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

Multi-Party Talks**Daily Report - 27 January 1997**1. **In summary**

- A four-hour Plenary under Senator Mitchell's chairmanship was dominated by DUP and UKUP efforts to have action against the Loyalist parties initiated by the British Government;
 - This pressure was resisted by Michael Ancram, who, having noted recent statements by these parties as well as assurances that the CLMC ceasefire remained in force, concluded that there had not been any "demonstrable dishonouring" of the Mitchell principles;
 - Much of the steam on this subject was expended by the end of the day, with the Unionists retreating behind general complaints that the cooperation of the British Government (in the form of police and intelligence reports) would be required to take it any further;
 - The Plenary is to resume at 10 am tomorrow, when Senator Mitchell hopes to steer participants towards an exchange of views on how the decommissioning impasse may be overcome;
 - The British Government have proposed that the Plenary be adjourned for a round of intensive bilaterals on this subject. They are privately in contact with the UUP on ideas which might form part of a package but are clearly pessimistic about the scope for progress. Ancram indicated that it may shortly be necessary to consider ways of achieving a "soft landing" for the process which would facilitate a post-election resumption.
2. The Government delegation today was led by Minister Coveney. We had bilateral contact with the British Government and the SDLP. There was also a trilateral meeting between the two Governments and the Chairmen
 3. Senator Mitchell opened the Plenary at 12 noon by inviting delegations to set out their views on all current issues. The British Government (Ancram) condemned recent IRA violence, noted worrying evidence of the Loyalist ceasefire being under strain and expressed concern at a threatened stalemate in the talks. However, they had detected in bilateral contacts over the past fortnight "a few chunks of light" suggesting that an agreement on decommissioning might be possible.
 4. Minister Coveney followed with an intervention which also condemned the recent violence (expressing abhorrence at the Dodds attack, as did Ancram and all

subsequent speakers) and which underlined the need to demonstrate that the political process could work. The Minister also pledged the readiness of the Government to play their part in any effort to resolve the decommissioning issue as long as it conformed to all aspects of the Mitchell report.

5. Alliance proposed a Plenary discussion on the implications of the recent car-bomb attacks for the Loyalist parties (in which, they hoped, the latter would distance themselves from these).
6. While the Alliance proposal aroused little enthusiasm around the table, a discussion of its merits was converted by the DUP and the UKUP, predictably, into the substantive exchange itself. This was a prolonged, repetitive and, at times, acrimonious debate. Paisley and McCartney pressed the British Government to reveal the security assessments which had led to the RUC's public attributions of the recent attacks to Loyalist paramilitaries. A UUP variant (from Ken Maginnis) sought a report from the Secretary of State on current paramilitary intentions.
7. McCartney's emphasis on the blame which would attach to any party which sought to exclude the Loyalists revealed an uncharacteristically diffident UKUP, which amused some delegations. He denounced the British Government for sitting on the fence and shirking what he characterised as a fundamental democratic duty.
8. He and Robinson pressed Ancram this afternoon over lunchtime media comments to the effect that there were no grounds for indicting the Loyalist parties. McCartney also sought to drive a wedge between Ancram and his colleague John Wheeler over the latter's recent suggestion that the Loyalist ceasefire had been "partially" breached.
9. Ancram defended himself against McCartney's misrepresentation of his media remarks and did not respond on the latter point. He went on to deliver a judgement of the issue on behalf of the British Government, discussed informally with us beforehand, which was later circulated in written form (attached) and released to the media.
10. The UUP (Maginnis) indicated that their view of the matter would be determined by whether or not the CLMC announced that their ceasefire was over or the level of terrorism perpetrated was such that it was clear that the CLMC was no longer exercising control.
11. The PUP said in the course of the debate that, for as long as there was no IRA ceasefire, they could not give guarantees about the Loyalist ceasefire. There was, however, a CLMC ceasefire at present. They suggested that "rogue elements" might have been responsible for the recent attacks. The UDP observed that, in response to the renewed IRA campaign, "other violence has emerged - from sources unknown". They accepted that this had implications for the two Loyalist parties and were prepared to have these examined if necessary.
12. The failure of the DUP and the UKUP to press the matter in the form of a formal indictment was exploited by the Loyalists themselves and by other delegations in an

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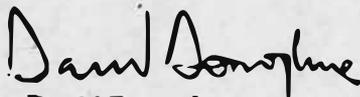
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effort to dispose of the matter by the end of this afternoon's session. While it remains on the table for tomorrow's resumed Plenary, Senator Mitchell will be endeavouring to move away from it and to focus attention on the way forward in relation to decommissioning.

13. There was only marginal discussion of the decommissioning impasse today. A number of delegations floated the possibility of an initiative by the Chairmen in due course. The SDLP (Hume and Mallon) contended that, instead of wasting time debating an issue over which the present participants had no control, the talks process should be used vigorously to advance a political settlement which would remove the basis for any violence in Northern Ireland.
14. The UUP (Trimble) said that the decommissioning impasse would not be resolved until people came to terms with realities, one of which was that, on the evidence of the resumed IRA campaign, Sinn Féin were hoping to get into the process without committing themselves to exclusively peaceful means. Anticipating that a recess would shortly be necessary to facilitate the election campaign, Trimble indicated (without elaboration) that ways would have to be found to sustain political dialogue over the coming period.
15. Finally, the SDLP reported to us on a "pointless" bilateral with the UUP this morning, which they interpreted simply as cover for UUP claims of openness to dialogue. Against the background of their experience with the UUP over the past fortnight, they underlined their reluctance to contemplate a further round of bilaterals unless these have a very specific purpose and focus.



David Donoghue
27 January 1997

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*Govt Government position**To be released to*

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**POSITION OF LOYALIST PARTIES IN TALKS:
STATEMENT TO PLENARY BY MICHAEL ANCRAM, 27 JANUARY**

As we made clear in our statement of 21 January, the Government shares the increasing public concern that has arisen as a result of recent car-bomb attacks, the first two of which have been attributed by the Chief Constable to loyalist extremists. We raised those incidents with the Progressive Unionist Party and Ulster Democratic Party at meetings on 14 January, and have continued to evaluate the situation.

We have publicly stated that those incidents, and possibly that at Larne on 20 January, inevitably raised questions over the position in the Northern Ireland talks of the two parties associated with the loyalist paramilitaries.

No participant has exercised its entitlement to make a formal representation under rule 29 of the rules of procedure that those parties are no longer entitled to remain in the talks. Nevertheless, the Government has considered the issue carefully.

The question turns on whether the parties have demonstrably dishonoured their commitment to the Mitchell principles. Whether a ceasefire is or is not declared to be still in force, and whether or not it actually is, though they may be relevant, do not directly determine the question.

The Government believe the rules must be observed scrupulously. There must be no double standards. No party should be ejected from the talks unless, as was made clear in earlier rule 29 proceedings, there is 'a clear and unmistakable demonstration that there has been a dishonouring of the principles'. On the other hand, where there is such a demonstration, there is no scope for indulgence: the party concerned cannot be allowed to remain within the talks.

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In our consideration, we have taken note of the statements made by the two parties in recent days. We have in particular noted statements such as Mr McMichael's of 14 January, repeated since, that his party remains active in its opposition to violence, and others in a similar sense on behalf of that party and the PUP. We have also taken note of assurances on the part of the two parties that the ceasefire of the Combined Loyalist Military Command remains in force: though, as I have suggested, the fact that a ceasefire had not been declared at an end would not preclude a finding of demonstrable dishonouring.

The Government have considered the position of the parties in the light of these statements, but also in the light of all the information available to us, from whatever source. We believe that the evidence is not such that we can conclude that there has been any demonstrable dishonouring of any of the Mitchell principles by either the Ulster Democratic Party or the Progressive Unionist Party. Accordingly the question of us making a formal representation (under rule 29) does not arise.

We are aware of continuing concern, and will continue to evaluate the position closely.