



# An Chartlann Náisiúnta National Archives

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**Meeting with SDLP Delegation in the Sycamore Room, Government Buildings on Thursday, 11 September, 1997 at 12 noon.**

*Attendance:*

Taoiseach

Mr Ray Burke, T.D., Minister for Foreign Affairs

Mr Dermot Gallagher, Department of Foreign Affairs

Mr Paddy Teahon, Department of the Taoiseach

Dr Martin Mansergh, Department of the Taoiseach

Mr Walter Kirwan, Department of the Taoiseach

Mr Paul McGarry, Department of the Taoiseach

Mr John Hume, SDLP

Mr Seamus Mallon, SDLP

Mr Eddie McGrady, SDLP

Mr Sean Farren, SDLP

Mr Mark Durkan, SDLP

In welcoming the SDLP delegation the Taoiseach said that he thought it would be useful at this time to discuss matters with them. He opened by saying that he knew nothing of today's article in An Phoblacht. He had said in the Dáil earlier that the entire Republican Movement had to honour the Mitchell Principles and the way forward is that matters are dealt with by democratic and peaceful means and the issue of disarmament will be dealt with by the Commission.

He added that in recent times he had had three lengthy conversations with Prime Minister Blair. There was a difficulty in how far he could go to get Mr Trimble to participate in the talks process. Both Governments had to operate within the parameters set down in the paper of 25 June and the subsequent statement by the two Governments. On the three issues of consent, decommissioning and the chairmanship of the decommissioning body, he had tried to be as helpful as possible. The Prime Minister was doing everything he could to convince Mr Trimble and when he believed that he could make progress he would revert to the Taoiseach. However, they have not spoken since last Friday. The Taoiseach understood that the meeting which the Prime Minister had yesterday with Mr Trimble was positive and he in turn would try to be positive when Mr Blair does contact him again.

Mr Hume said that Mr Trimble was using each issue as it came up to get concessions.

The Taoiseach said that in his conversations so far with Mr Blair they had been going over ground that had already been discussed and agreed. He believed that there was no point moving to a position where everything else broke down. He believed that Mr Blair was determined to get to a position where progress could be made.

The Minister for Foreign Affairs said that it was important to have an agreed line on the An Phoblacht article. In this regard the line used by the Taoiseach on the Order of Business was useful.

The Minister then referred to a meeting he had recently with Minister Murphy who had also met with the Minister for Justice. He said he would meet Minister Murphy again at the British-Irish Association Conference to which he would be travelling the next day. He would also meet with the Secretary of State for Northern Ireland on the following Monday morning and would have discussions with the SDLP again after that.

Agreement had been reached on the issue of the Chairmanship of Strand 2. General de Chastelain would chair the Decommissioning Body and would also be Joint Chair of the Strand 2 process, along with Senator Mitchell. This had been agreed with Senator Mitchell and General de Chastelain and the Unionists also accepted this arrangement. This achieved the objective of Senator Mitchell and General de Chastelain each doing the job that he wanted and that we wanted them to do but on the basis that the latter would do the chairing de facto.

Mr Gallagher said that there was a lot of uncertainty in the situation. He believed that Mr Trimble wanted to enter negotiations and he expected he would get a flexible mandate from the Executive Committee meeting. The picture would only become clearer on Monday morning. The outcome on the Chairmanships had been positive. Senator Mitchell would have full and uninterrupted authority. However, the situation had not been helped by the article in this morning's An Phoblacht.

The Taoiseach said that on Tuesday last, Sinn Féin signed up to the Mitchell Principles for the Republican family. He was unsure whether contact should be made with Mr Adams. He believed that the media

would be negative and this would make the situation more difficult for Mr Trimble and would reduce his scope for flexibility.

Mr Kirwan asked if it would be helpful to publish the membership of the Decommissioning Body as a confidence measure before the meeting of the UUP Executive Committee the next day.

Mr Teahon said that he had been in contact with Mr Holmes who said that there would be another significant contact between Prime Minister Blair and Mr Trimble today. Until this contact had been made we won't know the extent of the progress.

Mr Hume said Mr Trimble had requested a meeting with the SDLP and this had been agreed for last Friday. However, it had been cancelled and it had not been possible to rearrange the meeting. His belief was that Mr Trimble would be coming to the door but would not go into the room. Today's article would give further ammunition to those who wanted to stay outside the talks.

The Taoiseach said that it may be worthwhile getting Mr Adams to clarify the situation and the Minister for Foreign Affairs agreed. Mr Gallagher said that the line taken by Mr Adams on Tuesday, while very good, was undermined by this one sentence in today's article. Mr Durkan said that any statement Sinn Féin would make would have to be helpful. Any distancing of Sinn Féin from the IRA would not be helpful and cause a greater problem. Mr Kirwan said that Sinn Féin had already been saying that they were in the talks on the basis on their mandate: we would need to be sure that any statement by them would not make the situation worse.

The Taoiseach said that Deputy O Caoláin had abstained from the vote on decommissioning yesterday because its terms were too narrow and Sinn Féin wanted total demilitarisation .

Mr Durkan said that if Sinn Féin had been weakened by today's article, this may be used by Unionists to give them greater flexibility and more reason for Unionists to enter talks. Mr Trimble would also be able to argue that the Decommissioning Body would be in place before anything else has been agreed.

Mr McGrady said that he believed that the Executive would give Mr Trimble a mandate or the option of attending the talks, but it would certainly not prevent him attending. Although generally the Unionist people wanted their party in the talks, the Executive Committee were behind their own community. They had the option of entering talks and then playing the decommissioning, consent and other blocking cards. The two Governments needed to prevent this and the British Prime Minister had to say no to Mr Trimble. He had to stop running after Mr Trimble. Unionists don't want to go to the table but it must be put up to them.

The Taoiseach said that this was what we had been saying for some weeks. Unionists have the decommissioning document and the clarification.

In referring to the article in An Phoblacht, Mr Hume said that another point was that the IRA had said no to decommissioning in advance of a settlement.

Mr Mallon said that nothing in the article surprised him except that there seemed to be a redefinition of consent. The significance of the article was in terms of its timing with regard to the talks and that the IRA could be used to influence the negotiating position. Mr Mallon added that it was difficult to see how the British could satisfy Unionists on consent as Unionists were trying to expand consent to cover not just the constitutional position but the terms of the new arrangements. As far as decommissioning was concerned, it had been discussed to the nth degree. Consent was not an issue previously. Unionists were picking off these issues to get as much as they could and to stay away from the real issues. Mr Trimble would weaken his position further if he went into proximity talks. An issue he would have to face is who would he get to convey his views to the other parties as he didn't trust the British Government.

The Minister for Foreign Affairs said that Monday would be a crucial day. After all their meetings, Unionists had to decide what they would do. The clock was running out and there had to be progress. While it was expected that Unionists wouldn't arrive at the table on Monday it was time for them to make up their minds.

Mr McGrady said that Unionists did not want to negotiate and their position was based on staying away from negotiations.

The Taoiseach said that if they played this game the two Governments would have to begin the process with those parties willing to engage.

Mr Mallon said that an important question was how long this process would be allowed to go on. Proximity meant second hand discussions with each party. This could not be sustained for more than a few weeks.

Mr Gallagher said that Unionists were also looking for sufficient consensus. If a meeting of Strand 3 took place, this would concentrate their minds.

The Taoiseach said that he believed that the British Prime Minister wanted to move ahead and he was taking a tough line with Mr Trimble. His own discussions with the Prime Minister had been very lengthy. If the decision by Unionists on Saturday was not for flexibility then the decision would have to be made on Monday on how to proceed.

Mr Farren said that he believed that on Monday, Unionists would ask for separate meetings with all the parties and would drag out the process as long as possible. There had to be a point at which the Governments would bring the process back on track. Unionists could have had an agreement largely developed with the SDLP by this time, if they had wanted to engage, but they have been using stalling tactics.

The Minister for Foreign Affairs said that the British Prime Minister had invested a lot in this process. Both Governments have said that the negotiations begin on 15th September. The Prime Minister's credibility is on the line as well.

Dr Mansergh said that at the meeting of officials earlier this week, the British side seemed very gung-ho, and it seemed that they would be willing to put it up to Unionists. By the end of the week the Prime Minister would have a favourable Scottish result under his belt which would also strengthen his position.

Some discussion took place about the mechanism by which the chair could move the process into substantive negotiations. Mr Kirwan said that Senator Mitchell had already been persuaded of the rule 35 bypass option. Mr Mallon said that in meeting Senator Mitchell, he believed that this would only be used when Unionists have bought into the

process. If Unionists did not agree then the question would be academic as there would not be sufficient consensus to agree the bypass option.

At this point the Minister for Foreign Affairs left the meeting, which continued over lunch.

Mr Kirwan said that if Mr Adams made a statement it must make the situation better and could not endorse any laissez faire attitude to the Mitchell Principles. He asked if the DUP might come to the talks on Monday and put down a motion to exclude Sinn Féin on the basis that today's article broke the Mitchell Principles.

Mr Durkan's view was that this would not happen because the DUP wanted to let Mr Trimble face the hard options.

Dr Mansergh rejoined the meeting and said the reaction of Ken Maginnis to the article was described in the news as circumspect. On the issue of consent there was a belief that Unionists wanted a reaffirmation of consent. Our line was based on the Downing Street Declaration.

Mr Durkan said that the consent issue should not be laboured. Secretary of State Mowlam's intervention on consent was very vague. Mitchell McLaughlin had said that consent could be discussed following an agreement. Mr Durkan said there was an argument for deciding about consent beforehand, particularly in a situation where people would have to agree to double referenda. Mr Farren said that Sinn Féin's arguments about International Agreements could be demolished. In the Forum it was argued that there was no situation comparable to ours which could be resolved the way Sinn Féin wanted it resolved.

Mr Gallagher said that Unionists were afraid of a 1985 situation where agreement was reached over their heads. Sufficient consensus would be a safeguard for them. Mr Gallagher also said that a paper had been given by us to the British side on how the situation of loyalist prisoners could be improved.

Mr Durkan said that when the SDLP met with Prime Minister Blair they spoke of taking the approach with Unionists that the Labour Party had taken with trade unions.

Mr Gallagher referred again to the paper where ideas were suggested to the British for dealing with loyalist prisoners. This could not be seen as interference but as an example of friendly co-operation. He also referred to an interview where Mr David Adams said that the British were holding back on prisoners.

The Taoiseach then opened a discussion of the Forum by saying that some parties had been asking about having a meeting of the Forum. He mentioned Mr Alderdice and Mr Spring. In July the issue had been long fingered. The Chairperson was away to the end of September and it was mentioned to those parties that had enquired that consideration could again be given to the issue at the end of the month. There was some diversity of opinion about the usefulness of the Forum sitting again. Mr Mallon felt that a sitting of the Forum would not be useful while the Northern Forum was sitting. He felt it would be a distraction to the negotiations. Energies should not be dispersed and the Forum would not work to the advantage of the SDLP. Mr McGrady said that it was important that credibility was not given to the Forum in Belfast and there would be a danger of British Ministers attending and giving it a life of its own. It would be difficult to participate in a Forum in Dublin and not in Belfast.

Mr Durkan said that care should be taken that not having a Forum meeting would be seen as a victory for Mr Trimble. Mr Mallon felt that there would be no good reason for having the Forum meeting. Sinn Féin were involved in talks, the British and Irish Government were in the talks process and there was nothing to be gained.

Dr Mansergh said that the Forum enabled parties here to mix with other parties, particularly the Alliance Party and other smaller parties.

The Taoiseach said that smaller parties identified it as a way of keeping formal contact open.

Dr Mansergh said that it would not be necessary to have regular meetings.

Mr Durkan said that it would allow for a national dialogue to take place and meetings could be held occasionally.

Mr Mallon asked what more work could be done ?

Mr Durkan replied that although not much substantive work could be done it would provide an element of continuity, particularly in terms of a double referendum.

Dr Mansergh said that it would provide a non partisan Forum - parties here would not adopt the same role as in Leinster House.

Mr Hume said that the Forum was central to the first ceasefire. When talks get down to serious issues, it could be shown that nationalist Ireland was ready to move. It could show Sinn Féin that their case did not command widespread consent and would emphasise their need to compromise.

Mr Kirwan raised the question of the order in which issues were taken in the Three Strand process. Depending on the issue it may be possible to build common ground. He asked whether we should start with principles which could be divisive, particularly in view of the current controversy about consent, initiated by the interview given by the Secretary of State to the Belfast Telegraph. Would it be preferable to try to build some rapport and trust by commencing with aspects of governance related to the economy or with the protection of human rights, on which there was much common ground?

Mr Hume said that there was a practical danger of raising the human rights issue first. If the Unionists accepted a Bill of Rights they would say then that was as far as they had to go.

Mr Mallon said that Unionists have not grasped what consent means. Unionists and Republicans must face the issues. Consent for Unionists is a double edged weapon.

Dr Mansergh raised the issue of Unionists ruling out unity by consent. He said that these issues had to be faced.

Mr Kirwan then raised the position to be taken on the North/South Body. Unionists would adopt a minimalist position. The Irish Government would have to pitch its position close to the Joint Framework Document. This suggested that the SDLP position should be pitched above that of the Framework Document.

Mr Gallagher asked about the composition of the negotiating teams. Mr Mallon said there would be the same core for each strand.

The issue of liaison between the Government and the SDLP was also raised. Mr Kirwan raised the question of having "Thursday night meetings" or, as in the context of the Forum in Dublin having a liaison person.

Mr Mallon said that there were also three important pieces of legislation being considered in the UK parliament which would impose heavy demands on his party in the committee work at Westminster. The issue of how far the SDLP would liaise with Sinn Féin, in the course of the negotiations was raised. Mr Mallon affected to see no issue - saying that contacts would take place on a bi-lateral basis within the talks process, as with other parties.

Mr Durkan referred to what Mr Adams said on Tuesday where he mentioned meetings between the Irish Government, the SDLP and Sinn Féin. Dr Mansergh said that when this had arisen before the ceasefire, the Irish Government position had been that liaison and dialogue was possible if it was open. There should not be the spectre of a pan-nationalist front. The Alliance Party and the Women's Coalition could also meet around the table with the Irish Government, Sinn Féin and the SDLP.

Mr Kirwan said that the two Governments' 25 June proposals envisaged a liaison sub-committee on confidence building measures. Mr Mallon said that the day to day issues could be steered towards this.

On procedural questions he said that while the small parties have the same agenda they could go anywhere on the major ideological issues. However, they saw themselves as bridge builders to the smaller loyalist parties in particular.

Dr Mansergh said that if there was to be multi-lateral consultations there was the option of having the Women's Coalition and Labour present and you could also have the Alliance Party. While the smaller parties were not a major force to be reckoned with, they should be included.

The Irish Government should also have an urgent response unit in terms of documentation etc. at the talks.

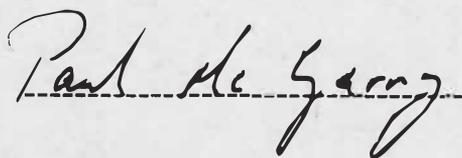
Mr Hume said that following this meeting their line should be that today's meeting discussed the talks process and the Irish Government and the SDLP would keep in contact throughout the process. The Taoiseach said that if talks go well, there would be a very heavy commitment during the process particularly with regard to preparing papers. Sinn Féin would also put on pressure in this regard. The Taoiseach said that we had to frame our structures accordingly. He said that we should start working on the logistics now.

Mr Gallagher said that he would prepare a short paper.

The Taoiseach believed that the British were very confident and could draw on a lot of resources in this type of situation.

Mr Gallagher said that while this was the case, our system was more flexible and facilitated decision making.

In conclusion the Taoiseach said that the Irish Government would stay in contact and would meet again with the SDLP, on Monday morning in Belfast, at Castle Buildings, where the talks take place.

A handwritten signature in cursive script, reading "Paul De Garry", written over a horizontal dashed line.

19 September, 1997