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20 SEP 1996

FILING INSTRUCTIONS

FILE No. \_\_\_\_\_

FROM: J A STEPHENS  
IPL DIVISION  
19 SEPTEMBER 1996

cc: 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 o/r - B  
Mr Bell - B  
Mr Leach - B  
Mr Ray - B  
Mr Steele - B  
Mr Watkins - B  
Mr Wood (L&B) - B  
Mr Beeton - B  
Mr Hill - B  
Mr Lavery - B  
Mr Maccabe - B  
Mr Perry - B  
Miss Bharucha  
Ms Mapstone  
Mr Budd, Cabinet Office - M  
HMA Dublin - B  
Mr Lamont, RID - B

PS/SECRETARY OF STATE (L&B) - B

#### NI COMMITTEE: FOLLOW-UP

I attach a draft letter to No 10, detailing follow-up to this morning's NI Committee.

2. Annex A to the draft letter is a slightly revised version of the draft response discussed by NI this morning. The changes to the statement reflect points made in discussion, except that I have also proposed an additional sentence to paragraph 6 of the draft statement.

3. The thought behind this additional sentence is to provide some response to the sentence in the Hume/Adams text: "No party can exercise a veto over the process." Michael Ancram deleted a previous sentence trying to answer this point on the grounds that, in effect, both the UUP and SDLP do have a veto. That is undoubtedly true with respect to any outcome. But the adopted rules of procedure do make provision for the process of negotiations carrying on if any participant withdraws, in rule 23:

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"If a delegation should withdraw temporarily or permanently from any aspect of the negotiations, the Chairmen and the remaining participants will be free to proceed with business with the remaining participants, notwithstanding such withdrawal."

4. The sentence I suggest sticks closely to this language (ie "will be free to" rather than "must") and also tries to make it clear that any outcome would still require broad agreement and consent. On this basis, I think we can make a useful point in a way in which, by quoting the rules of procedure, does not leave us open to criticism.

Sequence and timing

5. I have also suggested that the proposed sequence of events includes a briefing of the Irish and US Governments before a letter is sent to Hume, on much the same terms as the Secretary of State is to brief Trimble. The briefing for the Irish could be done at Castle Buildings; John Holmes might like to speak to Tony Lake himself.

6. Timing is difficult. I think we have to give Hume some advance notice of our intention to publish, because the basis of his proposition is this. It also has to be enough time for it not to appear that we are deliberately scuppering any prospect of Adams being able to do something with any text (although I think myself the chances of any ceasefire following quickly are small). I suggest that points to about a week between the letter to Hume and publication.

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7. Others, particularly Mr Wood who has not had a chance to see these papers so far, will have a view on how best to publish any text. I think it is difficult to disguise what is a carefully drafted text in the middle of something else. I would therefore favour its straightforward release, either in a press statement or as a signed article.

SIGNED

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Prime Minister  
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September 1996

## FOLLOW-UP TO NI COMMITTEE

Following yesterday's NI committee, I attach a revised version of the proposed response to John Hume.

We have checked the draft again for consistency. The small changes (underlined) reflect points made in discussion:

- the letter to Hume has been amended to reflect the plan to publish the statement soon after it is sent to Hume;
- paragraph 1 of the draft statement has been amended to include a reference to "consent". This guards us against any criticism for failing to mention it;
- paragraph 6 has been amended to quote one of the agreed rules of procedure to answer the point that no party should be able to bring about collapse of the process;
- paragraph 12 has been amended to reflect the Home Secretary's concern that the reference to changed arrangements for release of prisoners should be more specific;
- paragraph 13 has been amended to follow exactly the language used in paragraph 52 of the Mitchell report.

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Sequence of events

Once these texts are agreed, the sequence of events would be:

- (i) my Secretary of State briefs Mr Trimble (speaking note at Annex B), using his discretion as to whether to show him the text itself;
- (ii) the Irish and US Governments are briefed in similar terms - although this was not discussed at NI, we see advantage in ensuring that we prepare the way, as much as possible, for supportive action and comments;
- (iii) the Prime Minister writes to Hume with the text, and telling him it will be released;
- (iv) release of text.

Timing

My Secretary of State will need to pick the right moment to brief Mr Trimble, but will aim to do so early next week. That would point to the Prime Minister writing to Hume in the course of next week.

It is a difficult judgement how much time to leave between writing to Hume and releasing the text, and how much to tell Hume about when we plan to release the text.

Because Hume has stressed the importance of advance warning, it would look unreasonable to give him less than a few days' notice. But much more than a week may increase the risk of leaks unacceptably. The approach we suggest is to plan to release the text a week or so after it is sent to Hume; but to be vaguer in what we say to Hume - talking about publication "in the near future" - while still giving him some advance notice of actual release.

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Means of publication

My Secretary of State thinks that this statement - which needs to use a certain amount of "sacred text" - would not easily fit into a speech. It might fit into the formal opening statement which each participant is still due to make in the negotiations - but the timing of those opening statements (or, indeed, whether participants still want to bother with them) is uncertain.

The choice comes down to:

- a signed article (in the Irish Times, for example); or
- a simple press release.

On either route, we would envisage a short introduction explaining that the Government has received a number of approaches asking it to set out its policy on the key issues to do with the talks and peace process, so that there can be no doubt as to what Sinn Féin needs to do to join in the negotiations and how they will be treated if they do so.

It would be helpful to have clearance of the text at Annex A by Monday morning, so if a suitable opportunity arises during contacts with the UUP on Monday, the Secretary of State can brief Mr Trimble.

Information strategy

Meanwhile Michael Ancram and Sir John Wheeler are taking forward the preparation of a comprehensive information strategy in the Northern Ireland Strategic Information Committee, proposed in NI(96)7.

A copy goes to [            ].

PS/SECRETARY OF STATE

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