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29

Informal Meeting between Tánaiste and Secretary of State
Dublin, 5 September 1996
Summary Report

1. The Tánaiste and the Secretary of State agreed that, while there had been some positive developments later in the summer, notably the resolution of the difficult situation in Derry, overall the events of the past months had been very damaging to relations between the two communities and to the mood within each. Nevertheless, it was vital to reassert the primacy of politics. The multi-party talks remained "the only game in town", and contacts with both the SDLP and UUP indicated that they were of the same view.
2. It was agreed that the situation within loyalism was very difficult. With regard to the standing of the PUP and the UDP at the talks, it should be pointed out that a mechanism for consideration of possible breaches of the Mitchell principles now existed under the rules of procedure.
3. Most of the meeting was devoted to a discussion of how the opening day of the resumed talks should proceed, and, in consequence, how an agenda for the opening plenary as a whole might be established and advanced. There was agreement that Monday's plenary session must register some progress. It was felt probable that at the very beginning of the session the DUP would object to the continued presence of the loyalist parties; the Chairman could be advised to invoke the rule 29 procedure, which might prevent a walk-out and allow for movement on to the next business.
4. The Irish side pointed out that, as no agenda for the opening plenary had yet been agreed, it would not be possible to move to opening statements, as envisaged in the two Governments' joint proposal, before one had been settled. The British side suggested that the various agenda proposals on the table might be considered either bilaterally (the Tánaiste expressed doubts about the wisdom of this) or in the business committee. The Irish side did not see any particular advantage in moving outside the plenary formation, and warned that procedural difficulties should not conceal the fact that the real problem continued to be one of substance: that of how to handle decommissioning.
5. On the basis of a meeting he had had with them the previous day Michael

Ancram characterised the UUP as being anxious to be able to prove to their constituency that they "weren't being conned" on decommissioning and that, if Sinn Féin re-entered the negotiations, a credible and effective mechanism leading to at least partial decommissioning would already be in place. This was why they laid particular emphasis on the two Governments' readiness to present legislation to their respective parliaments. The Irish side confirmed that work on enabling legislation was well advanced. Our position remained that the implementation of any agreed scheme of decommissioning would not be blocked by the absence of legislation. It was, however, only one of a large number of technical questions surrounding decommissioning which had to be thrashed out. We did not favour publication even of heads of a bill before the establishment of a sub-committee.

6. Michael Ancram stated that the UUP had indicated a willingness for there to be a time-limited opening debate on decommissioning, followed by the creation of a time-limited sub-committee; they had promised a paper (expected next week) on their ideas on what such a sub-committee should do.
7. The Irish side stressed the extreme difficulty in which the SDLP had been placed by the events of the summer. Even moderate nationalists had moved from scepticism about decommissioning to a degree of hostility to the notion. There was little or no confidence in Unionist good faith or in their commitment to negotiations. Thus the SDLP would find it very hard to stay in a process which appeared to consist merely of a debate about decommissioning - a subject which remained academic in the absence of Sinn Féin, and the Unionist approach to which was consequently illogical and arguably hypocritical.
8. The British side, again drawing on their meeting with the UUP, suggested that a way forward might be to establish two sub-committees - one on decommissioning, and one on the comprehensive agenda for the negotiations - which would be required to report back to the plenary session within the same specified time-span. It emerged in the course of discussion that the decommissioning sub-committee they had in mind would run during the opening plenary and would be charged with

determining the mechanisms for the later consideration of the issue alongside discussion in the three strands (very possibly in a second "substantive" committee of the sort envisaged by the two Governments).

9. The Irish side expressed serious reservations about this proposal, and in particular about the response of the SDLP to it:
- the proposal was in effect that made by the UUP in July - far from being a reasonable compromise, it would be seen as further evidence of Unionist dictation of the agenda;
 - Séamus Mallon in particular had been emphatic about the need for the sequencing proposed by the two Governments at the end of July, whereby consideration of the agenda preceded an opening address to decommissioning, to be preserved;
 - there was a clear asymmetry between the two sub-committees envisaged, as there was apparently - as confirmed by the British following their UUP meeting - little difficulty with an agenda organised by broad generic headings. An agenda committee would have little work to do.
 - conversely it was probable that, once a decommissioning sub-committee had been established, the Unionists would not confine themselves to procedural issues, such as the elaboration of a workplan. It offered them immense scope for tactical abuse. There was no good reason to believe that they would not use a sub-committee for this purpose.
 - overall the clear message would be that decommissioning took priority over political questions.
10. The British side stressed that they saw the two sub-committees as running within the same tight time limits and as being confined by their terms of reference to procedural, agenda-setting matters. The decommissioning sub-committee would have to consider the handling of confidence issues, which should be of interest to nationalists. They stressed that Unionists

would not, in their view, accept the two Governments' agenda for the opening session as it stood. They accepted that it was not clear what time limit, or terms of reference, the Unionists would in fact propose.

11. The Irish side suggested that a decommissioning sub-committee of the sort envisaged could perhaps be acceptable if the three strands had already been launched, with each of them charged with setting its own agenda as a first act. The British side thought this would breach the rules of procedure and would not be saleable to unionists, who would see it as the opening of substantive negotiations before the completion of an initial address to decommissioning. They wondered if the creation of three agenda sub-committees, one for each strand, might offer cosmetic cover.
12. At the conclusion of a lengthy discussion of this matter, the Tánaiste reiterated that in his view the SDLP were most unlikely to agree to the formation of a sub-committee on decommissioning to operate before the opening of the substantive negotiations.
13. During the meeting, the British side wondered if there could be merit in having two sets of opening statements - one series of brief introductory remarks, to be delivered immediately agreement had been reached on the opening plenary agenda, and fuller statements of negotiating positions at the launch of the three strands (i.e., after agreement on the mechanism for handling decommissioning and on the comprehensive agenda).
14. At the conclusion of the meeting it was agreed that there should be further contact over the coming days, and use made of the opportunity to sound out the parties as to their views at the BIA conference at Oxford. The British side in particular was hopeful that the meeting between the SDLP and the UUP scheduled for that afternoon might identify common ground: the Irish side cautioned against attaching excessive expectations to meetings of this sort.

Rory Montgomery
5 September 1996