

14-JUL-1997 19:48 FROM TAOISEACH PRIVATE OFFICE TO

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Oifig an Taoisigh  
Office of the Taoiseach

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14 July, 1997

The Right Honourable Tony Blair, M.P.,  
The Prime Minister,  
10 Downing Street.

cc (by fax)  
PS/SOSNI  
PS/Sir Robin Butler  
Mrs Butler Land,  
Dublin.  
+ back by fax 14/7.

Dear Tony

Thank you for your letter of today's date.

We are entirely at one in wanting Sinn Féin to move decisively towards a ceasefire and the UUP to be in a position to accept our joint proposals on decommissioning.

I believe we will maximise our chances of ultimately securing both goals by maintaining a line that is both consistent and realistic, and which is also presented as such to all the key protagonists.

We both know that it is not in our power to compel disarmament by either set of paramilitaries, beyond the successes our security forces have fortunately been able to notch up, and will continue to pursue for the future. So does everyone else. I believe the authority and credibility of our Governments can be damaged if, even with the best intentions, we appear to promise that a peremptory approach to this issue will actually deliver our joint goal of decommissioning. The peremptory approach is really a transparent proxy for excluding Sinn Féin.

The more we indulge that proxy agenda the more we are in danger of taking very major decisions regarding the inclusive nature of the process obliquely and almost unawares. I do not want that to happen.

We share your desire to do anything we can to assist the UUP, provided of course it is consistent with the joint policies we have so carefully elaborated, our commitment to the implementation of all aspects of the Mitchell Report and our reluctance to endorse, even passively, expectations we both know to be unreal. If the Talks are to founder on unrealistic demands, it is probably as well to face that candidly now rather than to purchase a brief deferral of the problem at the cost of greater recrimination and even accusations of bad faith later.

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I have therefore examined very carefully how we might go the "extra mile" to assist the UUP, and our joint objectives on the process as a whole.

The formal establishment of the Independent Commission on 29 July can be agreed on the following basis.

I am willing to arrange the signature of the necessary International Agreement between the two Governments on 29 July - subject only to the successful conclusion of the negotiations on the terms of that agreement on the basis of the text transmitted to the Northern Ireland Office by the Department of Justice on 8 July.

I can also agree that the statutory orders required to bring the relevant sections of our Decommissioning Act into force and to guarantee the independence of the Commission, its legal status, privileges and immunities will be implemented before the end of July.

The nomination of a Chairman by 29 July is obviously more problematic. It would be important that the membership of the Commission should as far as possible command confidence on all sides, not least those whose co-operation will be necessary for actual decommissioning. I suggest our officials be asked to refine our consideration of this issue and put proposals to us for decision. The same applies to the other members of the Commission.

The preparatory activity referred to in paragraph 5 of the joint paper relates specifically to substantive political negotiations. We would, however, agree for our own part to informal discussion with the members of the Commission in that period.

We would feel that the proposal to present a "portfolio of workable draft schemes" to the Commission by 15 September is questionable. It could be seen as the first step of a peremptory approach which presumes to dispense with the input of those whose co-operation is actually needed for decommissioning. Our own draft terms of reference envisages that it is the Commission itself which will present us with such proposals. Moreover, it is also at variance with the very explicit premise in paragraph 38 of the Mitchell Report that the details of decommissioning, including supportive confidence-building measures, timing and sequencing have to be determined by the parties themselves. This is the position I put to you in our discussion in London. I remain convinced that attempts to elaborate upon the Mitchell Report will inevitably suffer rejection by whichever side believe that elaboration favours the other side.



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I do wish, without running that risk, to be as helpful as possible and, consistent with the Mitchell Report, I could envisage that the preparatory work of the Commission should include, not only discussions with the Governments, as envisaged in the appendix to your letter but also consultations with the necessary security experts on both sides, to enable the Commission to formulate options which would later be put to the participants, in conformity with the Mitchell Report and their terms of reference.

That would provide the basis for the rapid progress referred to in the final indent of the appendix to your letter, which I fully support.

I understand our officials will have discussions tomorrow. They might settle, for our agreement, the form and content of a response to David Trimble which, as you say, we need to agree jointly - and in good time, such that Ray Burke can draw on it in his meeting with David Trimble on Wednesday.

Yours sincerely,

Taoiseach.

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