come in until a line was drawn in the sand and the sooner the British Government drew this the better. He was concerned about the perception created outside the Talks that the only firm item on next week's agenda was the UUP indictment. He described the proposed statement by the two Governments (shown to him by the Irish) that they intended to table the procedural motion next week as rubbish, sticking to the line that a clear commitment to table the motion on Monday was what was required. Throughout the

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meeting he complained that a date for substantive negotiations had been set by the Prime Minister and that HMG had failed to deliver on this. The Secretary of State emphasised that the Government, along with all the Talks participants, were hoping to achieve a wholly inclusive process and her view was that giving the UUP a little more time could achieve this. Setting Monday 21 September as the date for tabling the procedural motion would be likely to be counter-productive - experience suggested that the UUP were likely to react negatively to such a deadline. Mr Thomas asked if an expression of intention to table the motion on Wednesday 24 September would be acceptable but Mr Adams rejected this. He argued that it was important that the procedural motion be tabled before the UUP indictment. The Government should declare that they were going to table the motion on Monday and deal then with any problem arising from a UUP failure to agree.

The Secretary of State agreed to consider Sinn Fein's views, but made no commitment.

Meeting with the Irish

The Secretary of State and Mr Murphy met the Irish delegation to decide the way forward. The Irish had met Sinn Fein, the SDLP and the Alliance Parties. All of these parties prefer the tabling of the procedural motion on Monday. Mr Burke said that he conceded that it was better to let the UUP have their day in the sun on Tuesday, but it would then be necessary to put down the procedural motion on Wednesday. It would be up to HMG to bring the UUP to the table. He felt he could not hold the SDLP and Sinn Fein otherwise. The Irish had revised the proposed statement accordingly. The Secretary of State agreed to a commitment to table the motion on Wednesday 24 September and a revised draft statement to reflect this. Mr Burke wanted it clearly understood that the language "intend to table" should be clearly understood by both Governments

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to mean "will". The Secretary of State was content to give this commitment, subject only to circumstances arising outside either Government's control and any view of the Prime Minister. Mr Burke accepted the assurance with this qualification. He said it would be for HMG to inform Trimble that the motion was definitely going on Wednesday. All of the parties he had talked to were unhappy and the list of confidence-building measures attached to the Unionist statement had caused further annoyance. It was agreed that British and Irish officials would continue work on the language tomorrow.

Second Plenary Session

The two Governments subsequently agreed the way forward with the Chairmen and the Plenary session resumed at 5.00 pm. The Chairman presented the two Governments' statement declaring their intention to table the procedural motion on 24 September and invited comments. All of the parties present (Sinn Fein, SDLP, Alliance, NI Women's Coalition and Labour) expressed the view that they would wish the procedural motion to be tabled earlier than Wednesday 24 September. Mr Adams proposed an amendment of the draft statement to change the date of tabling the motion to Monday 22 September and a change in the language to state that the Governments "will" rather than "intend to" table the motion on that date. This was supported by the Alliance, Women's Coalition and Labour. Seamus Mallon queried whether the Talks participants had the power to determine when any participant tabled a procedural motion. Adams indicated that he would be prepared to accept a compromise whereby the procedural motion was tabled on Tuesday on the same day as the UUP indictment.

Mr Murphy and Mr Burke indicated that the choice of Wednesday represented the two Governments' belief that this would be the best approach to achieve an inclusive process. Senator Mitchell acknowledged in response to Mallon that, while the participants had

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he power to determine the order of business, he believed that it was not possible for the Talks participants to tell individual parties when to table the particular motion - although they could withhold the support requested by the two Governments. Following a short adjournment by the two Governments to consider the views expressed by the parties (proposed by Mr Adams) the two Governments withdrew the proposed statement of intention to table the procedural motion on Wednesday 24 September, instead informing the participants that this was their intention. This was accepted by Alderdice but drew further complaint from Adams and McGuinness along similar lines to the arguments put in their earlier meeting with the Secretary of State.

Following some further comments by the parties, the Chairmen declared:

- there would be a Plenary meeting beginning at 2.00 pm on Tuesday to discuss the UUP indictment of Sinn Fein. This would be limited to 3 hours.
- the present Plenary would be adjourned at the call of the Chair to resume no later than 2.00 pm on Tuesday 23 September. If it proved possible for the procedural motion to be tabled earlier than Wednesday, then the Chairmen's staff would contact the parties no later than 12.00 noon on Monday to schedule a Plenary meeting for Monday afternoon or Tuesday morning.
- the Chairman also declared that he proposed to follow previous practice with regard to the indictment Plenary on Tuesday. The party presenting the indictment would be allowed 30 minutes to make it's case, the party complained against 30 minutes to respond. There would then be a general debate, however, the total time allotted would be no more than 3 hours, with the

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proviso that any party which had not been able to speak at the end of this time would be given reasonable time to do so.

- the Chairman also requested comments from the parties regarding circulation of minutes. The DUP had contacted the Chairmen to request copies of minutes of Plenary meetings which had taken place after their withdrawal. The Chairmen would rule on this but requested comments of each of the Talks participants before doing so.

The Chairman then adjourned the Plenary session as recorded above. This concluded the day's business.

(Signed)

ROBERT CRAWFORD