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C O V E R

S H E E T

SECURE FAX

To: *Katherine Holoney.*

From: *Colin Goodman.*

Subject: *Multi-Party Talks.*

Date: *6.10.97*

Pages: *4* (Including cover sheet)

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Attached Daily Report of 24 Sept as requested

**If there are any problems with transmission please call me at
(01) 4780822 Ext. 2287**

ConfidentialPSM; PSMOS; PSS;
S/S Gallagher; Mr Teahon;
Mr Dalton; Dr Mansergh;
Ambassadors Ottawa and
Helsinki; Counsellors A-I Div;
Section; Box**Multi-Party Talks****Daily Report - 24 September 1997**1. **In summary:**

- After sixteen months, the three-stranded talks have finally been launched;
 - After a day of tortuous negotiations, agreement was reached on the procedural motion and the motion was adopted unanimously at a Plenary at 9.45 pm last night (apart from a negative vote by Sinn Féin, as anticipated, on the decommissioning section);
 - The breakthrough on the text came after John Hume proposed a heavily pared-down formulation for the contentious sentence relating to Plenary's support for the two Governments' views. Shortly afterwards, the UUP and the Loyalist parties accepted this;
 - A Business Committee meeting has been scheduled for 10 am next Tuesday.
2. The Government delegation was led by the Minister for Justice. We were involved in intensive and continuous negotiations with the British Government and most other delegations throughout the day.
 3. The key difficulty related to the terms of a sentence expressing Plenary's support for the views of the two Governments as set out in the joint statement of 15 September. Yesterday morning, the UDP sought the inclusion in this sentence of an explicit reference to consent (para 3 of the joint statement) - despite the fact that the full text of the statement was to be appended to the motion, and that written assurances on the subject had been supplied to the UDP by the Prime Minister. (Whether the UDP were acting as a proxy for David Trimble on this issue did not become entirely clear - the line Trimble put out was that he would be content with whatever satisfied the Loyalist parties).
 4. Decommissioning was another problem. At a meeting which we had in the early afternoon with the UDP and the PUP, the Loyalist parties said that they could only accept a reference to decommissioning if the phrase "as progress is made in the political talks" (which, to them, implied bench-marking of some kind) was deleted.
 5. Sinn Féin decided to vote against the entire decommissioning section (para 2b) but to support the remainder of the motion. For this reason, they were relatively relaxed about the ongoing Unionist/Loyalist efforts to expand the "Plenary supports..." sentence with selective quotations from the joint statement.
 6. The SDLP, on the other hand, were unhappy with the inclusion of any reference to

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consent, an issue which they (rightly) deemed extraneous to a procedural motion. If there had to be such a reference, it must include both of the relevant paragraphs in the joint statement. They also had reservations about the proposed deletion of the phrase "as progress is made in the political talks".

6. Efforts to narrow the differences between the Unionist/Loyalist position and the SDLP continued over several hours. A compromise formulation (the two-paragraph version of consent, with the words "for them" deleted in the first para, and deletion of "as progress...") was at one point agreed in contacts between ourselves, the SDLP and the Loyalist parties. Shortly afterwards, the latter pulled out of this agreement.
7. Finally, a direct meeting took place between the SDLP, the UUP and the Loyalist parties. In discussion, Hume proposed the following formulation for the sentence in question:

"Plenary supports the views of the British and Irish Governments, as set out in the joint statement by the Prime Minister and the Taoiseach on 15 September (copy attached), on consent and on the decommissioning of some paramilitary arms during the negotiations".

After consultation, this was accepted by the UUP and the Loyalists.

8. The Plenary had met briefly at 4pm, had been adjourned until 5.30pm and had been subsequently kept on hold pending the outcome of the ongoing consultations. With the motion finally agreed, a Plenary was called for 9.15pm. The two Governments briefly introduced the motion. The Minister for Justice looked forward to successful substantive negotiations and commented that the agreement to move forward had cast "a ray of light" across Ireland.
9. The Chairman (PM Holkeri) then moved to the vote. This was done on a section-by-section basis, which permitted Sinn Féin to vote against para 2(b) but to support the remainder of the motion. The UUP sought an additional vote on the motion as a whole. However, the Chairman ruled this out with reference to precedent (which gives the proposers of a motion the option to have their motion voted on as they choose). Trimble did not pursue the matter. There was some speculation afterwards that he might have misunderstood a brief explanation of vote given by Adams, concluding erroneously that Sinn Féin intended to vote in favour if the entire motion were put to a vote.
10. Passage of the motion, which was followed by concluding remarks on behalf of Senator Mitchell, brought the opening Plenary of the talks to a conclusion, launched the three-stranded talks and brought the Independent Commission formally into existence. The Secretary of State and the Minister for Justice completed the legal formalities in the latter respect immediately after the Plenary concluded. They then held a joint press conference to welcome the evening's developments.

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11. As for the Governments' determination on Sinn Féin, the text was finalised during the morning and circulated to delegations, along with the procedural motion, shortly before the Plenary met at 9.15pm. Sinn Féin (Lucilita Breathnach) intervened briefly to welcome the judgement. The Chairman said that the matter was now disposed of and could not be raised again in Plenary. The UUP made no comment.
12. A meeting of the Business Committee has been fixed for next Tuesday at 10am. The Plenary has been adjourned subject to the call of the Chair



David Donoghue
25 September 1997

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DRAFT

To: Prime Minister Holkeri, Office of the Independent Chairman

From: British and Irish Governments

Date: 24 September 1997

We attach a proposed procedural motion which we intend to move at this afternoon's plenary.

We would be grateful if you would arrange for this to be circulated forthwith to all those participating parties likely to attend that plenary, for their information.

[It may be for the convenience of the Chair and of the other delegations to know that the two Governments, as sponsors of the motion, would like a vote to be taken on whether the third paragraph under 2 b should stand part of the motion and then (if that is agreed) a vote on the motion as a whole.]

Procedural Motion

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CPL/2644/CAO

24 September 1997 (09.00)

REVISED DRAFT PROCEDURAL MOTION

Plenary adopts the following conclusions in respect of items 2-5 of the agenda for the remainder of the opening Plenary session.

- 2(a) Plenary agrees to adjourn discussion of this item to a subsequent Plenary.

Plenary welcomes the decision of the British and Irish Governments to appoint General de Chastelain as Chairman of the Independent Commission and agrees that Senator Mitchell, Prime Minister Holkeri and General de Chastelain should act as Joint Chairmen of Strand Two and that the Rules of Procedure are hereby amended accordingly;

- 2(b) Plenary agrees that the resolution of the decommissioning issue is an indispensable part of the process of negotiation, alongside other confidence building measures;

All delegations are hereby committed to work constructively and in good faith to secure the implementation of the compromise approach to decommissioning set out in the Report of the International Body;

[Plenary supports the views of the British and Irish Governments as set out in the joint statement by the Prime Minister and the Taoiseach on 15 September (copy attached), including the view that they would like to see the decommissioning of some paramilitary arms during the negotiations, as progress is made in the political talks;]

All delegations are committed to work constructively with the Independent Commission to enable it to carry out its role;

Plenary invites the Independent Commission to notify it of any case where the Commission considers that a participant has failed to engage properly with the Commission;

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2(c) Plenary agrees to establish two sub-committees as follows:

(1) Liaison Sub-Committee on Decommissioning

A Liaison Sub-Committee of the Plenary on Decommissioning (the Committee) shall be established comprised of representatives of all the participants in the negotiations. It shall be chaired by the Chairman of the Plenary and will report regularly to Plenary.

The Committee will be charged with assisting as appropriate the implementation of all aspects of decommissioning as set out in the Report of the International Body. In particular it will be required:

- to consider any legislative proposals by the Government, and any proposed regulations;
- to consider the type of scheme or schemes for decommissioning and the role of the Independent Commission in respect of same;
- to consider proposals for such schemes drawn up by the Independent Commission, and to submit any agreed opinion on the proposals for consideration by the Commission.

(2) Liaison Sub-Committee on Confidence Building Measures

A Liaison Sub-Committee on Confidence Building Measures (the Committee) shall be established comprised of representatives of all the participants in the negotiations. It shall be chaired by the Chairman of the Plenary and will report regularly to the Plenary.

The Committee will be charged with assisting as appropriate the implementation of all aspects of the Report of the International Body relating to the further confidence building measures mentioned in that Report which participants may raise, and any others which may be referred to by agreement by the Plenary. In particular it will be expected:

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- to consider developments in relation to such measures;
- to consider such reports on such measures as may be submitted by those with responsibility for the issue in question;
- to draw to the attention of the Chairman of the relevant strand any institutional or systemic implications which may arise from its consideration of particular confidence building measures.

(3) Adopts as the comprehensive agenda for the negotiations the outline proposals tabled on 15 October 1996 by the Ulster Unionist Party, the SDLP and the Alliance Party and set out in the Annex to this motion; and accepts that, consistent with Rule 17, the participants may wish, by agreement to develop or refine the comprehensive agenda during the negotiations;

(4) Hereby launches the three-stranded negotiations and invites the relevant Chairmen to convene meetings in accordance with Rule 11, and agrees that the Business Committee should meet as required to co-ordinate the progress and procedures of the negotiations and to advise the Chairman on the timing and sequencing of meetings in the various strands;

Notes that the two Governments will complete the formal establishment of the Independent Commission on the adoption of this motion; and hereby formally establishes the two Sub-Committees referred to above;

(5) Invites the Chairman, following the adoption of this motion, to make his concluding remarks, thereby completing the agenda for the opening Plenary session of these negotiations;

Invites the Chairman, without prejudice to his powers under Rule 12, to convene further meetings at intervals of two months, or such longer period as may be agreed, in order to review progress across the entire spectrum of the negotiations and to consider whether the necessary confidence and momentum towards agreement is being sustained.

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Proposals for the comprehensive Agenda

Strand 1

1. Principles and Requirements
2. Constitutional Issues
3. Nature form and extend of new arrangements
4. Relationships with other arrangements
5. Justice Issues
6. Rights and Safeguards

Strand 2

1. Principles and Requirements
2. Constitutional Issues
3. Nature form and extent of new arrangements
4. Relationships with other arrangements
5. Rights and Safeguards

Strand 3

1. Principles and Requirements
2. Constitutional Issues
3. Nature form and extent of new arrangements
4. Relationships with other arrangements
5. Rights and Safeguards

Cross-Strands Issues

1. Principles and requirements for new arrangements to address the totality of relationships
2. Rights and Safeguards
3. Arrangements for validation of overall agreement

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