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DRAFT LETTER FROM THE PRIME MINISTER TO:

Bertie Ahern TD
An Taoiseach

July 1997

We are approaching a defining moment in the talks process. I know you share my determination that our two Governments should do all they can to resolve the decommissioning problem and open the path to meaningful negotiations on the substantive political issues, starting on 15 September.

The decision by this week's plenary to establish a timetable for moving to a determination on the issue of decommissioning and completing the opening plenary session before the end of July is encouraging, not least because the UUP felt able to join with the majority of the talks participants, rather than standing with the DUP and UKUP.

The key question now is whether the UUP can be brought to support the "possible conclusions" to the address to decommissioning which were proposed by the two Governments in their joint paper of 25 June. David Trimble has sought clarification on a number of points on that paper and on the aide memoire. (He wrote to me and I understand he has since sent the Irish delegation at the talks a paper on very similar lines.) I know that our officials are in touch about what might be said in response to that paper. We, of course, will stand by the proposals agreed with you. But we need to reach a judgement as to whether the UUP are serious about entering substantive and potentially inclusive negotiations and, if so, whether any of their concerns can be met while abiding by the basic approach in our proposals.

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Mo Mowlam and Paul Murphy have met David Trimble and his team to discuss the points on which he is seeking clarification, most recently on Thursday morning. In the light of those exchanges it seems clear that the UUP's single most fundamental concern about the joint paper is that it does not provide for any scheme for actual decommissioning to be in place by 15 September. David Trimble argues that if the UUP is to commit itself to entering substantive negotiations on 15 September, with Sinn Féin potentially at the table, they must be able to reject predictable criticism from Robert McCartney et al that actual decommissioning will not be even theoretically possible at that point in time. [I have spoken to David Trimble about this myself and] I am convinced that this is the deal breaker. If the UUP are not satisfied on this point, I do not believe he will be able to support the two Governments' proposals for resolving decommissioning. Conversely, if we were able to find a way to meet his point, without making any shift of substance on the proposals themselves, I am reasonably confident (though I cannot guarantee it) that he would join in giving those proposals "sufficient consensus" support. Mo and Paul Murphy [and I] have of course simply noted the force of the UUP concern on this issue, without any commitment. We will not give them any encouragement without your agreement, but I believe we should give serious consideration to how we might meet their concern.

David Trimble's initial bid was that the Independent Commission should be "fully operational" by 15 September, by which he meant that the two Governments should not only have made an International Agreement, appointed the Commission etc (as we already intend) but also that they should have drawn up a scheme or schemes for decommissioning and given them the necessary legal force by 15 September. But at the most recent meeting with Paul Murphy it seemed that he would be content if the two Governments were to ensure that a scheme or schemes were worked up and available to the Commission and the sub-committee for consultation, from 15 September. We need not give legal force to these

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schemes but we could then say that a scheme could be made operational virtually immediately if necessary . This should answer the claim that decommissioning could not start even if the paramilitaries wanted it to.

Officials can discuss the practicalities of what might be offered, but I hope you and your colleagues will feel able to give this very serious and careful consideration.

Let me be frank. I am under no illusion that arms will be given up at the start or even early in this process. Indeed, our proposals clearly do not require decommissioning to start when the negotiations start, and I am prepared to say so.

No doubt you, like us, will wish to consider whether any such adjustment to our joint position would fundamentally alter the balance of the joint paper on decommissioning or adversely affect the prospects for securing an IRA ceasefire. Our analysis is that it would not raise any point of principle for either Government, and indeed would need no amendment to our proposals. We already envisage a process in which the two Governments would work to achieve due progress on decommissioning alongside progress in the substantive political negotiations: an adjustment of the kind proposed would make it possible for decommissioning to happen from the point at which it becomes possible for substantive negotiations to happen. David Trimble understands that there can be no prior commitment to a schedule of decommissioning and that decommissioning will only happen - if at all - as part of the product of constructive political engagement. He is not insisting that decommissioning starts on Day 1, but needs to be able to say that it could start. Making it possible for decommissioning to happen from 15 September carries no necessary implication that it will commence at that stage. If necessary, we would be prepared to make it clear that our proposals do not require it to start when negotiations start.

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However, I accept that it could be perceived by Sinn Féin as bringing forward the pace of progress on decommissioning. Any such concern might be answered on the lines set out above, but another tack might be to beef up the suggestion in the joint paper on decommissioning that talks participants should engage in preparatory activity for the substantive negotiations during the summer. We might express an intention to work with and through the Business Committee and in consultation with the parties to ensure that everything was in place for the substantive negotiations to commence in an organised and meaningful way from 15 September. There may, for example, be a range of discussion papers which the two Governments (and others), could work up over the summer ready to table on 15 September with a view to facilitating rapid progress in the substantive negotiations. In such a context, any work done on a scheme or schemes for decommissioning could be presented as part of an overall programme of preparatory activity.

I should be glad to have your reactions to these ideas. By way of illustration I enclose a draft of what the two Governments might say if you felt able to go along with this suggestion.

In terms of processing all this before next Wednesday's plenary, I know that David Trimble is very keen to have a substantive discussion with Ray Burke and his team and I believe a frank exchange would help build confidence on both sides. I understand that Ray is not now able to be in Belfast on Tuesday, but I very much hope he will have time for a decent meeting with the UUP delegation on Wednesday morning, followed by a trilateral involving both Government teams, all sufficiently in advance of the plenary to reduce any sense among the UUP delegation that it is being bounced or presented with a *fait accompli*. Indeed, if we can come to terms before Wednesday, there may be a case for Mo or Paul Murphy having a bilateral with the UUP on Tuesday to give them a preliminary

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reaction to their concerns and to discuss the mechanics of delivering any clarifications we have by then agreed on.

I believe we are on the threshold of a breakthrough in the talks, one which could bring real hope to all the people of Northern Ireland in what could be the turbulent days ahead; a breakthrough which could lead to the substantive political negotiations which have alluded us for so long while keeping the door open to Sinn Féin. I trust that, working together, we can maximise the chances of turning that prospect into a reality.

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