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FROM: TED HALLETT
FCO
20 NOVEMBER 1996

cc PS/Secretary of State (B&L) - B
PS/Sir John Wheeler (B&L) - B
PS/Michael Ancram (B&L) - B
PS/Malcolm Moss (DHSS, DOE & L) - B
PS/Baroness Denton (DED, DANI & L) - B
PS/PUS (B&L) - B
PS/Sir David Fell - B
Mr Thomas - B
Mr Steele - B
Mr Bell - B
Mr Leach - B
Mr Watkins - B
Mr Stephens - B
Mr Wood (B&L) - B
Mr Beeton - B
Mr Priestly - B
Mr Hill (B&L) - B
Mr Lavery - B
Mr Maccabe - B
Mr Perry - B
Ms Bharucha - B
Ms Mapstone - B
Mr Whysall (B&L) - B
Ms Collins, Cab Off (via IPL) - B
Mr Dickinson, TAU - B
Mr Lamont, RID FCO - B
HMA Dublin - B
Mr Westmacott (via RID) - B
Mr Campbell-Bannerman - B
Mrs McNally (B&L) - B

1. *Mr Alexander*
Mr Lewis
2. *Mr Brown*
20.11

NOTE FOR THE RECORD

TALKS: 19 NOVEMBER 1996

Summary

Michael Ancram held bilateral meetings in the morning with the UUP, the SDLP and the Alliance Party. In the afternoon there was an official-level bilateral with the Irish delegation.

At the UUP meeting, Michael Ancram outlined the British Government's proposals on handling decommissioning and the conditions for Sinn

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Fein's entry into the negotiations. The UUP undertook to consider these, but without giving any indication that they regarded them as an acceptable basis for moving into the three strands. They reiterated that Sinn Fein's entry into the process required a "permanent" ceasefire and a start to decommissioning before substantive negotiations and made clear that, in practice, they could not envisage the UUP actually sitting down to negotiate with Sinn Fein.

The SDLP expressed pessimism about the prospects of doing business with the UUP, whose seriousness of intent and good faith they doubted.

Lord Alderdice set out his familiar view that the Talks process was being undermined by the Irish Government's "illusory" attempts to bring Sinn Fein into the process.

A long bilateral meeting with the Irish delegation in the afternoon rehearsed familiar positions on Hume-Adams and the British Government's proposed decommissioning exit strategy.

Detail

The UUP

The meeting with the UUP began at 11.40am. Michael Ancram outlined our suggested approach to handling decommissioning. The Irish were not happy with our ideas. The SDLP had not yet been approached. The British Government were willing to put pressure on the Irish, but there was no point in doing so unless the UUP were prepared to consider the proposals as a basis for moving out of decommissioning and into the three strands.

Mr Empey said that there was need for clarity. The UUP were prepared to pursue their dialogue with the SDLP. If the only difficulty were the procedures for handling decommissioning, it was

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likely that a way could be found. The real difficulty, however, was the attempt by the UK and Irish Governments and the SDLP to bring Sinn Fein into the Talks. The conditions for doing so were inextricably bound up with the handling of decommissioning. The reality was that there were unlikely to be any circumstances in which the UUP would in practice be sitting in the same room as Sinn Fein. While "the end of the war" could not be ruled out, a ceasefire was not likely on terms which would convince the UUP that it was genuine and permanent. It was not therefore merely a matter of devising mechanisms on decommissioning.

Michael Ancram said that, however unlikely a ceasefire, it was necessary to establish mechanisms for handling decommissioning which could operate if it came about.

Mr Empey stressed that the UUP definitely wanted to get into substantive negotiations with the SDLP, but they could not allow a situation to arise where Sinn Fein could say that the UUP had been forced to negotiate with them, having thus "bombed their way to the table".

In reply to Michael Ancram's question whether the UUP would ever sit down with Sinn Fein, Mr Empey replied that this was a theoretical possibility, but it would not happen on the basis of the sort of ceasefire which was likely to be declared.

Mr Thomas said that both Governments wanted to bring Sinn Fein in on the right terms, while the UUP wished to engage with the SDLP along the lines of the 1991/92 Talks. The reality was, however, that we would not secure SDLP cooperation if they believed that Sinn Fein had been deliberately excluded from the process. If the SDLP and the Irish Government perceived that the British Government, as a result of Unionist pressure, had posed impossible entry conditions, they would not seriously engage in the Talks. Mr Empey countered that those inside the building who were willing to do business should not be prevented from doing so by "people outside". He was

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concerned that Mrs Owen had said that the only conditions for Sinn Fein's entry were a restored ceasefire and acceptance of the Mitchell Principles.

Michael Ancram replied that it was for the Secretary of State to make a judgement on the conditions for Sinn Fein's entry, but he could not fetter his discretion in advance. He outlined our proposed conditions for entry, but Mr Empey did not seem inclined to listen, interrupting to assert that the UUP were not prepared to "fudge" the issue.

Michael Ancram argued that the terms in the UUP decommissioning paper were not deliverable. Mr Thomas added that if that was the UUP bottom line, it was difficult to see how further progress would be possible.

Mr Empey said that a meeting between the UUP and Sinn Fein would be of "colossal historical significance". It would be perceived as victory for Sinn Fein. A restored ceasefire was likely to be merely a tactic to see what could be achieved by the political route. The UUP would gain nothing from that. There would be no end to the war and no end to the pressure on their constituents.

Michael Ancram said that he understood UUP concerns. We were merely seeking to establish appropriate conditions for Sinn Fein's entry. These must be reasonable and defensible and compatible with paragraphs 8 and 9 of the Ground Rules. He was seeking to give the UUP a clear indication of what the conditions for entry were likely to be. The British Government would have to make a judgement that a restored ceasefire was for real. Mr Weir intervened to say that while Michael Ancram had suggested that if the hurdle for Sinn Fein were raised too high, the SDLP and the Irish Government would not co-operate in the Talks, but if it were too low, there would be no Unionists at the Talks. Michael Ancram replied that our aim was to have all parties at the Talks and we were drawing up criteria which we hoped would make this possible. Mr Thomas reiterated that

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delivery of a first tranche of weapons and a schedule for decommissioning were not saleable. Mr Empey said that establishing the principle of parallel decommissioning was the key. The details could be worked out by the Commission. Mr Weir quickly added, however, that the conditions set out in the UUP paper would have to be met. At this and other points in the meeting Michael Ancram asked whether the UUP thought their conditions were deliverable and, if not, how progress might be made. No clear response was forthcoming.

Mr Empey believed that the UUP and the SDLP could do business and that, if it were merely a question of the mechanics of decommissioning, the SDLP would show sufficient flexibility to make an accommodation possible.

Michael Ancram said that we were not proposing to outline our ideas on the handling of decommissioning to the SDLP at this stage. The Irish Government remained unhappy, but we would try to persuade them if the UUP indicated that they provided a basis for moving to the three strands. Mr Weir said that it was at first necessary to get over the problem of the entry conditions. Michael Ancram repeated that others would not see the UUP's conditions as acceptable. Mr Thomas added that they were not compatible with the Mitchell proposals. Michael Ancram hoped the British Government's latest proposals would give the UUP the cover they needed to move to the three strands. We needed an indication of UUP willingness to make progress on this basis before going back to the Irish. The UUP agreed to reflect and consult their colleagues.

SDLP

Michael Ancram held a bilateral meeting with the SDLP, led by Sean Farren, at 12.35pm. They gave an account of their meeting with the UUP which was markedly less optimistic than Mr Empey's. The meetings so far had been "disappointing". While apparently

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negotiating in good faith about the handling of decommissioning, the UUP had prepared and published their hardline statement on decommissioning. The SDLP saw this as evidence of a lack of good faith and serious intent to make progress into the three strands. The problem was compounded by the UUP fielding different teams at each meeting and not appearing to communicate with each other between meetings.

Michael Ancram said that the UUP paper was not in line with the Mitchell Report. It was not clear whether it was their bottom line. If it was, it would not achieve "sufficient consensus". We had told the UUP that in order to make progress it was necessary to carry the two Governments and the SDLP. Our judgement was that the UUP did want to get into the three strands, but feared being criticised by the other two Unionist parties.

Mark Durkan said that the UUP assured them that they did want to get into the three strands, but would not say clearly what was a sufficient basis for getting there. Their discussions last week had been a waste of time. The fact that the different representatives of the UUP did not tell each other what had happened, suggested that they were not treating the SDLP seriously. The SDLP had tried to do business but were not encouraged by progress so far. They would meet the UUP again soon. **Durkan** asked whether the British Government had anything to offer other than "waiting and hoping". **Michael Ancram** said that we would try to find the UUP bottom line and encourage them to sell it to the SDLP.

Alliance Party

Michael Ancram met Alliance Party delegation, led by Lord Alderdice, at 13.05hrs. Lord Alderdice gave an account of his meeting with the Taoiseach in Dublin. He was concerned that the Irish Government were "captivated" by getting Sinn Fein into the Talks. This was "illusory", because there was no way Sinn Fein would agree to a

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ceasefire on terms acceptable to the other participants. He had also outlined his "nightmare" scenario to the Irish, whereby Sinn Fein called a tactical ceasefire in January or February in order to make the SDLP's electoral position difficult. If the SDLP were overtaken by Sinn Fein as the majority representative of nationalist opinion, it would be impossible for nationalism and unionism to find an accommodation in Northern Ireland. He had found it difficult to convince the Irish, who were obsessed with the "fantasy" that the Republican movement would accept the consent principle and partition.

Michael Ancram said that more than words were needed from Sinn Fein regarding a restored ceasefire. It would be necessary to test their true commitment to democratic principles. Lord Alderdice did not see any prospect of an acceptable ceasefire. His position appeared to be, although he did not say so explicitly, that since there was no prospect of getting Sinn Fein in on terms acceptable to the other parties the two Governments should abandon the attempt and settle for an exclusive process.

Michael Ancram reiterated that, while a ceasefire was unlikely, the possibility had to be tested. If a ceasefire were called, the Secretary of State would have to make a judgement about its durability. Our objective in the Talks was to move as quickly as possible into the three strands. That depended on satisfying the UUP on the handling of decommissioning. Lord Alderdice agreed that it would be good to get into the three strands before Christmas. The process might then be adjourned on a basis which could be taken up after the election. It was first necessary to get over the decommissioning issue. The Alliance paper provided a basis, but he did not think this was on the Irish Government's agenda. The UUP were also proving difficult. They had been "untrustworthy" in their dealings with the Alliance, negotiating with them, while at the same time preparing their hardline paper.

In conclusion, Lord Alderdice urged the British Government once again to abandon the attempt simultaneously to keep the Talks

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process going, while trying to get Sinn Fein in. Michael Ancram made clear that we did not regard the two objectives as incompatible and that, while we were sceptical of the chances of a ceasefire, it was necessary to see whether this could be achieved on acceptable terms. He asked Lord Alderdice what alternative approach we should adopt, but received no clear reply beyond a suggestion that the Government should "stop playing footsie with the bad boys outside". Michael Ancram argued that it was necessary to keep the SDLP and the Irish Government on-side, which would not be possible on the basis of the Alliance approach.

Irish Government

A long official-level bilateral was held with the Irish, beginning at 1500. After a brief review of their respective meetings with the political parties, there was an extended discussion of the British Government's proposals for handling decommissioning. While the exchanges were more good-natured than other recent encounters, there was little sign of Irish Government willingness to accept the British proposals as a basis for moving forward.

Mr Thomas said that we had outlined our ideas to the UUP to see whether they would accept them as a basis for moving into the three strands. If decommissioning were the only issue, he thought the UUP might be prepared to do business. Their main worry, however, were the conditions for Sinn Fein's entry. We had made clear to them that their requirements on decommissioning were unsaleable. It was not clear that this was the UUP's bottom line. In our judgement, they were genuinely interested in making progress in the negotiations with the SDLP and the other constitutional parties but were very suspicious of a process involving Sinn Fein.

Mr O'hUiginn said that we were beginning to "run out of road" on decommissioning. Despite much ingenuity being deployed, it now seemed clear that the UUP's purpose was not to achieve satisfactory arrangements on decommissioning, but to keep Sinn Fein out. The SDLP shared this judgement. There was a rough choice: a ceasefire

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and a Talks process, or neither. We were also near to the end of the road on Hume-Adams. The Irish had done all they could to bring this to a conclusion. He hoped the British Government would do what was necessary. On decommissioning, Sinn Fein's outer limit was the Mitchell proposals. Anything beyond that was unsaleable to the Republican movement. In his judgement they had broadly come to terms with Mitchell, but their interpretation of paragraphs 34 and 35 would not be "front loaded". Sinn Fein were not the only problem, however. Unionist insistence on prior decommissioning was an obstacle to progress. Mr Thomas replied that if the UUP could be satisfied on the mechanics of decommissioning they might retreat from their requirements for a first tranche and a schedule. Mr O'hUiginn countered that all avenues seemed blocked. In his view the British proposals would lead into a cul-de-sac.

Mr Thomas rehearsed the British proposals and stressed that they were an attempt to find a compromise which would give cover to the UUP to move into the three strands. We were not sure that it would carry with the UUP, but were continuing to explore the possibility. While reiterating Irish objections to our proposals, Mr O'hUiginn seemed to indicate that if we could convince them that they were acceptable to the UUP, the Irish might show some flexibility. On Hume-Adams, Mr O'hUiginn said that the Irish had "a settled conviction" that Sinn Fein wanted to get into the political process. It would be a huge gain to get a voluntary cessation of violence. An appropriate transitional process had to be devised. A non inclusive Talks process could not be sustained. All that was required to achieve a ceasefire was a restatement of existing policy. He hoped the British system would take the risk. Mr Thomas made clear that the British side took a more sceptical view of the prospects of securing the durable ceasefire.

Returning to the British decommissioning proposals, Mr O'hUiginn asked whether we thought the UUP were serious or merely seeking a means of blocking Sinn Fein's entry. Mr Thomas stressed that we would not run with our proposals unless we thought the UUP would go

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along with them. Mr O'hUiginn reiterated that the Irish still had serious concerns about the Commission making a judgement about the timing of decommissioning. It was removing the issue from the political process. Sinn Fein's suspicions would be aroused. Mr Thomas defended the UK proposals on standard lines. The Irish showed little flexibility, but towards the end Mr Kirwin hinted at a willingness to consider alternative approaches, perhaps including a role for the Independent Chairmen.

(Signed)

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