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FROM: JACKIE JOHNSTON, ALAN SMYTH,
PETER MAY & ROBERT TRAVIS
Political Development Team
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- cc PS/Mr Murphy (DFP,B&L)
- PS/Mr Ingram (DED,B&L)
- PS/Lord Dubs (DANI,DOE&L)
- PS/Worthington (DENI,DHSS&L)
- PS/PUS (B&L)
- PS/Mr Semple
- Mr Thomas
- Mr Steele
- Mr Jeffrey
- Mr Leach
- Mr Bell
- Mr Daniell
- Mr Watkins
- Mr Stephens
- Mr McCusker
- Mr Kelly (B&L)
- Mr Woods
- Mr Beeton
- Mr Brooker
- Mr Hill
- Mr Ferguson
- Mr Maccabe
- Mr Howard
- Mr Priestly
- Mr Whysall
- Mr Johnston
- Mr May
- Mr Sanderson, Cab Off
- Mr Fergusson, RID FCO
- HMA Dublin
- Mr N Warner

NOTE FOR THE RECORD

*Full
start 2
by 3/13*

PS/Secretary of State (L&B)

TALKS 24 MARCH 1998

SUMMARY

Sinn Fein reaffirmed their commitment to the Mitchell Principles on non-violence. Gerry Adams said that Sinn Fein had consistently and pro-actively upheld the Mitchell Principles and had no problem confirming that.

Three hours of discussion on the remaining elements of the Independent Chairmen's Strand Two Synthesis Paper. The discussion was dominated by Sinn Fein asserting their proposals for a strong North/South Body with executive, consultative and harmonising powers with implementing bodies identified from the outset.

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A difficult Review Plenary. The UUP ensured that proceedings became bogged down almost from the start by choosing to ignore the reports given by the various Chairmen on progress in the strands and the Liaison sub-Committee on CBMs. Instead they concentrated exclusively on two distinct lines of questioning - firstly, the lack of progress on decommissioning, seeking the Governments' views on what would happen if there was no movement by the time of an agreement, and secondly, querying the reasons for the different interpretations of IRA involvement in the murder of Kevin Conway and those of Campbell and Dougan. Party representatives met the Secretary of State prior to the Plenary to rehearse this approach, a meeting in which they became more and more bad tempered.

MORNING SESSION

Detail

Meeting with the Irish and Independent Chairmen

A short meeting to discuss today's business and the handling of negotiations. **Senator Mitchell** noted that Sinn Fein had re-entered and David Trimble had requested a review plenary which would likely focus on decommissioning. There had been no hint from the UUP that they would seek to indict Sinn Fein. He understood that the UUP and SDLP had had a good and productive bilateral the previous day and would meet tomorrow to begin a "drafting process". He proposed to ask the parties to complete this week's scheduled business, work for five days and nights next week and the following week stay in the talks until such times as they were completed. At some point it would be necessary to have a comprehensive paper to present to the parties and was looking to the Governments to give an indication as to whether they would have a paper ready for next week. Mr Murphy had advised him that the Strand One participants did not want to continue in round table format. His view was to continue in the Strands until next week and then begin cross-strand discussion from next Wednesday but he would review that in the light of Mr Murphy's advice. He suggested holding bilaterals with parties and the Irish Governments to discuss the way forward.

Minister Andrews supported the move into intensive bilaterals to get agreement and to identify the areas of remaining difference. Officials would draft the synthesis paper over the next few days. He said that the Senator's plan was a worthy one. If we need to meet over Easter then so be it. **Mr Murphy** confirmed that the parties were discontented with more round table discussions but had asked for a further Strand One meeting to discuss policing and criminal justice. He suggested that bilaterals needed careful planning because there could be a significant number to arrange and the Senator's office needed to be pivotal in making those arrangements. He also suggested that Senator Mitchell ought to be able to report to the press on a daily basis in a general format about what was going on. With regard to the comprehensive paper, **Mr Murphy** thought it likely that parties would accept such a paper coming from Senator Mitchell.

Senator Mitchell agreed to seek the parties' agreement to restrict their press comments so that he was not being seen to have to comment on anything that others might say. The discussion moved to this afternoon's review plenary. Senator Mitchell said that the UUP had characterised it as a substantial discussion but it was unlikely that they would do anything other than let off steam. Reg Empey's concern was that the talks would get to the end of the process and the paramilitaries would remain totally intact and totally armed. **Mr Thomas** commented that there would be something in the Agreement to require decommissioning in the future. **Senator Mitchell** suggested that the UUP's problem was essentially political because they were looking

over their shoulder at Dr Paisley and Mr McCartney. He stressed that he wished to confine the Review Plenary to end this evening. He would be asking for brief reports from each of the Strand Chairmen and the two liaison subcommittees. The meeting ended with a discussion about the possibility of the Prime Minister and Taoiseach coming to the talks; it was noted that there was a possibility that they may be available during the 7th, 8th and 9th April if all went according to plan.

Plenary

A short plenary was held to formally re-admit Sinn Fein to the talks. **Gerry Adams** said that Sinn Fein had consistently and pro-actively upheld the Mitchell Principles and had no problem confirming this.

Strand Two Meeting

The Plenary moved into Strand Two format to continue discussion of the Independent Chairmen's Synthesis Paper.

Accountability

Sean Farren (SDLP) wanted to see Accountability operated in such a way that it wouldn't impose unnecessary constraints on the North/South council. He underlined the need for flexibility. **Martin McGuinness (Sinn Fein)** said that the North/South Council should operate independently and be immune from any six county veto with no requirement for ratification in the Assembly.

Further development

Martin McGuinness suggested that the Council had to be free to develop and the Agreement should determine the implementation timescale of North/South initiatives. Any expansion of the Northern Institution should not affect North/South bodies ability to grow.

Funding

Sean Farren said that the first sentence in the Funding Section of the Synthesis Paper should be amended to not preclude other sources of funding such as European which would be an important dimension to any settlement. **Lord Alderdice (Alliance)** suggested a degree of negotiation about funding on particular issues because it might not be on a per capita or 50/50 basis, for example projects on an all-Ireland basis might be funded 3-1. The ROI's entry to the EURO might cause difficulties and he suggested agreeing on a year to year basis the exchange rate for funding to save in-year debate. **David Ervine (PUP)** thought there was no need for a complicated criterion: both jurisdictions would be responsible for funding and would deal with specifics at a later date. **Martin McGuinness** agreed that funding should be provided by both Governments plus other sources.

Parties Response to Sinn Fein

Gary McMichael of the UDP disagreed with Sinn Fein's analysis and viewed it as an unrealistic contribution. **David Ervine** said that Sinn Fein needed to come to terms with the Irish Government and SDLP's position on ratification of decisions taken by the North/South Council. **Mr McGuinness** responded that there was no disagreement among Nationalists because all saw the risk in a body in the North dominated by Unionists being used to scuttle any North/South

body. If Unionists were saying to Sinn Fein the North/South body had to be subject to a veto then that was an insult to Nationalist voters. The sensible way to deal with this matter would be for the two Governments and the parties to get their heads together to work out a methodology. **David Ervine** replied that Unionists would be unable to assert their veto because of the weighted majority which would be introduced into the Assembly. **Mr McGuinness** responded that the Unionists could fix that.

Lord Alderdice understood all true Republicans supported the right of the people to make decisions about taxation and therefore the representatives of the people must have their say. Was it being suggested that the South can say no but the North can't to any decisions of the North/South body or that Northern Nationalists should have a veto over what Southern Nationalists might say, or was Mr McGuinness saying that the only group of people who can't say no were Northern Non-nationalists? It had been accepted for some time that weighted majority voting would be sitting at a level which Unionists couldn't deliver on their own.

Sean Farren said that the lesson of the last 70 years was that the absence of agreement had reinforced the fears and apprehension of the two communities. The North/South initiative would require agreement and trust to work. That very simple point had to be appreciated: agreement would facilitate accountability. Sinn Fein's denial of accountability would reinforce disagreement. **John Hume** suggested that Sinn Fein's presentation of the North/South Council was a distortion and unrealistic. The SDLP had modelled the North/South arrangements on the European model: ministers would know the agenda before meetings; they would know that they had the agreement of their Government and Parliament and therefore would enter negotiations in good faith. He suggested it was important to not look at the negatives because if we do then the concept of the North/South council would collapse. **Martin McGuinness** responded that the Unionists had made it clear that they were not interested in a strong North/South body only a talking shop. If we are to move forward it has to be on the basis that there would be powerful all-Ireland bodies with executive, consultative and harmonising powers. Sinn Fein couldn't get Unionists to negotiate with them in the talks and it was therefore a bit rich to think Unionists would soon become generous to Nationalists.

John Hume responded that we would never solve anything because we are a divided people with all sides having a veto. What we are about is working together to build a new society. That was possible in Europe why should it not be possible in Northern Ireland. **Sean Farren** stressed the need for trust and good will. Safeguards had been built into the SDLP's proposals. Sinn Fein had to acknowledge the safeguards because if there was any intention on their part to reach agreement they had to accept that safeguards would be required in the model to reassure Unionists.

Gary McMichael said that the issue of accountability and democratic control could only be exercised by the will of the people. The North/South Council would operate within the context of the relationship between the two jurisdictions and he couldn't fathom how Sinn Fein's proposals could be reconciled with that. **Mitchel McLaughlin (Sinn Fein)** replied that it was entirely predictable that an institution in the North would be affected by our shared experience impacting on the positive potential of such an institution. We can attempt to develop a new experience by having elected representatives on a North/South body drawing their accountability from the people and have fail-safe mechanisms operated by the Governments. The potential of the North/South body to give us a new experience of consensus administration shouldn't be underestimated.

Hugh Smyth (PUP) responded that Unionists were being generous by offering concessions and he was tired of the generosity being thrown back in our face because Unionists could have held

out for majority rule. He was sick and tired of being accused by Sinn Fein of being responsible for the sins of his forefathers. Sinn Fein failed miserably to recognise just how far the Unionist family had moved and there would be difficulty in selling such a deal to Unionists. Sinn Fein were moving very dangerously towards joint authority or indeed Unionists not having a say in the future of the Government. **Martin McGuinness** replied that he was not here for concessions but for his rights. What he would like to hear from the Unionists is what they had on offer for Nationalists. Did they want to see a strong North/South body having executive, harmonising and consultative powers. **David Ervine** commented that there was a feeling amongst Unionists that Sinn Fein's position harboured the notion of victory and defeat. If we were to build on what Sinn Fein were offering then Unionists would be subjected to the will of others. This was not a game that was being played, the Unionists were not trying to get a veto in Strand One to use in the Strand Two body. **Martin McGuinness** countered that he had asked Unionists to outline what powers they envisaged for the North/South body but had yet to have a reply. **David Ervine** replied that they were seeking agreement on issues that mattered to the lives of all the people on the Island based on genuine co-operation. **Martin McGuinness** asked for a third time what type of North/South Body was on offer to the Nationalist people. **Hugh Smyth** responded that this was a new beginning for all of us, it was up to the Body to develop within the remit of co-operation.

Gerry Adams entered saying that it was interesting that the focus of the discussion was on Sinn Fein and as he hadn't had the benefit of hearing the Unionist position perhaps Jeffrey Donaldson might enlighten him. Mr Donaldson declined to answer.

The discussion returned to the Strand Two Synthesis Paper

Administrative Support

Sean Farren expressed concern about the way in which the North/South Council's Secretariat was portrayed in the paper as being fairly minimalist, wholly required to support the convening of meetings of the Council. The SDLP had a broader concept of the Secretariat having a role which would envisage generation of ideas within the Council, communicating decisions taken by the council to the implementing bodies and receiving reports from the implementing bodies to feed to the Council. He underlined these points. He thought it undesirable that the composition of the Council should be exclusively drawn from the Civil Service in the North and South preferring a system of direct recruitment and secondment from the public and private sectors. He also said that the Secretariat should be stand-alone and separate from the East/West Secretariat. **Monica McWilliams** (NIWC) agreed that Secretariat staff should not be restricted to the Civil Service. Too much overlap between staff from the East/West structure might weaken the support available for the North/South body. **Gary McMichael** responded that the Unionists didn't want another Maryfield. The administrative support should be appropriate to the needs of the Council and be part of a wider relationship within the British Isles and a component of the East/West Secretariat.

Joint Parliamentary Body

Jeffrey Donaldson entered the discussion advising that the UUP were opposed to the idea of a Joint Parliamentary Body (JPB). **Mark Durkan** (SDLP) favoured a JPB and a Consultative Forum. Both elements would provide a more rounded approach to the question of accountability and assist openness. The SDLP wanted to make sure that arrangements for a Consultative Forum had a wider spread than just the usual Eastern seaboard North/South corridor which tended to dominate North/South discussions. **Hugh Smyth** saw dangers in trying to do everything in one

day and suggested that this was perhaps an issue which the Northern Ireland Assembly should decide.

Gerry Adams restated Sinn Fein's general views on Strand Two: preference was for a National democracy operating with a system of regional councils: this phase of negotiation was transitional; opposed to an Assembly; rejected the notion that an Assembly was the only route to a North/South Body suggesting direct elections from party panels as an alternative way to achieving acceptable accountability; from the outset North/South bodies had to have maximum executive, policy-making and implementation powers alongside a timetable for action; required legislation to establish the structures placing on them an obligation in relation to fairness and equality; finally it would be useful if the Governments could bring forward their own proposals. He suggested that the broad judgement of Nationalist opinion on any Agreement would be influenced by the extent to which the Nationalist identity is recognised in the Agreement. The UUP's proposals wouldn't see the light of day in terms of Nationalist expectations.

Lord Alderdice commented that he found Mr Adams' statement disappointing. In the Forum for Peace and Reconciliation in Dublin, Sinn Fein were out of step with the other parties. The overwhelming majority of people had signed-up to something that Sinn Fein won't sign up for. The Governments had brought forward their ideas in the Joint Framework Document. He suggested that if Sinn Fein were not prepared to move and develop their position then it was unlikely they were going to be the signatory to an agreement or indeed may attempt to prevent an agreement. **Mr Adams** replied that Sinn Fein represented the people who vote for them. He also asked sarcastically what the parties had been doing while Sinn Fein had been absent. Had the Ulster Unionist party agreed to North/South bodies, they certainly were not prepared to reveal their views to Sinn Fein. **David Ervine** responded that there was agreement that there should be a North/South Council and the purpose of the negotiations was now to "flesh out" the details. **Sean Farren** commented that the Independent Chairmen's Synthesis indicated convergence in a number of areas.

Role of Civic Society

Gerry Adams said that Sinn Fein believed that an all-Ireland Consultative Forum might have a very positive role in enhancing the whole nature of participative Government. **Monica McWilliams** supported the concept of a Forum suggesting that it should be used to strengthen the existing civic society networks but not to cipher all issues through a single Forum. **David Ervine** asked whether there was danger in creating an institution that would reflect the differences that might already be within the Assembly? He asked who would define what civil society was and determine the membership of the forum? **Gary McMichael** suggested that this was a matter that should be discussed within a Northern Ireland Assembly because matters were not developed to a stage where a North/South Forum could be set up. **Mrs McWilliams** suggested that the voluntary network had already established forums and a good example of a model was the European Union's Social and Economic Committee and the Partnership Boards.

Sean Farren said that the SDLP had been influenced in their approach by their experience of the Peace and Reconciliation Forum which had drawn from a range of interests. He suggested that David Ervine's views should not be allowed to stand in the way of bringing greater interaction between the community and the centre. Such a Forum wouldn't require an elaborate model. Initially it would be necessary to look at the broad areas of civic society and the sectors of society which might be interested in the Forum. **David Ervine** replied that he was not opposed to a Forum he was simply asking a question as to how it would be constituted. He paid tribute to the community workers but thought there was a danger in it also becoming sectionalised

pointing to the recent creation of a Nationalist association of community workers. He suggested in time there could be a similar body set up for Unionist community workers.

Lord Alderdice then gave a long explanation of how important it was to not interfere with the structure of civic society which is represented in a range of ways, not only in the community but also for example through the media. He cautioned on the way forward advising that it would be unwise to set up a structure which might result in negating the effectiveness of civic society.

Mark Durkan took issue with the PUP's suggestion of leaving this matter to an Assembly as that was beginning to create a very strong impression of people saying that everything would begin and end in an Assembly. The SDLP were simply looking for a loose open arrangement involving civic society rather than a second chamber. Membership would be up to civic society to determine. He asked parties to consider carefully the impact of their answers on others.

David Ervine responded asserting that he was not seeking to move everything into the Assembly for decision and that he had not stated opposition to the concept of a forum but simply posed a number of questions to the NIWC.

Fall-back Arrangements

Lord Alderdice said that Fall-back arrangements didn't mean every issue of failure would hasten the destruction of the North/South council. **Jeffrey Donaldson** said that UUP were opposed to the incorporation of a Fall-back mechanism in any Agreement; the operation of the Council had to be taken in trust. **David Ervine** commented that the PUP were not keen on a Fall-back as that might be seen by some as an opportunity to guarantee failure.

Senator Mitchell brought the meeting to a close commenting that the parties had completed discussion of the paper and suggested that in Review Plenary he would outline the way ahead.

AFTERNOON SESSION

Meeting with the Independent Chairmen

The Secretary of State and Mr Murphy met with the Independent Chairmen at 2.50pm. The Secretary of State said that the SDLP and Sinn Fein both knew that the two Governments were putting a paper together. As a result, she reported that both she and the Prime Minister were keen to seek ways of providing the Unionists with some cover. She suggested that one way round this would be for Senator Mitchell to ask the parties for their lists of essential components which could then form the basis of a synthesis paper. These contributions would be "ideas" and not outline documents, given the short time now available. At Mr Murphy's suggestion, it was agreed that in order to cover all issues a paper from the Chairs across the three Strands would be the most appropriate way forward. Senator Mitchell indicated that he would therefore ask for contributions from parties by noon on Monday 30 March.

Secretary of State's meeting with the UUP

The Secretary of State met a UUP delegation led by Mr Trimble at 13.50. Mr Trimble explained that the Review Plenary had been called to assess progress across the board in the Talks, and that the parties needed to say they had sufficient confidence in the outcome to continue the process. So far as he could tell some progress had been made on political tracks particularly the Heads of Agreement paper, but that nothing had been achieved on decommissioning. The UUP electorate required that it be dealt with. The 24 September resolution was clear that decommissioning was an indispensable part of the process of negotiation. The issue that

concerned the UUP was that a deal was possible in under 3 weeks, and that it could come about without any weapons having been decommissioned. What would the Government's position be in such circumstances?

The **Secretary of State** said that she held to the 24 September statement of wanting parallel decommissioning. It was not, however, possible to force decommissioning. The UUP complained that to say decommissioning was voluntary was to let paramilitaries off the hook. There was big difference between saying decommissioning was indispensable and that the Government wanted it.

Throughout the meeting there was an ambivalence in the UUP position. **Mr Empey** particularly was pressing for the Secretary of State to recognise serious attention needed to be paid to the issue of decommissioning, whereas others, particularly **Mr Maginnis**, appeared to be arguing that decommissioning was precondition to an agreement. The **Secretary of State** quizzed them upon that dichotomy, but **Mr Trimble** said that he refused to clarify their position at this point. The UUP later said that it was not a UUP precondition but a ground rule established by HMG that there should be decommissioning. The International Body had set out the parallel track in the first instance.

The UUP said they were prepared to look at issues like prisoners, policing and criminal justice which were on a quite different plane from decommissioning. There needed to be some movement in return. **Mr Trimble** asked specifically whether it was the Government's intention to allow those associated with paramilitaries to enter an administration without first decommissioning. If it were not, then would the Government exclude them?

The UUP became increasingly rude and truculent as the **Secretary of State** continued to explain the Government's position that decommissioning must be part of an overall agreement. They attempted to argue that this meant that she had given up on the decommissioning in the interim, but she noted that she had already committed herself to the 24 September statement and was merely answering a hypothetical question put by the UUP. Ultimately the Secretary of State said that she needed to consider what all the parties said in the Plenary and to discuss the issue with **Mr Murphy** and the Prime Minister before responding further to the UUP. She had set out the Government's position, but recognised the UUP appeared to be dissatisfied with the answers given.

Mr Donaldson then raised the issue of PIRA involvement in recent republican violence. **Mr Maginnis** weighed in quoting sources at the highest levels of the RUC, and criticising the use of the phrase "conclusive evidence" as a new hurdle. The **Secretary of State** explained that she had acted speedily and appropriately in the cases of **Dougan** and **Campbell** to have Sinn Fein excluded. Her security advice was that there was insufficient evidence for recent attacks to justify similar measures. **Mr Trimble** said that reports in the media indicated otherwise. He accused the Secretary of State of using the voice that she did when she was lying. The **Secretary of State** responded that her tone of voice merely reflected an attempt not to become angry when being accused of lying. After some restatement of positions the meeting ended at 14.30.

Review Plenary

Before the meeting began the Secretary of State joined with **Mr Andrews** in paying tribute to **Hugh Coveney** who died earlier in the week.

The Review Plenary began with the various Chairmen giving reports on progress in Strands One, Two and Three and in the two Liaison Sub-Committees. **Mr Murphy**, reporting on Strand One, said that there had been a number of useful round table discussions addressing the whole range of issues facing participants, since the last Review Plenary on 2 December 1997. A series of papers had been tabled addressing the main institutional issues and a range of other matters including policing and criminal justice. In recent weeks two synthesis papers on institutional issues addressing the areas of convergence and divergence had been discussed. Those discussions had now run their natural course and it was Mr Murphy's belief that the Talks now needed to move into a different format in order to begin to secure the trade-offs necessary to reach an agreement within Strand One. **Mr Murphy** thought it would be helpful if he set out what he believed to be the crunch issues facing the process. In particular, he flagged up the extent of the powers of an Assembly and whether those should include legislative as well as executive responsibility; the manner in which executive authority would be exercised; checks and balances; and future policing and criminal justice arrangements. These were the five areas which he believed were fundamental to securing an agreement.

Senator Mitchell reported progress on Strand Two. Two papers synthesising parties replies had been tabled since December. He reported that there were still areas of major disagreement but he thought that discussions to date had been very helpful in identifying areas of difficulty on North/South structures. **Ms O'Donnell**, reporting on Strand Three, said that the two Governments had tabled a paper on institutional arrangements on 11 March. A paper on constitutional issues would be tabled later in the day and the two Governments would be asking for party's views.

General de Chastelain reported on the Liaison Sub-Committee on Decommissioning. Two schemes for decommissioning had been put in place following consultation with the parties. Both Governments had put regulations in place and set up two operation centres. In the last two weeks he had completed his discussions with forensic scientists and all the mechanisms were now in place to facilitate decommissioning. **Prime Minister Holkeri** said that the Liaison Sub-Committee on Confidence Building Measures had met on a regular basis since December. They had had constructive meetings on economic and social issues, culture, paramilitary activity, security, policing and prisoners.

Senator Mitchell thanked his colleagues for their reports and opened the floor for general discussion. **Mr Trimble** took the opportunity to remind the meeting that the Plenary had agreed, on 24 September, that decommissioning was an indispensable part of the process. Nothing had happened to date. He addressed two questions to the British and Irish Governments - what steps they intended to take to move decommissioning forward and what they intended to do in the event of no movement by the time of an agreement. **Mr Murphy** replied by saying that HMG supported the compromise approach of the International Body which had envisaged some decommissioning during negotiations to add momentum to and build confidence in the process. The necessary practical and legal arrangements were now in place and schemes had been drawn up to facilitate decommissioning. There was now no obstacle to prevent those holding illegal weapons to begin handing them in. Decommissioning was an important matter to be addressed during the next three weeks and would be discussed in more detail during the Liaison Sub-Committee on Decommissioning to be held the next day.

Mr Trimble said that his questions had not yet been answered. **Mr Donaldson** then took up the baton on behalf his party. He said that both Governments had concluded that IRA involvement in the murder of Messrs Dougan and Campbell had constituted a clear breach of the Mitchell Principles. He then referred to Mr Ingram's answer to a PQ on 11 March regarding the murder of Kevin Conway. In that answer Mr Ingram had indicated that it was the RUC's assessment

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that local IRA elements had been involved. When the Secretary of State had been pressed, he said that she had maintained that the evidence was inconclusive. He noted that the need for conclusive evidence had not been a factor in the previous determination made after Dublin. He couldn't understand why evidence of sanctioning from the IRA leadership was now needed. At no time did the IRA leadership admit to the murders of Campbell and Dougan. Mr Donaldson wanted to know why there was this inconsistency. In other events, including recent bomb attacks and the fortunate interception of other devices in the Republic of Ireland the Secretary of State again had pointed to no conclusive evidence. He wondered if it was now the case that a breach was only a breach if it was sanctioned by the IRA leadership. If there had been a change when did this change occur? Why was the interpretation of the Mitchell Principles so narrow? He also wondered what was meant by IRA leadership? - [REDACTED] He also wondered what evidence HMG had that the IRA leadership repudiated the Conway murder.

Mr Taylor said that he had heard five brief progress reports during the afternoon. They were indeed fine words but he was very glad the public had not heard them. Only Liz O'Donnell had given any real hope. He was keen to know, on decommissioning, whether the Irish Government had raised the matter with Sinn Fein/IRA the last time they had met, what the reply had been, and if the question had not been asked, why not. Mr Andrews replied by saying that he rejected Mr Taylor's Sinn Fein/IRA analysis. He confirmed that they had met Sinn Fein but had not raised the issue of decommissioning. There was, however, time to raise it over the next two weeks. Mr Andrews wound up by urging participants to get out of the Plenary format and into intensive bilaterals.

Lord Alderdice indicated that he wished to ask two questions. He wanted to hear from those parties who had contact with paramilitaries how they intended to contribute to the decommissioning process. He also sought clarification, taking the David Trimble line, what the Governments intended to do if an agreement was reached in the absence of any movement on decommissioning.

Mr Ervine replied that his party had been working continuously with the decommissioning body, in the hope that guns would be handed in some day. He was determined that some time in the future Northern Ireland would be a society void of illegal weaponry. Mr G Adams added that Sinn Fein wanted total decommissioning and the end of all armed actions. However, he was very keen to know what the UUP had done to encourage decommissioning by those paramilitary groups currently in breach of the Mitchell principles. His party would certainly agree with the UUP that complete decommissioning should be brought about as soon as possible. He also wondered, in the absence of any decommissioning, how David Trimble had entered Castle Buildings flanked by the UDP and the PUP.

Lord Alderdice said that Mr Adams had raised a good point. He had implied that there was a strong link between prisoners and paramilitary organisations. Perhaps General de Chastelain might consider speaking to prisoners, who would not be under the same threat of incrimination. Mr Mallon interrupted to ask Lord Alderdice if this was a serious point he was making. Lord Alderdice replied in the affirmative - everything up to now had been a fraud. He was engaged in practical policy thinking in the absence of any decommissioning. General de Chastelain indicated that he would be perfectly willing to go into the prisons - he had done so during military service in Canada and would be happy to do so again.

Mr Durkan said that he was worried about the nature of the discussion. His party was not going to take a position on decommissioning that would give others, who were determined to hold on to their arms, a veto. He hoped that participants could get back to a proper review of progress

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across all five reports and discuss arrangements for the validation of an overall agreement. **Mr G Adams** said that he thought there were more areas of disagreement than agreement. The whole issue of sovereignty had not been properly discussed yet and the UUP were still not prepared to talk to his party. He asked the Governments to host a bilateral with Sinn Fein and the UUP. However, he was not just after a meeting; he wanted honest dialogue. He thought the UUP were treating his party differently. **Mr Taylor** explained that the UUP were indeed treating Sinn Fein differently from others. They did so because Sinn Fein were linked to the IRA. Once they accepted the principle of consent within Northern Ireland the UUP would be prepared to talk to them.

Mr Murphy said that what happened in a situation where there was agreement in the absence of decommissioning was a matter for all participants. Furthermore, HMG would not be seeking to exclude any party without clear evidence. The information provided on the murders of Messrs Campbell and Dougan had given the Government such evidence but the evidence on the murder of Mr Conway was not sufficient. The bombs in Moira and Portadown had been linked to another Republican group and there was no conclusive evidence on mortar attack on Armagh police station. On decommissioning he agreed that it was an issue which should form part of any agreement.

The **Secretary of State** indicated she wished to make two points. The Government had acted when they had conclusive evidence - if others had additional information which they wished to offer under Rule 29 they were free to present it to participants. Secondly, an absence of decommissioning was a matter for the particular Liaison Sub-Committee. **Mr Adams** said that he was disappointed about progress on confidence building measures. There had been no releases of sentenced prisoners, the equality agenda was short on substance, little had been done on Irish language and there had been no movement on police reform.

The **Secretary of State** replied by asking what issues had not been included in the equality agenda. On culture, she recognised that a paper was still to be produced but policing was being discussed within Strand One. **Lord Alderdice** said that he recognised some progress had been made on Strands One, Two and Three. However the Liaison Sub-Committee on Confidence Building Measures had been nothing more than a discussion on prisoners. **Mr Ervine** interrupted abruptly to say that was totally inaccurate. **Lord Alderdice** replied by saying there was nothing within the CBMs which would give confidence to ordinary people. No agreement would survive without the observance of the rule of law.

The meeting concluded with the **Secretary of State** confirming that she did not want to add to what she had said regarding the questions posed by David Trimble. **Mr Trimble** indicated that he was disappointed by the replies of both Governments. The meeting was adjourned at 6.05pm to allow participants the opportunity for some refreshment.

Governments' meeting with the Chairmen

The two Governments met with the Chairmen to discuss timetabling for the remainder of the week and for the next two weeks. **Senator Mitchell** opened by saying that the only way to achieve progress on decommissioning would be to secure agreement. That would trigger the surrender of arms. He continued by saying that he intended having bilaterals with all the parties during tomorrow (Wednesday) when he would ask them for their key issues and their thoughts on how they could be agreed on. He would then create a document over the following 24 hours although he did not yet know how he would release it. It was his intention to announce, at the

resumption of the Review Plenary at 7.15 pm that he intended to move to a five day week from next Monday (30/3) and then for as long as it took from Monday 6 April.

The atmosphere became rather strained when everyone turned to watch Stephen Grimason's BBC Newsline report from outside the building. Grimason reported that Mr Aherne had cast some doubt on a May date for referendums, during questions in the Dail. Irish Ministers looked decidedly uncomfortable and denied any prior knowledge of the statement.

Secretary of State's evening meeting with the UUP

The Secretary of State met a UUP delegation led by Jeffrey Donaldson at 7pm. They concentrated on the second question of what HMG's attitude would be if an agreement were reached without decommissioning by those linked to paramilitaries. They sought evidence that HMG had fire in its belly over the issue and was willing to require sanctions against those parties who failed to meet the Mitchell Principles by not decommissioning. They were not willing to exit the Review Plenary without some commitment from HMG.

Review Plenary, 7.15pm

The Review Plenary reconvened at 7.15 pm. The **Secretary of State** replied to concerns raised by David Trimble. The **Secretary of State** noted that,

- the Government wanted to see decommissioning during negotiations: it was a vital issue
- decommissioning addressed as part of an overall agreement: as part of "effective and practical measures to establish a peaceful society" (Propositions)
- that it is for the participants to decide what would happen if there was no decommissioning occurred before an agreement was reached - "...it would be a pity to hand a veto over the agreement to paramilitaries."

Organisation of business

Senator Mitchell stated that he felt the parties could reach an agreement if they intensified their efforts and proposed the following timetable which he discussed with the parties on 25 March.

- week commencing March 30: 5 days (and nights) of Talks business.
- week commencing April 6: stay in Castle Buildings until business is concluded.

Media Handling

Lord Alderdice (Alliance) suggested that the parties agree measures relating to press briefing and suggested that the Independent Chairmen brief the press to provide a neutral line on the day's events. All the parties with the exception of the UUP agreed. Later the **UUP** were concerned that if they were curtailed from briefing the press then the DUP and UKUP would fill the vacuum with negative comments about the Talks. The resolution of the proposal was deferred to the session of the Review Plenary on Monday morning.

Decommissioning

The **UUP** raised decommissioning once more. They noted that in the procedural motion of 24 September, that the Secretary of State had said that the parties would return to a discussion of decommissioning at a subsequent Plenary: the UUP were not prepared to allow the Review

Plenary to adjourn until the issue was discussed. They argued that other issues which had been difficult for them (policing, security, prisoners) had been discussed, they would not allow the issue of decommissioning to be swept under the carpet. **The Secretary of State** offered to return to the subject on Monday if it was not resolved to the satisfaction of the UUP at the Liaison Sub-Committee on Decommissioning on Wednesday 25 March. (Comment: Mr Trimble was still meeting the Chief Constable, and Mr Donaldson was unprepared to allow the review plenary to end without discussing it with his party leader. Perhaps as a consequence there followed some posturing by Donaldson over the timetable).

Talks Timetable

The UUP objected to the proposal by Senator Mitchell that Talks business be scheduled for next Friday, arguing that the Forum met in Plenary session on Fridays. The offer of bilaterals on Fridays also caused difficulties for the UUP because of the same reason. **Lord Alderdice** (Alliance) was disturbed by Mr Donaldson's comment and Seamus Mallon (SDLP) noted that the Secretary of State was able to adjourn the Forum in preference of the Talks. (Comment: A series of unhelpful lengthy lectures from Alliance, SDLP and UUP continued until Mr Trimble's return) **Mr Donaldson** offered to refer the matter to the Business Committee (25 March) and in the meantime undertook to discuss the matter with the UUP Forum group. The Review Plenary adjourned for one hour in order to allow the Independent Chairmen to meet all the parties.

Meeting the Irish and the Independent Chairmen

Senator Mitchell convened a meeting with the two Governments to discuss the UUP's request for an adjournment until Monday 10.30am when the review plenary would last for two hours only. It was recognised that the reason for this was to allow a further discussion between Mr Trimble and the Prime Minister. The UUP purported to believe the two Governments were conspiring to have an agreement without any decommissioning and only an acceptance of the need to discuss the issue in the future. Mr Trimble wanted a ban on office holding for those parties associated with paramilitaries who had not decommissioned.

Review Plenary, 21.15

When the Plenary reconvened Senator Mitchell announced the following timetable:

- the Independent Chairmen would meet all the parties and both Governments before the end of Wednesday to discuss the best way to proceed from 12.30 pm next Monday;
- week commencing 30 March: Talks business for 4 days, the Business Committee will determine business for the 5th day;
- week commencing 6 April: the Talks will remain in session until business is completed.

(Signed)

JACKIE JOHNSTON, ALAN SMYTH,
PETER MAY & ROBERT TRAVIS

POLITICAL DEVELOPMENT TEAM