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FROM: S J LEACH
ASSOCIATE POLITICAL DIRECTOR (L)
5 June 1996

Mr Hill

cc Mr Thomas
Mr Bell
Mr Watkins
Mr Wood (L&B)
Mr Howard (L&B) (Personal)
Mr Lavery
Mr Maccabe
Mr Perry
Mr Stephens
Ms Checksfield
Ms Harrison
Mr Whysall

(Signed SJL)

PUBLICATION OF "SCENARIO": DRAFT SPEAKING NOTE

At the doorstep last night both the Secretary of State and Mr Spring indicated that they hoped to make a joint statement today. As discussed briefly over the dinner table, the purpose of this would have been to publicise the "Scenario" paper and its attachments, and the comprehensive agenda and procedural rules, on the basis that we would have agreed these with the Irish and sent them to the parties.

2. I have accordingly prepared a draft statement which the Secretary of State might deploy at a joint press conference with Mr Spring, together with some Q&A material. It is of course not now clear when (or indeed if) this press conference will take place. Rather than submitting the material directly, I thought that it might be worth circulating it to colleagues for any additions or amendments they may wish to suggest. In particular, the draft does not go into much detail about the Agenda or the Procedural guidelines, and I should be grateful if you could provide a little material on this (perhaps for the Q&A, since I am not sure that the Secretary of State would wish to get into this sort of detail in his opening statement).

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3. Could comments please reach me by, say, 12.00 hours tomorrow? I am copying the material to Mr Howard so that he has it to hand to offer to the Secretary of State, even in this draft form, if he wishes to see something before then.

1. Both Governments have been working for a long time to bring

4. On Chairmanships, the draft is based on the arrangement we agreed with the Irish ad referendum last night. This may of course need to be revisited once the picture is clearer. For these

negotiations, and the two Governments have now taken a very

5. Many thanks. step by agreeing on a range of detailed issues relating to the negotiations, including the arrangements we envisage for the opening plenary session which starts on Monday. These build (Signed SJL) the joint Ground Rules paper which we published in April.

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We are very pleased that Senator George Mitchell and
leagues from the International Body - Gen de Chastelain and
Mr Holkeri - have agreed to act in these negotiations in the ways
set out in the paper. They will bring a special blend of experience
and eminent individual qualities, and will I believe serve the
negotiations well. It is manifest that Sinn Fein have excluded
themselves from these negotiations. Good faith negotiations cannot
take place if one group explicitly claims the right to carry out
atrocious acts of violence while negotiations are proceeding. Both
Governments made their position clear in the 28 February communiqué
and subsequently. If Sinn Fein are serious about wanting to join
this genuine and comprehensive negotiating process, then they must
remove the road block which they have erected and unequivocally
restore the ceasefire of August 1994. That is not only what the two
Governments are calling for; it is also sought by the vast majority
of people throughout these islands

3. The papers we have sent to the parties and are publishing today,
set out among other things how we envisage business at the opening
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PUBLICATION OF "SCENARIO FOR OPENING PLENARY SESSION", ETC

DRAFT ANNOUNCEMENT

1. Both Governments have been working for a long time to bring about all-party negotiations which will be **comprehensive** in their agenda, **inclusive** in their composition and **successful** in their outcome. The recent elections opened the gateway for these negotiations, and the two Governments have now taken a very **important further step** by agreeing on a range of detailed issues relating to the negotiations, including the arrangements we envisage for the **opening plenary session** which starts on Monday. These build directly on the joint Ground Rules paper which we published in April.

2. I want first to say a word about **chairmanships** and **participation** at the talks. We are very pleased that Senator George Mitchell and his colleagues from the International Body - Gen de Chastelain and Mr Holkeri - have agreed to act in these negotiations in the ways set out in the paper. They will bring a special blend of experience and eminent individual qualities, and will I believe serve the negotiations well. It is manifest that Sinn Fein have **excluded themselves** from these negotiations. Good faith negotiations cannot take place if one group explicitly claims the right to carry out atrocious acts of violence while negotiations are proceeding. Both Governments made their position clear in the 28 February communiqué and subsequently. If Sinn Fein are serious about wanting to join this genuine and comprehensive negotiating process, then they must **remove the road block** which they have erected and unequivocally restore the ceasefire of August 1994. That is not only what the two Governments are calling for; it is also sought by the vast majority of people throughout these islands

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the Taoiseach on 28 February. That statement made clear three essential requirements which would need to be fulfilled at the beginning of the negotiations:

- all participants would need to make clear their total and absolute commitment to the six principles of democracy and non-violence set out by the International Body;
- they would also need to address the body's proposals on decommissioning;
- confidence building would also require that the parties had reassurance that a meaningful and inclusive process of negotiations was genuinely being offered.

We have now agreed a clear procedure for registering commitment to the principles. Once proceedings have been opened, the leader of each of the negotiating teams will be asked to make a formal declaration of his or her party's total and absolute commitment to the principles; and these commitments will then be confirmed in a public statement (the proceedings themselves will be confidential, as set out in Ground Rules).

4. On decommissioning, both Governments accept the report of the International Body, and support the compromise approach to decommissioning which it recommends - under which some decommissioning would take place during the process of all-party negotiations, rather than before or after. We are agreed that it is on the basis of working constructively to implement this and all other aspects of the Report that the negotiations should be advanced.

5. We have accordingly agreed to invite the Independent Chairman, after open discussion in the plenary, to satisfy himself that there are clear indications of good intent on the part of all the participants to work constructively and in good faith to secure the implementation of all aspects of the report, in the context of an

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inclusive and dynamic process which builds trust and confidence. Once the Chairman has reported that he is so satisfied, the two Governments will propose that the action should be taken forward in a sub-committee of the plenary, on the lines set out in the paper. This sub-committee will also be chaired by Senator Mitchell - who, as the former Chairman of the International Body - can clearly bring to bear a special insight and authority to take these issues forward.

6. And finally, both Governments place the highest priority on achieving an inclusive and dynamic process of negotiations enabling progress across all the issues. To help ensure that progress is being maintained, we shall propose that a further meeting of the plenary should be held after a suitable period, say about the end of September, to take stock of progress in the negotiations as a whole, including the work of the sub-committee. That meeting will give all participants the chance to review the position across the entire spectrum of the negotiations.

7. This is clearly an important moment for Northern Ireland. There is always a temptation at such a moment to fall back on the safe and simple slogans. But to do so would be to betray those who have suffered, and those who have given so much to secure the opportunity which it is now open to all of us engaged in this process to seize. If I may reiterate the words I used in a speech at Queen's University last August, the British Government is committing itself anew to the search for a lasting peace and a stable political accommodation - an agreement which would, in the words of Edmund Burke, be "the parent of settlement, not the nursery of future revolutions". I trust and believe there will be the same commitment from all who have a part to play.

the negotiations. As I said on Saturday - and as the Prime Minister said on 24 January - we believe that the best route for building confidence is for the paramilitaries to make a start to decommissioning before all-party negotiations. But if that is not to happen, we can envisage, following the elective process, decommissioning and negotiations being taken forward in parallel, as the International Body recommended.

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Q&A

Q. Has the Government backed down on decommissioning?

A. No. The position remains exactly as the Prime Minister explained it to the House of Commons on 28 February. At the beginning of negotiations, all participants will need to make clear their absolute commitment to the International Body's principles of democracy and non-violence, and also to address the Body's proposals on decommissioning. The two Governments have now set out in detail how they propose that should be done.

Q. What about consultation? Aren't these arrangements just being
A. We must be clear. Decommissioning is a very important issue for delivering confidence in the talks. It cannot be sidelined. We are looking for actual decommissioning during the process of negotiations, as recommended by the International Body and supported by us and the Irish Government.

Q. Mr Trimble has talked about seeing product, equipment etc at a very early stage. Is he going to be satisfied by this?

A. Not for me to speak for Mr Trimble. Have no doubt that all the participants in these negotiations will be making their position clear on the key issues. We and the Irish Government have offered that clarity on a range of issues in the papers published today. The British Government's position on this issue is quite clear and has not changed: we believe that confidence in the negotiations must be built through the implementation of the International Body's report, including the compromise approach under which decommissioning starts during the negotiations. As I said on Saturday - and as the Prime Minister said on 24 January - we believe that the best route for building confidence is for the paramilitaries to make a start to decommissioning before all-party negotiations. But if that is not to happen, we can envisage, following the elective process, decommissioning and negotiations being taken forward in parallel, as the International Body recommended.

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- Q. Won't the talks just stall until the review in September, when the Unionists can see if there has been any decommissioning?
- A. I see no reason for that at all. We hope there will be early and sustained progress on all the issues, including decommissioning. The papers we have published today set out a comprehensive programme of work which I am sure all the participants will want to address. And both Governments have made it clear that they will use their influence to ensure that all items on the comprehensive agenda are fully addressed in the negotiating process, and to do so with a view to overcoming any obstacles which may arise.
- Q. What about consultation? Aren't these arrangements just being imposed on the parties?
- A. Not at all. The two Governments have a wide range of responsibilities in these talks and it is therefore clearly sensible for them to set out how they envisage business proceeding, particularly on the issues which will arise at the opening session. But all the parties present will have a voice in the negotiations, and are I am sure entirely capable of making clear any concerns they have. If necessary these could be considered in the Business Committee, which will have a specific remit to consider unresolved procedural issues, or in the plenary. And, of course, there will be a distinguished Independent Chairman. So there is no question of the Governments stifling any real concerns which the parties have.
- Q. Is Mitchell the "supremo" for the talks? US in charge?
- A. It is clearly important to have elements of independent chairmanship in the negotiations, as we did in the last talks in 1991/92. Senator Mitchell and his colleagues gave distinguished service on the International Body and therefore have, apart from their very substantial experience and personal qualities, a degree of familiarity with the issues. I am very grateful that they have agreed to make themselves available again on the lines

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set out in the paper. But of course there is no question - and I am sure Senator Mitchell will be the first to acknowledge this - of the Chairman removing the discretion of the participants in the negotiations to make their own decisions. On the general question of the US, we very much value, as ever, the support of President Clinton as we have worked towards these negotiations, and in particular his call for a restoration of the IRA ceasefire.

- Q. Have the Irish backed down by agreeing to de Chastelain for Strand 2?
- A. No question of anyone backing down. We have reached sensible agreements to put to the parties across a range of issues to give clarity to the arrangements for the opening plenary session and the rest of the negotiations. Have great confidence in Senator Mitchell, Gen de Chastelain and Mr Holkeri, and believe that they will all have important roles to fulfil.
- Q. In Sinn Fein's absence, will all the pressure to decommission be focused on the Loyalists?
- A. I have said before that the Government recognises the role the Loyalist parties played in bringing about the ceasefire announcement by the CLMC in October 1994. I believe they have brought a serious approach to the issues and I am pleased that they secured their place in these negotiations through the election. They, like the other parties, will of course need to address the issue of decommissioning at the opening session, and (if the Governments' proposal is endorsed) to participate in the sub-committee to secure the implementation of the Mitchell report, including agreement on the modalities. I do not underestimate the difficulties, but I believe and hope that they will continue to play a responsible and constructive role in the negotiations we are now entering.

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[IF PRESSED: One of the modalities proposed by the International Body for the decommissioning process is that it should be mutual. If Sinn Fein continue to exclude themselves from the negotiations, it may be difficult to build up that mutual confidence at the start. However, while no one can be certain about the course of negotiations, we shall be looking to develop a momentum which will enable progress to be made across all the issues.]

Q. What are these "clear indications of good intent" the Chairman has to secure?

[Suggestions welcome!]

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