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PST: PSS; Ministers Owen,
de Rossa & Taylor; Attorney
General; Minister of State
Covey; Messrs. Teahon,
Donlon & Dalton; Ambs.
London and Washington; Joint
Secretary; Counsellors A-I.

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ConfidentialMulti-Party TalksDaily Report - 30 September 1996

**Taoiseach
to see please**

1. In summary:

- the UUP published a paper on decommissioning today which involved a retreat to, and in several key respects beyond, the Washington Three precondition;
 - the two Governments share the view that this is a profoundly discouraging response to our joint paper and that the efforts to achieve a deal with the UUP on the handling of decommissioning are effectively over;
 - there is now no alternative to a "free-fall" debate on this subject in Plenary (likely to begin informally tomorrow but not to be formally reached until the week after next);
 - there is a general sense on the part of both Governments that today's surrender by the UUP to DUP and, in particular, UKUP pressure has brought significantly closer the demise of the current talks process.
2. The Government delegation was led today by the Minister for Justice and the Attorney General. There were two bilateral meetings with the British Government and one with the SDLP and there was also contact with the Chairmen.
 3. The Secretary of State reported on his contacts with David Trimble since last Thursday, in particular a "histrionic" exchange on Friday evening in which Trimble denounced the joint paper. A UUP paper was promised over the weekend but did not arrive until this morning. Fulfilling the worst expectations of both Governments, it not merely stepped up the party's demands in relation to the International Commission but also required the beginning of actual decommissioning before Sinn Fein could enter substantive negotiations.
 4. In a private conversation with Trimble around noon today, Sir Patrick formed the clear impression that the UUP leader had yielded to intimidation from the DUP and, in particular, the UKUP. He made clear to Trimble that the paper would not be acceptable to either Government or to the SDLP. Trimble went on to publish it at a press conference at 2pm.
 5. In our consultations with the British Government this afternoon, we agreed that the UUP paper offered no basis whatsoever for negotiation (and, indeed, that its immediate public dissemination suggested that the UUP were not offering it in this

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spirit). We reached a joint conclusion that the effort to agree a strategy with the UUP for the management of the decommissioning issue had effectively failed and that, without such a strategy, the current process is likely to collapse within a matter of weeks. Asked if he saw "terminal" significance in today's development, Sir Patrick agreed that it is "jolly close to it". The only motive which now counted with the UUP, he suggested, was self-preservation as a party.

6. We agreed that it would be best for the two Governments to "play it long", rather than to attempt to face down the Unionists in the short term on this drastic shift in their position. In terms of public presentation, we would emphasise that our approach would continue to be grounded firmly in the Mitchell Report (from which the UUP have now very clearly deviated). The terms of separate press statements to this effect were agreed.
7. In addition, at the request of the Women's Coalition, we circulated to all delegations the joint paper which we produced last week (hitherto passed to the UUP only).
8. A UUP meeting with the Secretary of State following their press conference covered essentially the same ground as this morning's meeting. According to the British, the UUP will not participate in a further trilateral but are interested in bilateral contact with ourselves. John Chilcot reported Reg Empey as saying that they did not wish today's paper to be regarded as their final position and were "in negotiation with the two Governments". The Secretary of State fully agreed with us, however, that there could be no question of negotiation on the document published today. We made clear that, while we will of course be open to continuing contact with the UUP, we see this as sensible only in the context of a commitment to the implementation of all aspects of the Mitchell Report (and, given that the British Government shares this position, we would consider a trilateral to be the more logical format).
9. A previously arranged Plenary session tomorrow will handle one or two procedural matters (in particular a revised draft on confidentiality - somewhat incongruously in the circumstances). It will also consider the agenda for the remainder of the opening Plenary, i.e., afford the Unionist parties an opportunity to raise the substance of decommissioning. The two Governments will decline to be drawn into a substantive debate on this occasion, reserving their contributions to the point when the decommissioning item is reached on the agreed agenda.
10. This now seems likely to occur in the week beginning 14 October. The Secretary of State indicated a strong preference for time out next week, to facilitate his and his Ministers' attendance at the Tory party conference, and this is likely to be agreed. Both Governments saw tactical value in buying a little time before heading into a fraught and unstructured session on decommissioning which seems likely to end in complete deadlock.


David Donoghue
30 September 1996