

FROM: THE PRIVATE SECRETARY

CONFIDENTIAL



NORTHERN IRELAND OFFICE  
11 MILLBANK  
LONDON  
SW1P 4QB

Recd by fax.

File [signature]

JP  
AC

John Holmes Esq  
10 Downing Street  
London  
SW1A 2AA

27 August 1997

Dear John,

**NORTHERN IRELAND: MEETING WITH MR TRIMBLE, 28 AUGUST**

Dr Mowlam's minute of 26 August setting out her approach to the launch of substantive negotiations provides all the necessary background for the Prime Minister's meeting with Mr Trimble, but the following specific suggestions for handling the meeting may be helpful. Dr Mowlam and the Prime Minister will be able to discuss it as part of their general review of the current situation tomorrow morning.

Agenda

Mr Trimble will be concerned about the decision to invite Sinn Féin to participate in the negotiations and may want to go over the ground with the Prime Minister. However the key objective for the Government in tomorrow's meeting is to find out Mr Trimble's attitude to the launch of substantive political negotiations on 15 September, in the light of the decision to invite Sinn Féin to participate.

Approach to negotiations

Mr Trimble and the UUP remain on the horns of a dilemma. They are reluctant to engage in direct political negotiations with Sinn Féin, especially as they continue to be unhappy about the two Governments'

CONFIDENTIAL

CONFIDENTIAL



proposals on decommissioning; and they remain uneasily conscious of the DUP's ability to extract party political advantage from any "weakness" they may show in these areas. But they do not want the Unionist case to go by default and they understand that the talks process offers the prospect of real gains for Unionism, which they are reluctant to forgo: an overall settlement could produce

- real local political responsibility;
- general formal acceptance of the principle of consent and therefore of Northern Ireland's status as a part of the United Kingdom;
- a new and more broadly based Anglo-Irish agreement;
- a new and constructive relationship between Unionism and nationalism, both in Northern Ireland and within the island of Ireland, leading to greater political stability;
- (potentially) lasting peace.

It has for some time been accepted as inevitable that Sinn Féin will be invited to participate in the negotiations but despite that the UUP has been urged by most of those it has consulted (including church leaders and the business community) to stay with the talks process and argue its case. The UUP Executive Committee will meet on 6 September to make a final decision.

CONFIDENTIAL



CONFIDENTIAL



The Irish share our desire that the UUP should continue to be directly engaged in the negotiations and are clearly willing to adjust at least the presentation of their position to facilitate that, but it was clear from Dr Mowlam's meeting with Mr Burke yesterday evening that they have no further room for manoeuvre on decommissioning and will not say anything now about consent which might suggest it is a precondition for participation or progress in the negotiations. It was also clear that if it came to a choice between accommodating the UUP and achieving the launch of substantive negotiations on 15 September, the Irish would go for the latter. This reflects the judgement which we share that the credibility of the whole process, especially for Sinn Féin, would be irreparably damaged if the two Governments failed to live up to their commitment; and that the UUP would in practice find it very difficult to remain aloof from substantive negotiations.

Another important part of the background is that the DUP is clearly attempting to find a way of engaging in substantive political negotiations, albeit on a basis which is somewhat different from the present talks structure and which would not require them to negotiate face to face with Sinn Féin. Continued DUP engagement, even on a semi-detached basis, would make it much easier for the UUP to justify continued participation.

#### Handling the meeting

The Prime Minister might want to give Mr Trimble an opportunity to express his concern about the decision to invite Sinn Féin into the talks, and get it off his chest. One of Mr Trimble's complaints is that he was assured that he would be consulted about any decision to invite Sinn Féin

CONFIDENTIAL



CONFIDENTIAL



to join the negotiations: he has of course had full opportunities to make his views known and the only specific commitment (given on 16 July) was that, "following the declaration of a ceasefire, the Government would want to consult with all the participants as to the practical implications of it for the negotiations".

Looking ahead to the substantive negotiations the Prime Minister's objective for the meeting might be to maintain the pressure on Mr Trimble to adopt a constructive approach by making clear that

- the Government is determined to ensure that substantive negotiations commence on 15 September;
- there is no further room for manoeuvre on the two Governments' decommissioning proposals: further procrastination will bring no benefit.

Having firmly asserted those points, there would be scope to make life easier for Mr Trimble by:

- (a) bringing out the reasons - set out above - why the Unionists should continue to sustain and participate in the negotiations;
- (b) explaining the steps being taken to ensure that the Independent Commission on decommissioning will indeed be fully operational by 15 September - whatever negotiating structure is by then in

CONFIDENTIAL

CONFIDENTIAL



place. (There is one specific issue on the Chairmanship of the Independent Commission which the Prime Minister might raise with Mr Trimble - see below);

(c) undertaking to send a formal reply (perhaps this week, certainly before 6 September) to Mr Trimble's letter of 30 June about the two Governments' decommissioning proposals. The draft at Annex A incorporates Irish suggestions on the version attached to Dr Mowlam's minute of 26 August. Irish officials are seeking Ministerial authority overnight for the final phrase of subparagraph (h) on the last page: if agreed it would mark a useful shift in the Irish position which the Prime Minister might aim to take credit for;

(d) undertaking to give a generally positive response (before 6 September if possible) to the list of Unionist confidence building measures handed over by Mr Trimble to the Secretary of State at the end of July;

(e) discussing which of the possible negotiating structures the UUP would find most comfortable. We and the Irish can be flexible here. The broad options are:

(i) carry on with the current talks process, on a basis which secures the launch of substantive negotiations in the three strands on 15 September. That would require the UUP to support the two Governments' decommissioning proposals

CONFIDENTIAL



CONFIDENTIAL



on 9 September and join round table negotiations with Sinn Féin from 15 September onwards;

(ii) carry on with the current talks process, but on a basis which leaves decommissioning formally unresolved. That would require the UUP to support a procedural motion to this effect. They would not be required positively to support the two Governments' decommissioning proposals, but would have to collude in avoiding a determination of the issue and join round table negotiations with Sinn Féin from 15 September onwards;

(iii) as (ii), but with a heavy emphasis on structured bilateral/multilateral - rather than round table - discussions. The UUP would still have to collude in avoiding a determination on the issue of decommissioning, but this option would enable negotiations to proceed - at least initially - without the UUP having to meet Sinn Féin face to face. There would be severe practical difficulties in trying to achieve progress on this basis in each of the "strands" and coordinating the talks process overall. The explicit aim, therefore, would be to move back to round table negotiations as soon as possible and this might become easier for the UUP as time passes (and especially if there were any movement on decommissioning). Meanwhile, the UUP would continue to benefit from elements of the current process (eg the requirement for "sufficient consensus" support for any

CONFIDENTIAL

CONFIDENTIAL



decision, the ability of any party to raise any issue of concern to it and receive a fair hearing, the involvement of Independent Chairmen, regular review plenaries to assess the extent of progress on substantive political issues and decommissioning);

- (iv) adjourn/suspend the current process and move over to an alternative approach (ie "Plan B") in which the two Governments commence substantive consultations with the parties about what proposals might be put to the people in a referendum. This would avoid any need for the UUP to take a position on decommissioning and would more naturally take the form of bilateral/multilateral consultations in which the UUP would not need to meet Sinn Féin. However, the UUP might not relish the idea of the two Governments taking the lead in this way, and would lose the safeguards inherent in the current process. The absence of regular review plenaries would also limit their ability to keep up the pressure on decommissioning.

The key point is that options (i), (ii) and (iii) would all require active UUP co-operation to a greater or lesser degree and their acceptance that substantive political negotiations should begin on 15 September without getting bogged down again on decommissioning. If Mr Trimble is ready to go along with any of these options, both Governments are willing to facilitate him. But if he is unwilling or unable to make the necessary commitment it must be made clear to him that the Governments will

CONFIDENTIAL



CONFIDENTIAL



proceed to launch substantive negotiations on 15 September on the basis of option (iv).

Variations on these broad options may be possible. Our current assessment is that options (ii) or (iii) are probably the best ones to aim for. We know the Irish would prefer either to option (iv). Option (i) seems likely to pose too many challenges for the UUP at the present time and it would not be worth risking our credit with the Irish by trying to secure any further concessions which might make it more palatable to the UUP.

Sinn Féin's Mitchell McLaughlin is reported today as having said that "proximity" talks of the kind envisaged in option (iii) would be "unacceptable", but it is difficult to see how Sinn Féin could justify withdrawing from negotiations conducted on such a basis, especially if there was a commitment to move to round table negotiations in due course.

Independent Commission: Chairmanship

General de Chastelain is far and away the best qualified candidate for the Chairmanship of the Independent Commission, by virtue of his military and diplomatic background and his close involvement with the decommissioning issue over the past two years. He is generally favoured by the Unionist parties, and especially by Ken Maginnis, and would be acceptable to the others and the Irish Government. However, under the rules of procedure he is Chairman of the "strand two" negotiations - about "North/South" relationships - and of the Business Committee: the combination would be a heavy burden and distract him from any

CONFIDENTIAL



CONFIDENTIAL



responsibilities in relation to decommissioning; it would also be unacceptable to the Irish Government and SDLP who would not want the decommissioning issue to be so closely associated with the political negotiations, especially strand two. The best way forward would be to appoint Senator Mitchell as the Chairman of strand two: he has proved his impartiality and effectiveness and knows the issues and the parties, and would otherwise have little to do. Mr Trimble was concerned that any such rearrangement of Chairmanship functions - which would require sufficient consensus and therefore UUP support - would be criticised by the DUP, and suggested that an alternative candidate be sought.

The Prime Minister might explain that if Senator Mitchell is unacceptable as Chairman of strand two, General de Chastelain will not be available to chair the Independent Commission. If the UUP want an able and effective Chairman for the Commission, in place, ready and able to operate effectively from 15 September, they will need to agree to Senator Mitchell taking over the Chairmanship of "Strand Two".

I am sending a copy of this letter to Sir Robin Butler. (It has not yet been cleared by Dr Mowlam).

*Yours ever,*  
*Ken*

W K LINDSAY

CONFIDENTIAL