

CC/B



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John Holmes Esq  
Private Secretary to the  
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See later correspondence  
File J.H.  
17/90.

20 September 1996

Dear John,

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.

Sequence of events

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

- (i) my Secretary of State briefs Mr Trimble, 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, 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.

#### 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 that if a suitable opportunity arises during contacts with the UUP, the Secretary of State can brief Mr Trimble.



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Information strategy

We shall let you have an information handling plan for publication of the statement early next week. 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 Colin Budd and Jan Polley.

*Yours ever,*

*Ken.*

W K LINDSAY

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ANNEX A

DRAFT LETTER FROM THE PRIME MINISTER TO:

John Hume Esq MP MEP  
5 Bayview Terrace  
LONDONDERRY  
BT48 7EE

September 1996

Thank you for your letter of 8 August and the text which you faxed on 6 September.

The IRA's position, as you describe it, is that if we were ready to make this statement, and the IRA knew when we were going to make it, they would respond shortly afterwards, at a time specified in advance, with an unequivocal restoration of the August 1994 "total cessation".

When I wrote to you on 24 July I said that the IRA should restore their ceasefire without any further prevarication. But, in response to the suggestion that reassurances from the British Government on certain issues in line with its established public policy would help to bring this about, I set out words which could be used.

Now they have returned with one significant issue - the timeframe - which is simply not under our control, and an altogether longer text covering a host of other issues. Meanwhile, we know that continued preparation for further IRA attacks goes on - intimidation and so-called punishment attacks continue to increase in number and brutality.

It remains the case that the IRA should restore their ceasefire without further ado and without the need for further statements. The Government is certainly not in the business of negotiating a restoration of the IRA ceasefire, nor in giving secret assurances to bring it about. Sinn

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Féin must understand that we mean in private what we say in public. They must also understand that any further attack risks reducing their credibility to zero, with us and with others.

If there is genuine doubt or uncertainty over the Government's policy, I am happy to look at that. Because I am in no doubt of the benefits, for the people of Northern Ireland and the negotiations, of a genuine and unequivocal restoration of the IRA ceasefire, [I/the Government] will repeat and reaffirm our approach on the key issues. I have had the attached text prepared for this purpose, and intend to publish it in the near future.

3. It is equally clear that, to be successful, the negotiations must be peaceful, based on exclusively democratic and peaceful means and without recourse to the threat (actual or implied) of use of violence or coercion. On entry to the negotiations, each participant needs therefore to make clear their total and absolute commitment to the principles of democracy and non-violence set out in the Report of the International Body.

4. The spectrum of issues on which an overall agreement is dependent means that the negotiations will be on the basis of a comprehensive agenda, adopted by agreement, with each participant able to raise any significant issue of concern to them, and able to receive a fair hearing for those concerns, without their ability to do so being subject to the veto of any other party in the negotiations. Any participant in the format in question will be free to raise any aspect of the three relationships, including constitutional issues and any other matter which it considers relevant. No negotiation outcome is either predetermined or excluded in advance or limited by anything other than the need for agreement.

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DRAFT TEXT

(19 September 1996)

1. The negotiations which started on 10 June are to secure an overall political settlement, achieved through agreement and founded on consent. They will address all the issues relevant to that. They are intended to be inclusive, involving both Governments and all the relevant political parties with the necessary democratic mandate and commitment to exclusively peaceful methods.
2. The prospects for success in these negotiations will be greatly enhanced if they are conducted in a peaceful environment. Under the relevant legislation, if the Government considers that there is an unequivocal restoration of the IRA ceasefire of August 1994, Sinn Féin will be invited to nominate a team to participate in the negotiations. Beyond that, the two Governments are agreed that these negotiations are without preconditions.
3. It is equally clear that, to be successful, the negotiations must be peaceful, based on exclusively democratic and peaceful means and without recourse to the threat (actual or implied) or use of violence or coercion. On entry to the negotiations, each participant needs therefore to make clear their total and absolute commitment to the principles of democracy and non-violence set out in the Report of the International Body.
4. The spectrum of issues on which an overall agreement is dependent means that the negotiations will be on the basis of a comprehensive agenda, adopted by agreement, with each participant able to raise any significant issue of concern to them, and able to receive a fair hearing for those concerns, without their ability to do so being subject to the veto of any other party in the negotiations. Any participant in the format in question will be free to raise any aspect of the three relationships, including constitutional issues and any other matter which it considers relevant. No negotiated outcome is either predetermined or excluded in advance or limited by anything other than the need for agreement.

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5. As the communique of 28 February made clear, the opening plenary will also address the International Body's proposals on decommissioning. At that stage, the Government, along with the Irish Government, will be seeking the commitment of all participants to work constructively during the negotiations to implement all aspects of the International Body's report, including its compromise approach under which some decommissioning would take place during the process of negotiations. The Government wishes to make urgent progress in this area so that the process of decommissioning, rather than being regarded as a precondition to further progress, is used to build confidence one step at a time during the negotiations. As progress is made on political issues, even modest mutual steps on decommissioning could help create the atmosphere needed for further steps in a progressive pattern of mounting trust and confidence.

6. All parties are treated equally in the negotiations in accordance with the scale of their democratic mandate. No party has an undemocratic advantage. The negotiations will operate on the basis of consensus, requiring at least the support of parties representing a majority of both the unionist and nationalist communities in Northern Ireland respectively. But no one party by withdrawing from the negotiations can prevent them proceeding.

7. It has been accepted that all participants will negotiate in good faith, seriously address all aspects of the agreed agenda and make every effort to reach a comprehensive agreement. For their part, the two Governments are committed to ensure that all items on the comprehensive agenda are fully addressed and to do so themselves with a view to overcoming any obstacles which may arise.

8. The British Government is wholly committed to upholding, so far as we are able, our responsibility to encourage, facilitate and enable the achievement of agreement in the negotiations based on full respect for the rights and identities of both traditions. We want to see peace, stability and reconciliation established by agreement.



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9. The Government, for our part, is determined to see these negotiations through successfully, as speedily as possible. This is at one with the hopes and aspirations of people in both Britain and the Irish Republic, which have already sustained a momentum in a process which will always have its difficulties. The Government has already proposed that a meeting of the plenary should be held at a suitable date to take stock of progress in the negotiations as a whole. It will support any agreed timeframe for the conduct of the negotiations adopted by the participants.

10. We are committed to raising confidence through the talks process and through a range of other measures alongside it. The International Body's report itself proposes a process of mutual confidence-building.

11. The Government will continue to pursue social and economic policies informed by the principles of equality of opportunity, equity of treatment and parity of esteem irrespective of political, cultural or religious affiliation or gender. We are committed to enhancing community identification with policing in Northern Ireland.

12. In response to the ceasefires of Autumn 1994, the Government undertook a series of confidence-building measures in response to the changed level of threat. These included changed arrangements for release of prisoners in Northern Ireland under the Northern Ireland (Remission of Sentences) Act 1996, security force redeployments, a review of emergency legislation and others. If the threat reduces again, the opportunity for further confidence-building measures returns.

13. Confidence-building is a two-way street. Support for the use of violence is incompatible with participation in the democratic process. An end to punishment beatings and other paramilitary activities, including surveillance and targeting, would demonstrate a commitment to peaceful methods and help build trust.



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14. The opportunity for progress has never been greater. The negotiations command wide support internationally and have the benefit of independent chairmen from the USA, Canada and Finland. They have the overwhelming support of people throughout these islands, who also greatly desire that they take place in a peaceful environment, free of all paramilitary violence.

The substance of our talk will, I suspect, not be a surprise to you. For the first time he agreed I could report it in full. He made the following points:

- He felt SF was in the process of becoming electorally, the strongest nationalist party in the Province. He blames our policy for this.
- He said that SF declared a ceasefire. Nevertheless he still wants an agreement from DIFA/SF that they will surrender a significant token amount of weapons in exchange for a specific but unspecified agreement on a political issue within days of entering into talks. Otherwise he is not disposed to enter into substantive talks.
- In the negotiations he still feels priority should be given to strands 2 & 3 issues. ("Strand 1? Now there, done that").
- He said some community of interest with Mallon & Handron. Their discussions were not specific, but the tone was constructive.
- He is worried about the SF and McCartney. He thinks both of them want to "ruin the talks". In view of this if the talks dragged on into next year he decided to go into the field to give results as a reason for continuing. He thought some progress for a settlement of some kind was possible. He said he was not sure if it was possible to get a settlement in a 12 month period.
- He said his relations with his own party were good. (I was not convinced).
- He said he was seeing the House of Commons Chief Whip to explain that Cecil Walker might be deselected in 1988. If that happened Walker would probably stand as an independent. This would split the Unionist vote still further unless Cecil Walker could be deselected. (Other opinions in the province suggest that Cecil Walker may survive any attempt at deselection.)

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