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28 September 1996

cc PS/Sir John Wheeler (B & L)
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Mr Thomas
Mr Bell
Mr Ray
Mr Watkins
Mr Wood (B & L)
Mr Beeton
Mr Hill
Mr Lavery
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MEETING WITH MR TRIMBLE: 27 SEPTEMBER 1996 - THE UUP WITHDRAWS
TO THE TRENCHES

1. After the failure of several earlier attempts to contact Mr Trimble to discuss the Governments' joint proposition on the handling of decommissioning in the negotiations, the Secretary of State succeeded in having a 20-minute meeting with the UUP leader in the margins of the dinner he hosted last night for visiting Australian Parliamentarians. I was present.

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2. The meeting largely confirmed our worst fears about the UUP position. Mr Trimble began by dismissing the joint proposition as wholly unacceptable: it was "useless", could have been produced three weeks ago, and showed no recognition of the UUP arguments which he and his colleagues had been expounding in recent trilaterals and other contacts. The Secretary of State (who was measured throughout, in contrast with the rather volatile and aggressive tone of the UUP leader) said that there had in fact been considerable movement over the last three weeks: both Governments had shown the UUP their draft decommissioning legislation, and undertaken to enact it very rapidly as the Talks progressed; there had been extensive exploration of how the UUP's desire for early establishment of the Independent Commission could be reconciled with Irish reservations, as a result of which the joint proposition now offered a **clear continuum** between the work of the Committee and the subsequent operation of the Commission (in the shape of the "independent experts of international standing" who would go on to play "an appropriate part in the work of the Commission when it is established"); and, to meet the UUP concerns about Sinn Fein entry, both Governments had indicated that, if the arrangements proposed were agreed, then Sinn Fein would have to **accept them** if and when it entered the process, with no possibility of renegotiation.

3. Mr Trimble dismissed these arguments. The whole point was that the UUP did not **want** a Committee. Why had the Governments not grasped this? The Committee would be a talking shop in which Sinn Fein could stall decommissioning indefinitely: instead, firm arrangements for decommissioning should be agreed forthwith and delegated to a Commission which would be immediately established with the task of implementing them. Since the NIO had failed to understand this point when it had been put during meetings, he would now send us a **paper** (based on their fifteen questions posed on 18 September) setting out the UUP's position in black and white. This would be put to his Executive Committee for approval the following day, and then be transmitted to us.

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4. I said that it was not that we did not understand the UUP's views, but that we did not believe they could effectively achieve the goal of decommissioning. Officials had sought to explore these issues fully in the lengthy discussions we had had on the UUP questions. Mr Trimble had referred to "agreed" arrangements being passed to the Commission for implementation, but where could this agreement take place except in a Committee involving the participants? Everyone from the International Body onwards had accepted that an effective decommissioning scheme would require assent to the details from those involved, and this in turn would require the development among the participants of confidence to move ahead. Would the UUP really have the confidence to proceed in the three strands if decommissioning was hived off to an Independent Commission over which they had no oversight?

5. Mr Trimble was impatient with these points, and brusquely rebuffed the Secretary of State's invitation to indicate what changes to the text of the "Conclusions" paper would make it acceptable to the UUP. He reiterated his severe disappointment with the paper, and put this down to Irish intransigence, arguing that they had never been serious and now, in his view, wanted "out of the process". The Secretary of State said that he had never been given to an overly sanguine assessment of the Irish position, and accepted that there could be a highly sceptical and negative dimension to their thinking. However, on this occasion the fact was that Irish Ministers had (with a lot of persuasion from HMG) responded to the UUP points and proved willing to develop their position significantly - for example, in letting the UUP see their draft decommissioning legislation before it was shown to the opposition parties in the Dail. Mr Trimble was not doing justice to the major movement towards the UUP position shown in the joint "Conclusions" paper. He had some understanding of the severe political pressures bearing on the UUP leader, which had no doubt contributed to this rejection of the paper. But he would not disguise his fear that this negative UUP response would seriously affect Irish and SDLP confidence and greatly complicate the search for an agreed way to

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handle decommissioning, which was necessary if the process was to move forward into the strands.

6. The Secretary of State went on to mention the further trilateral planned for Monday. Mr Trimble said that he did not want to have this meeting: he had no confidence in the approach of the Irish, and in any case would have little time since he had to make a day trip to London on Monday. He would however like to have a bilateral with HMG on Monday morning to go through the UUP paper. The Secretary of State said that we would notify the Irish. [Note: I asked Mr Bell shortly after 11 pm last night to transmit this message to the Irish side. We separately understand that the purpose of Mr Trimble's visit to London on Monday is to see the Lord Privy Seal.]

Next steps

7. After Mr Trimble's departure, the Secretary of State and I briefly discussed the position. The Secretary of State's assessment was that, after initially signalling that he would be willing to settle for a realistic compromise on decommissioning, the UUP leader had now lost his nerve in the face of the sustained sabre-rattling from Paisley and McCartney and the disquiet in his own Party. [Comment: In retrospect, the major IRA arms find in London at the start of this week clearly hardened Unionist attitudes at a crucial moment in the policy shift which Trimble may have been trying to accomplish.]

8. On the way ahead, I suggested that we should use Monday to analyse the UUP paper and do our best to keep the Irish and the SDLP committed to the process, without belittling their likely view that the UUP had seriously let them down. We should then try to handle Tuesday's debate on the agenda for the rest of the Opening Plenary as a damage limitation exercise, aiming to get rapid agreement to a non-contentious list of headings and head off the likely McCartney/DUP attempts to hold a proxy debate on decommissioning by arguing that substantive debate should be reserved until the

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relevant agenda item was reached. We could also propose that the negotiations go into recess for the week of 7 October, on the grounds that Ministers would wish to participate themselves in the important debates on decommissioning and the comprehensive agenda, but that it would be impossible for them to do so in that week because of the Party Conference (the continuing absence of Senator Mitchell would also be a factor). If this was agreed, we could use this interval to regroup and see if any rapprochement between the UUP and Irish positions could be engineered before we had to launch into the decommissioning debate in the week beginning 14 October.

9. The Secretary of State broadly agreed with this analysis, indicating that it was right to play matters long if that was possible. However, it was undeniable that the odds had moved significantly against a successful outcome to the process.

Conclusion

10. Mr Trimble undertook to fax the UUP paper to the Secretary of State in the course of this afternoon [Saturday]. I hope to obtain a copy and be in a position to offer some analysis at the Secretary of State's Monday morning meeting in Castle Buildings. The indications are that the UUP paper will focus on the early establishment of the Commission and a timetable for decommissioning before the UUP are willing to engage in substantive political negotiations. This combination is unsaleable to the Irish - and yet will presumably be non-negotiable as far as Trimble is concerned, because his Executive Committee will have signed up to it.

11. This is not an optimistic prognosis. One possible avenue for further progress could lie in considering whether we might not, after all, establish the Commission at the outset, to run alongside the strands, and dispense with the Committee. This might be saleable to the Irish if the UUP were willing to go into the strands while the Commission decided what scheme and role for itself would be appropriate (when the legislation was enacted) through direct negotiation with the paramilitaries. (The arrangements could then

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be brought back for approval by the plenary, to satisfy the International Body's prescription that the modalities "have to be determined by the parties themselves" (para 38).)

12. However, it is now hard to see the UUP entering the strands without certainty on the progress of decommissioning. They effectively want guarantees on the arms track before they show their hand in the political negotiations, which is contrary to the International Body's analysis accepted by the two Governments. As I tried to point out to Mr Trimble during the meeting, if the International Body report is the basis (as the UUP nominally accept) then the **best** way of meeting their need for reassurance on decommissioning is the proposed Committee, where they can directly monitor Sinn Fein good faith on the issue. But I fear that this argument will not carry the day in Unionist circles against the comforting simplicities of **McCartney's** line, reiterated in an article in today's Newsletter, addressed specifically to the UUP Executive Committee, that "all pro-Union parties" should commit themselves to the principles (among others) that

".....any permanent and complete [IRA] ceasefire is accompanied by the handing over of a credible amount of weapons and explosives as an earnest of Sinn Fein's good faith;

...the democratic process of negotiations is in no way related to the decommissioning process, which will progress to completion whether or not a political agreement is secured."

[sgd]

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