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FROM: D A LAVERY
CENT SEC
18 SEPTEMBER 1996

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ASSISTANT SEC
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cc PS/Michael Ancram (B&L)

PS/PUS (B&L)

PS/Sir David Fell

Mr Thomas o/r

Mr Leach (B&L)

Mr Watkins

Mr Bell

Mr Hill (B&L)

Mr Maccabe

Mr Stephens

Mr Whysall (B&L)

Mr Jagelman

PS/SECRETARY OF STATE (B&L)

ALLIANCE REPRESENTATIONS - REVISED SKELETON JUDGMENT

This is to provide a revised draft of the skeleton 'judgment' brought by the Alliance Party, which now incorporates the textual amendments suggested by the Secretary of State.

(Signed DAL)

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[Revised Draft: 18/9/96 1530 hrs]

DRAFT SKELETON DETERMINATION OF ALLIANCE PARTY REPRESENTATIONS

I. REPRESENTATION RELATING TO DRUMCREE

1. Acknowledge that aspects of the events surrounding Drumcree constituted either the use of force or the threatened use of force. There can be no excuse for them; they were reprehensible.
2. In order to establish that they constitute a breach of principle (d) it must be shown that they were intended to "influence the course or the outcome of all-party negotiations".
3. It has not been established that those events were so intended, and therefore in any event it has not been established that there has been a demonstrable dishonouring of principle (d) by any of the named parties.
4. In order to establish whether there has been a breach of principle (a) it is again necessary to have regard to the intentions of the relevant participants at Drumcree.
5. In particular, it is incumbent on those asserting that there has been a breach by the named parties of principle (a) to show that it was the intention of their participant leaders to act otherwise than in accordance with their publicly stated commitment to democratic and exclusively peaceful means of resolving political issues.
6. It has not been established that any actions of the Orange Order at Drumcree were carried out under the authority or direction of the UUP or the DUP.
7. It has not been established that those participants intended to use force or threaten to use force or to pursue their objectives by democratic and exclusively peaceful means.

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8. Therefore it has not been established that there has been a demonstrable dishonouring of principle (a) by any of the named parties.
9. The UUP and DUP have asserted, and continue to assert, their total and absolute commitment to the principles of democracy and non-violence set out at paragraph 20 of the Report of the International Body.
10. Therefore no further action is appropriate.

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II. REPRESENTATION RELATING TO THE CLMC THREAT

1. The substance of this representation is identical to a representation previously made by the DUP in respect of the PUP and UDP.
2. The Governments consider therefore that the matter to which the current representation relates has already been addressed in the Conclusions issued on 11 September 1996.
3. The Governments do not consider that any further action is appropriate in respect of the current representation.

4. Rev McCrea's actions appear to be consistent with his opposition to the threat issued by the CLMC against Mr Wright.
5. Therefore it has not been established that there has been a demonstrable dishonouring of principle (a) or principle (d) by the DUP.

(18/9/1996)

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III. REPRESENTATION RELATING TO THE DUP AND BILLY WRIGHT

1. This representation rests on Rev William McCrea MP's participation in a public rally on 4 September 1996 in support of Billy Wright.
2. Mr Wright was the subject of a threat issued by the CLMC.
3. However, no evidence has been presented to substantiate the accusation that Rev McCrea is supportive of the "policies and actions" with which Mr Wright is allegedly associated.
4. Rev McCrea's actions appear to be consistent with his opposition to the threat issued by the CLMC against Mr Wright.
5. Therefore it has not been established that there has been a demonstrable dishonouring of principle (a) or principle (d) by the DUP.

[18/9/1996]

(Signed)

ANGELA DILLAGHAN

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