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FROM: D J R HILL
 CONSTITUTIONAL & POLITICAL DIVISION
 26 JUNE 1997

cc: PS/Mr Ingram (L&B)
 PS/PUS (L&B)
 PS/Sir David Fell
 Mr Thomas
 Mr Steele
 Mr Stephens
 Mr Brooker
 Mr Whysall
 Mr Warner
 Mr Holmes, No 10
 Mr Budd, Cabinet Office

PS/Mr Murphy (L&B)
 PS/Secretary of State (L&B)

RESOLVING DECOMMISSIONING

We are now in the end game, but that will require careful handling.

2. There seem to me to be four possible routes to a "successful" outcome. In descending order:

- (a) we should aim to secure sufficient consensus support for the proposals in the joint paper tabled by the two Governments on 25 June, conceivably with some relatively minor concessions to the UUP to help secure their support at the end of the day;
- (b) if Sinn Féin were seen to reject the Government's terms for participation in talks it might be possible to go somewhat further in meeting UUP concerns about the proposals on decommissioning. This was the clear message in what Mr O'hUiginn said to the Secretary of State after Wednesday's plenary;
- (c) we might be able to develop a situation (the "challenge" approach) in which if there were no IRA ceasefire by a particular date Sinn Féin could be excluded from substantive negotiations for a defined period, thus tackling the basic

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File
Top Fell
cc: PB
JP
AC

Prime Minister
You might like to
need this interesting
amount of the
options. The UUP
will be very hard
to bring along, and you
will certainly need to
interview with Trimble at
same stage. But this note
encourages me to think
he can't is not helpful.
JA
26/6.

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Unionist concern about Sinn Féin being "parachuted in" to the negotiations at a sensitive point. An understanding on these lines might help the Unionists to agree the Governments' proposals on decommissioning: it might also be packaged with "pigeon holing" (see below);

- (d) in the absence of "sufficient consensus" support for any proposals on decommissioning and especially if it seemed unlikely that Sinn Féin would join the negotiations, the two Governments could invite the parties to proceed to substantive negotiations on the basis that the two Governments' proposals on decommissioning remained on the table but that the issue had been "pigeon holed" pending any decision to invite Sinn Féin to join the negotiations.

3. Obviously it would be unhelpful to reveal to anyone else at this stage that we were contemplating (b), (c) or (d), or any other fallback option, and we should go all out to secure sufficient consensus support for the two Governments' proposals. (If there is an early IRA ceasefire, options (b) and (d) at least, and probably (c) would not apply anyway.)

4. Securing sufficient consensus for the two Governments' proposals is likely to require:

- careful clarification and justification of those proposals, keeping in close step with the Irish Government to avoid losing their confidence or opening up a split which others could exploit, but also insisting that the Irish stand by the understandings implicit in the paper;
- maintaining the squeeze on Sinn Féin;
- moving ahead with preparations to designate and formally establish the Independent Commission before the end of July so that it can be fully operational by early September;

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- maintaining the effort to convince the UUP leadership that it is in their interest to resolve the decommissioning issue now and that the two Governments' proposals do meet their essential concerns;
- countering any Irish Government/SDLP/Sinn Féin "spin" on the proposals, within the talks and especially in the media;
- organising (with the Chairmen) a targeted programme of activity designed to ensure that the two Governments' proposals can be fully explored and voted upon, along with any other proposals and amendments, before 30 July. There could be a case for seeking Irish Government/SDLP support for the establishment of the Business Committee to facilitate this process;
- playing the end game of that process in a way which gives Mr Trimble maximum political cover, by enabling him to press amendments or alternatives to a vote and (I suspect this will be inevitable) persuading the Irish Government and SDLP to allow the UUP to achieve at least a few amendments to the two Governments' proposals, as the price for securing sufficient consensus support. Book your seats for a dramatic late night shoot out on 29 July;
- making every effort to reassure Unionist public opinion about the objectives and likely outcome of the talks process; and about the Government's overall approach to Northern Ireland issues. Parades, the NIGC, the handling of Northern Ireland legislation at Westminster, public appointments and other areas of policy could all be relevant here;
- keeping at least one of the Loyalist parties on board.

The fallback options

5. We should not reveal these to either the Unionists or the Irish at this stage, in case it takes their eye off the ball. The "trade off" implicit in (b) will emerge naturally in due

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course, but it seems highly likely that the Republican Movement will seek to keep their options open until after the Twelfth in the hope that the heightened atmosphere will push Unionism towards confrontation with the Government and relieve the political pressure on them.

6. Option (c) would both ratchet up the pressure on the Republican Movement and tackle underlying Unionist concerns. We would need to win Irish and SDLP support for it before deploying it with the Unionists; and that support might not be forthcoming until their levels of impatience with the Republican Movement have risen a little further. Meanwhile we are advised that it would be desirable to seek the views of the Law Officers' on the compatibility of this proposed approach with the terms of the Entry to Negotiations etc Act, and I will put that in hand on a contingency basis.

7. Option (d) has a number of disadvantages. In particular it would to some extent let the Republican Movement off the hook as they could reasonably argue that the only offer open to them was an invitation to join a decommissioning conference. However, assuming no IRA ceasefire, it might at least provide a basis for getting substantive negotiations under way in September.

8. I hope this broad overview is helpful. I should be glad of an opportunity to discuss it, perhaps alongside the gameplan for next week which will flesh out the points in paragraph 4.

(Signed: David Hill)

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