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To: HQ

From: Belfast

For: Second Secretary O hUiginn

From: Joint Secretary

Subj: British proposal to revise joint paper

1. I forwarded earlier a revised British draft of the two Governments' joint paper of 1 October, along with suggested terms of reference for the Independent Commission and a copy of an internal speaking note (which we obtained informally).
2. In supplying this material, Peter Bell mentioned that Ancram intended to show a draft of the proposed redraft to David Trimble in London later today.
3. I registered a very strong protest at the apparent intention of the British Government to renegotiate our joint paper in tandem with the UUP. Our Ministers, some of whom were abroad, would barely have time to take receipt of the draft, let alone offer views on what was in substance a completely unacceptable approach, because it would be discussed and negotiated with a third party.
4. I pointed out that the British Government would have known clearly since Tuesday that the Irish Government had the strongest reservations about the approach being taken to us. Against this background, to present us with a draft this morning and announce that it would be given to Trimble this afternoon would be clearly interpreted by our Ministers as an attempt to "bounce" them and was likely to provoke a very negative reaction. The unserious approach to consultation would fuel suspicions that the intention was to proceed without the Irish Government, if necessary, in a unilateral gesture aimed at the UUP and dictated essentially by the British Government's Parliamentary interests at Westminster.
5. I also noted from our own contacts that Alliance did not contemplate the direct involvement envisaged by the British for the Commission and that the UUP had not been consulted particularly.

6. In response, Bell made clear that the decision to bring in Trimble was a political one on the part of his Ministers, who felt that a way out of the present impasse had to be found as a matter of urgency. He denied any Parliamentary dimension. I recall that the paper of 1 October had been carefully negotiated between the two Governments over a matter of several weeks and without third-party involvement. The unseemly rush to get a draft to Trimble this afternoon, preempting all consultation (let alone agreement) with ourselves, was in marked contrast to the leisurely demeanour of the UUP at the talks this week, who had twice cancelled important meetings with the SDLP designed to reach agreement on the way forward.
7. On the substance of the proposal, Bell emphasised the judgement of his Ministers that something of this kind was required to prevent the talks process from collapsing altogether. I reiterated all of the points made earlier this week to him and his colleagues about the folly of an approach which seeks to detach the decommissioning issue from the political context in which it is alone achievable in practice and which vests in an external agency comprising military experts and technicians the judgement as to when sufficient political progress would have been made at the talks to warrant the beginning of actual decommissioning. This was a grotesque proposal which would not merely militate against the achievement of any decommissioning at any stage but would probably remove any prospect of bringing about a second IRA ceasefire.
8. Following our own phone conversation, I returned to Bell to say that the British proposal was being conveyed to our Ministers and that the initial reaction in Dublin had been extremely hostile.
9. I emphasised the following points in this respect and indicated that further views would be conveyed later. First, it was completely at variance with the Mitchell Report to ask a technical body which would be tasked with the verification of decommissioning to make one of the most fundamental political calculations to arise in this, or any, talks process. Second, a peremptory approach of any kind would be entirely counter-productive and also at variance with the Mitchell Report. Third, we found the assumptions made about the likely position of the Irish Government and the SDLP (as conveyed in para 5 of the speaking note) insulting. Fourth, we recalled that the British Government's recent paper had clearly stated that decommissioning was a matter for the parties - an approach which today's proposal effectively overturned. Fifth, the latter was very likely to prejudice



chance of a second ceasefire. And sixth, if the British Government decided to go ahead with this approach regardless of Irish Government objections, this would inevitably have implications in terms of the implementation of our decommissioning legislation.

10. Bell protested that the British Government indeed wished to have full consultation with us but felt it important to ensure that the UUP were on board for the approach. However when I asked if the British Government would scrap the approach in the face of our very obvious objections, he remained non-committal, suggesting that it would only be scrapped if both the UUP and the Irish Government were to object to it.
11. He has since come back to say that Ancram will discuss the approach with Trimble this afternoon but will not, after all, hand over a copy of it. The Secretary of State hopes that there can be an early meeting with our Ministers to discuss the matter.