

CONFIDENTIAL

JEM
JH

FROM: MARTIN HOWARD
PS/SECRETARY OF STATE
26 JULY 1996

DESK IMMEDIATE

- cc PS/Secretary of State(L+B) -B
- PS/Michael Ancram(L+B) -B
- PS/Sir John Wheeler(L+B) -B
- PS/PUS(L+B) -B
- PS/Sir David Fell -B
- Mr Legge -B
- Mr Thomas -B
- Mr Leach -B
- Mr Bell -B
- Mr Watkins -B
- Mr Steele -B
- Mr Ray -B
- Mr Stephens -B
- Mr Hill -B
- Mr Maccabe -B
- Mr Lindsay -B
- Mr Perry -B
- Mr Campbell Bannerman -B
- Mr Cran MP -B
- Mr Lamont, RID -B
- Mr Budd, Cabinet Office -T
- Mr Holmes, No 10 -T
- HMA Dublin -B

86/559/815

Note for the Record

TALKS PROCESS: DECOMMISSIONING: DISCUSSION BETWEEN THE SECRETARY OF STATE AND DAVID TRIMBLE: 26 JULY 1996

David Trimble came to see the Secretary of State at 8.30 this morning. This followed discussions, in the context of the Talks in Belfast yesterday, on how decommissioning should be dealt with during the plenary session. The UUP are seeking the establishment of a plenary sub-committee which would come up with a fully worked up scheme for approval by plenary before substantive negotiations in the three strands begin. The HMG approach, on the other hand, has been to float the idea of a plenary sub-committee to establish, in outline form, the mechanisms for dealing with decommissioning which would then proceed alongside negotiations in the three strands.

CONFIDENTIAL

CONFIDENTIAL

2. Mr Trimble opened the meeting by saying that the real problem arose over at what was meant by "consideration of mechanisms" under item 5C of the proposed agenda. In talking to Michael Ancram yesterday, it was clear that HMG were now agreeing with Spring and trying to bury the whole issue. The Secretary of State said that this was not the case. Recent events had heightened the urgency of the need to make early progress. When the Secretary of State has seen Mr Trimble on Saturday the latter had said that the proposed agenda was acceptable. The aim was to move fast to keep the SDLP in play: the SDLP objective had been to get to the end of the plenary agenda by the summer break. In order to move things forward, HMG had proposed the idea of dealing with items 5A and 5B and then having 5C for consideration in a smaller group while progress was made in parallel on items 6 and 7. The group would then report back to the plenary at item 8. The work submitted under 5C would be intended to consider outline proposals, whereas agreement on substance would be reached at item 8. Trimble at that time had said the timetable was tight but workable, but that 5C would be difficult. Trimble agreed with this.

3. The Secretary of State then reported on conversations he had had with Reg Empey earlier in the week where he had discerned some misunderstandings, particularly arising from Empey's reference to "benchmarks". He had specifically asked Empey to return in order to clarify these. Trimble said that the establishment of "benchmarks" was what he expected to happen under the process described in 5C. This had been discussed with the Secretary of State in the middle of June. Trimble had then made it clear that any sub-committee set up by the plenary would need to report back to the plenary with a fully worked up scheme. He thought he had reached agreement with HMG on this point.

4. The Secretary of State said that this was not the case. The Government has set its position out on mechanisms in the document tabled on 6 June. Michael Ancram had had a meeting with Reg Empey and Jeffrey Donaldson a day or so ago and his impression was that the latter two thought the same.

CONFIDENTIAL

- 2 -

CONFIDENTIAL

5. Trimble said the main thing was to decide where we went from here. It was an absolute requirement for the UUP that the whole issue be dealt with in the way he described during the opening plenary. Mallon might be bluffing about his intentions, but he was not. There could be no compromise on decommissioning. It was necessary to have the right sort of machinery in place so that it could bite on Sinn Fein if and when they entered the Talks process.

6. PUS said that there was a limit to how far machinery could be specified in the absence of an IRA ceasefire. There would need to be some contingent elements in order to meet the loyalist reliance on "mutuality". Trimble agreed with this in the sense that it was not possible to insert calendar dates into a plan, but it was important that there should be no prevarication. He repeated that he must have a fully worked up scheme before the end of the plenary. He had used phrases like "timetable" and "benchmarks" in June.

7. David Hill said that Empey had pointed out that the three strands were already at a point down the road in terms of draft agendas being on the table etc, whereas decommissioning was essentially a blank sheet of paper. At the very least we ought to bring it up to the same state of readiness as the three strands. Would it be sufficient to have agreed a "programme of work" for decommissioning? Trimble was unconvinced. This might be clarified in discussion but he repeated that the UUP would need to be satisfied before we could move into substantive negotiations. The proposals in Mitchell were the starting point. He repeated that he thought there had been a meeting of minds in June.

8. The Secretary of State said that we had not agreed with the UUP proposal. However we understood that the UUP had adopted a consistent position. The context now was the need for an accelerated timetable and what we faced was a difference of understanding of what was meant by "mechanisms".

CONFIDENTIAL

- 3 -

CONFIDENTIAL

9. Trimble said that he thought a sub-committee was the right approach. A small group would be more likely to make progress as it worked through the summer. He also thought that a similar approach might work in respect of the comprehensive agenda which would help keep the loyalists in.

in the light of discussions on strands 2 and 3. He therefore

10. The Secretary of State said that the key objective was to keep the process going. Trimble agreed but said there were some absolutes to be observed. Quentin Thomas said that without the political process there would of course be no political pressure on the IRA to declare a ceasefire and thus allow Sinn Fein into a functioning process. Trimble said that there were people who were trying to find ways of getting Sinn Fein in for free. The Secretary of State and Quentin Thomas said that they had detected no wobble on the Irish side in terms of requiring a ceasefire, though it had always been the case that they had adopted a softer position on decommissioning.

After warning that there was no tolerance left in Northern Ireland

11. David Hill said that our main concern was the political exposure of Seamus Mallon. Trimble expressed doubts as to whether Mallon really meant to bring the whole thing crashing down. On the proposals currently in front of us, progress would have been made. PUS said that Mallon's problem was that work on 5C might end up blocking the move into the three strands. The Secretary of State agreed with this. Mallon had said to him that if the sub-committee established under 5C got into the substance of decommissioning he would block it. He would not want to re-enter a conference on decommissioning in September. Trimble said that it wouldn't happen that way but did not elaborate.

was different from anything that had been prescribed in advance.

12. PUS suggested that one way forward might be for the plenary to instruct any sub-committee established to reach an agreed report by a specified date. Trimble said that this would have to be a target date rather than a firm date.

PUS asked whether an agreement by plenary to the establishment of an executive committee to oversee decommissioning would help. Trimble said that this would not be

CONFIDENTIAL

13. There was then a brief diversion on to the description of substantive talks, where Trimble repeated his dislike of the use of the term "three strands". He said that the UUP's only real interest was in strands 2 and 3. As far as he was concerned strand 1 had largely been dealt with though it would be necessary to revert to it in the light of discussions on strands 2 and 3. He therefore favoured doing the agenda after the opening statements rather than the rather curious situation we had at the moment whereby they would probably be done near the end!

14. Discussion then reverted to the question of target dates. Quentin Thomas said that the Irish and SDLP would be sceptical about target dates which they would regard as being likely to slip. They would probably require a firm date. PUS said that another refinement might be to set two target dates, one for completing the work of the plenary sub committee on mechanisms for dealing with decommissioning, and the other for the start of substantive Talks. After warning that there was no tolerance left in Northern Ireland after the events of July, Trimble said that something like that might be saleable. PUS said that our objective might be viewed as having the substantive negotiations and decommissioning vehicles both fuelled ready to go. Trimble agreed with this though said that at the moment, the decommissioning vehicle was still on the drawing board. David Hill asked whether there would be benefit in setting down the steps that the UUP thought would be necessary to achieve on decommissioning before substantive negotiations started. Quentin Thomas said that we needed to be careful not to be too prescriptive given that the IRA, if they decommissioned at all, would do so voluntary and might have a preference for a particular method which was different from anything that had been prescribed in advance.

15. Trimble agreed that obviously some elements of any scheme would have to be contingent. But he repeated that we needed some machinery which went beyond the methods and principles set out in the Mitchell report. PUS asked whether an agreement by plenary to the establishment of an executive committee to oversee decommissioning would help. Trimble said that this would not be

CONFIDENTIAL

enough. He said that the Irish attitude was crucial. If they were positive towards decommissioning then the whole thing could be sorted out very quickly. If they were obstructive matters would not progress. Past precedent was not encouraging in his view. He presumed he would not meet obstruction from the Government. The Secretary of State said that he thought it had been useful for the UUP to have met the Irish last night.

16. Trimble then said that it might be helpful to try and get into the summer break. The Secretary of State said there was something in this. He understood that the UUP had no difficulty over the language of the agenda even if they disputed the meaning of some of the words. An alternative to try to take decommissioning through during the summer would be to confine the work of the plenary next week to the adoption of rules of procedure, the remaining plenary agenda and the establishment of the business committee; and break at that point, with the aim of starting in September with opening statements rather than decommissioning. Trimble seemed very attracted by this idea. He thought that starting again in September with opening statements could actually allow some pretty serious discussion. In the meantime it might be sensible for both the Government and perhaps his party to talk informally with the Irish on how decommissioning might be handled. PUS said that we had already made some good progress with the Irish on details of decommissioning. The Secretary of State said that we might very soon be in a position to publish draft legislation though this could not be enacted before the Autumn. He reminded Trimble of the conversation they had had in June about the potential difficulties, both in handling and presentational terms, in trying to push through decommissioning legislation before the summer recess.

17. Trimble then changed tack again and asked what we thought the IRA would do in August. The Secretary of State said that we were not sure. There were some indications that the IRA were still considering a ceasefire, others implied that this was less likely. Part of the problem was that the IRA themselves had probably not finally decided on their approach. PUS thought that there was a

CONFIDENTIAL

- 6 -

SOFS/31731

CONFIDENTIAL

good chance that the IRA's mainland campaign would continue. Trimble said that his worry was that they would do nothing before 10 August but they would launch a spectacular on the mainland after that. He was concerned that we would face a very bad August.

18. The Secretary of State said that recent finds and arrests would have been a major setback for the IRA but they would be unlikely to stop the campaign. Trimble said that in his view Sinn Fein/IRA would not enter the Talks until the peace process had been rebuilt. This involved softening up Unionism. They had hopes that the Government would do so on the evidence on events earlier this month, but now they would have realised that they needed to do it themselves - hence his view that we were in for a difficult August. He hoped the Government had contingency plans to try and head such a campaign off. He recognised that the existence of a viable talks process was potential carrot for Sinn Fein, but a stick was required as well.

19. The Secretary of State said that the Chief Constable and the GOC had available all the forces they needed. The key, particularly in respect of the mainland, was intelligence. The only other significant stick was internment. PUS said that the best counter was more finds and arrests like those carried out recently - again this pointed to good intelligence.

20. Trimble said that it was a shame the Irish Government were not helping more. PUS made the point that there was no sign that the recent Fianna Fail shift in terms of Ministerial contact with Sinn Fein had had any impact on the coalition. Trimble did not respond to this.

21. The Secretary of State summarised by saying that would think further about two approaches. The first would involve the establishment of twin target dates both for agreeing on the handling of decommissioning and the start of substantive talks. The second alternative would be to break for the summer once we had agreed on

CONFIDENTIAL

rules of procedure, plenary agenda and business committee and reconvene in September with opening statements as the first item with the address to decommissioning to follow. Trimble said that he endorsed this on the basis that no other agreement had been reached in this meeting. He also said that the second option looked increasingly attractive. Quentin Thomas mentioned once again the possible benefits of trying to define decommissioning steps more clearly, not as an alternative to the options described earlier but as an analytical tool. Trimble said that this would only emerge in discussions and the key was the Irish. He repeated that he would see value in a bilateral with the Irish but only if the latter were prepared to enter it in good faith.

22. The meeting finished at that point, although Trimble stayed on for a private word with the Secretary of State with no-one else present. The Secretary of State reported that it had been entirely genial and had concentrated on how to avoid misunderstandings occurring in future and had touched upon prospects for the Apprentice Boys march on 10 August.

Comment

23. This meeting went much better than might have been expected given the problems that were encountered in the Talks yesterday. Trimble is clearly grasping at the idea of putting opening statements and subsequently decommissioning off until after the summer break. He has maintained his consistent position that a complete decommissioning scheme had to be in place before negotiations moved out of plenary session, though on several occasions he said that his bottom line was that the UUP needed to be satisfied that sufficient progress had been made on decommissioning. It is just possible that Trimble's definition of "being satisfied" may develop as events move on. The mood was almost entirely amicable with no serious attempt by Trimble to re-open old wounds over who had agreed what and when.

CONFIDENTIAL

- 8 -

SOF S/31731

CONFIDENTIAL

24. It was agreed with PUS and David Hill after the meeting that we should pursue both options with the Irish in the first instance, with our objective being to settle on the second. It was also agreed that if possible, the Secretary of State should have a telephone conversation with Seamus Mallon this evening to sound him out.

(Signed)

MARTIN HOWARD

CONFIDENTIAL