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PRIME MINISTER'S MEETING WITH MR TRIMBLE: 17 OCTOBER

The Prime Minister is to see Mr Trimble at 5.30 pm this afternoon.
By way of briefing, I attach:

- points to make on the political process, including decommissioning and conditions of entry for Sinn Fein;

- briefing on the security situation, including measures taken since Lisburn and the two particular suggestions Mr Trimble has taken up: the use of intercept evidence and extending "authorised investigators".

On the talks process, we wish if possible to continue the process of persuading Mr Trimble to shift his emphasis from decommissioning to conditions of entry for Sinn Fein. There are clear signs that he is ready to do this.

The problem on decommissioning is that the gap between the proposals we have put forward with the Irish Government and those published by the UUP is simply too great to be bridged by concessions here or there. The UUP now cannot afford to depart from its published proposals. Concessions from us will not help - it is the SDLP and the Irish Government who the UUP have to persuade. Unless we can find some way around the problem, decommissioning will block the talks moving forward even without Sinn Fein.

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Making clearer how we interpret conditions of entry for Sinn Fein - and in particular that it is inconceivable in the wake of the Lisburn bomb that Sinn Fein could walk straight into the talks after a ceasefire - should help. It will go some way to provide the UUP with the confidence that they can go forward into the three stranded negotiations without Sinn Fein but without insisting on adoption of the UUP's approach to decommissioning (to which the Irish Government and SDLP will never agree).

It is critical therefore that in talking to Mr Trimble about clearer conditions of entry, he understands that there must be a quid pro quo on decommissioning. He needs to be prepared to co-operate in moving the talks on to the three strands without getting adoption of the UUP's proposals on decommissioning: that could mean that decommissioning is parked, to be returned to if ever Sinn Fein joined the negotiations.

But the SDLP and the Irish Government will be extremely wary of signing up to clearer conditions of entry for Sinn Fein unless they can also be assured that this will mean the negotiations move on to the three strands without decommissioning being a further block. Their view of Mr Trimble (with some justification) is that he often hints at such deals but rarely delivers (itself perhaps a symptom of his weak position within his own party and constant criticism from Bob McCartney and the DUP).

As to the detail of how we might make clearer conditions of entry for Sinn Fein, we should avoid being specific until we know whether we are likely to secure support from others. As NI agreed this morning, we should not float proposals with Mr Trimble until we have the Irish and US Governments on board. Otherwise we risk raising Mr Trimble's expectations falsely (and he has already claimed to other parties to be close to a "deal" on conditions of entry, correspondingly raising their suspicions). We need in particular to bring home to him that if the process is to move forward without Sinn Fein, we need the SDLP's support for that - including John

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Hume's. The SDLP, who feel under great electoral pressure from Sinn Fein, will not easily be persuaded unless they are convinced both that there is no prospect of a ceasefire and that there is a real prospect of progress in the talks without Sinn Fein.

We should also be seeking to steer Mr Trimble towards some defined delay between any ceasefire and Sinn Fein's entry to the negotiations, and away from other tests such as "permanence", an end to punishment beatings etc. The Irish Government have recognised the case for a delay or an "airlock", but are unlikely to support other tests which they will regard as new preconditions.

On time, Mr Trimble has mentioned six months in public. That looks too long - it is unlikely to get SDLP support, and risks sending the message that there can be no progress before the general election.

Mr Trimble knows about the Hume/Adams initiative in general, having been briefed by the Secretary of State but not shown any text.

Given the approach endorsed by NI this morning, now is not the right time to be any more forthcoming.

A copy goes to Jan Polley and Colin Budd.

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PRIME MINISTER'S MEETING WITH MR TRIMBLE: POINTS TO MAKE

Glad to hear of recent progress in the talks. Believe the key to progress is if you and the SDLP can continue to work together to find a way forward.

Note the warm support this has received in the press here. But I know this is not easy - I have seen the mischievous criticism from McCartney and the DUP simply because of sensible agreement on the agenda.

How is the discussion on decommissioning going? How do we get out of it?

We are not going to sideline decommissioning. That is why we will enact the Bill, even though it might look pretty odd to do so while the IRA carries on letting off bombs. Take it I can look to you for support during its passage?

But with Sinn Fein slamming the door on themselves, we do not want decommissioning to be the stumbling block in the way of everyone else carrying on without them. How can we get over this?

We need to move forward by consensus - how have your discussions with the SDLP got on? Have you found a way forward together yet?

From our discussions, we think we pushed the SDLP and the Irish Government just about as far as they will go on decommissioning. They have produced their Bill and have promised to publish it. But there remains a wide gap between their position and the UUP's. Can you see any way of bridging this?

But although Irish and SDLP unlikely to shift on decommissioning, in the wake of Lisburn they do see the case for clearer conditions of entry for Sinn Fein. Believe there is a growing consensus that Sinn Fein cannot declare a ceasefire and walk immediately into the talks. Informally, the Irish Government talked of a delay of a few weeks; the Americans have also talked of a delay.

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Will clearer conditions of entry for Sinn Fein enable you to move on to the three strands, leaving decommissioning to be returned to if ever Sinn Fein join? Believe the only way of selling clearer conditions of entry is if other parties know it will lead into the three strands.

We need the SDLP's support in particular - how will Hume react? Although it has little credibility, he remains convinced that a ceasefire could be restored soon. He continues to say we could make it happen by simply repeating reassurances in existing policy. Until he is convinced a ceasefire will not happen, hard to persuade him to support tougher conditions of entry.

In fact, I think the IRA has no intention of declaring a ceasefire but if we are to get everyone to agree that we carry on without Sinn Fein - as we are determined to do - we have to get Hume on board. How can we do that?

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SECURITY MEASURES IMPLEMENTED SINCE THIEPVAL BOMB 7 OCTOBER 1996

All Regions

1. All personnel briefed in relation to their personal security both on and off duty.
2. Station security tightened and increased base plate patrolling.
3. Increased VCPs, and attention to; Security bases, workers routes, Mortar Base Plates.

Belfast Region

4. Existing security barriers in the City Centre closed 2100 - 0600 (wef 8/10/96).
5. Increased patrolling at City Airport, Palace Barracks and Moscow Camp.
6. Military escort (mobile and foot) in Grosvenor Road and Woodbourne Sub-Divisions.
7. RIR patrolling/performing VCPs: Lisburn, Bangor, Strandtown.
8. Security gates closed 2100 - 0600 at: Lisburn, Kennedy Way, Donegal Road, Broadway (wef 8/10/96).
9. Static VCP at Castlereagh and Carryduff RUC Stations.
10. Permanent police presence at Stormont buildings to protect construction workers.

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South Region

11. Soft target protection by RUC patrols and military, to counter car bomb in housing areas/close quarter attacks.
12. SDCs given discretion to review use of town centre barriers.
13. Town barriers closed at: Portadown, Lurgan and Banbridge, in evenings (wef 9/10/96).
14. Key routes to be route checked at the discretion of local SDCs re movement of workers/convoys.
15. Security reviewed at Courts, Key installations, Warrenpoint Port.
16. South Armagh patrolling limited, because of sniper threat.

North Region

17. Coleraine town barriers closed 1830 - 0630 (wef 9/10/96).

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DAVID TRIMBLE'S PROPOSALS

Authorised Investigators

[Proposal: The right to silence should be curtailed in terrorist cases by the extension of AI powers to all terrorist crime.]

Speaking Note

- David Trimble's proposal was considered very carefully some time ago, when originally suggested by RUC Chief Constable.
- Amending the law as proposed would represent a significant change in the way in which general criminal investigations are carried out and render the law in NI fundamentally different from that in England and Wales.
- It would hand the Provisionals and the Loyalist terrorists a formidable propaganda weapon.
- Some of our existing arrangements, eg absence of audio recording and solicitors from police interviews of terrorist suspects, would become more difficult to defend. Nor is it clear how the Courts would react.

Intercept Material as Evidence

[Proposal: The law on interception evidence be changed to allow the prosecution to adduce intercept material in terrorist cases.]

- The arguments for and against use of intercept have been well rehearsed in the past. Would simply note that Lord Lloyd's report revisits to this topic, and we will need to reconsider the issues in that context. (Slight delay anticipated on planned publication date of Lloyd's report: now set for 24 October.)

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DECOMMISSIONING LEGISLATION

Current Position

- The Prime Minister has given a commitment that the Decommissioning Bill will be introduced this Autumn. The Bill itself at a very advanced stage. Irish Bill also ready, but not clear that they would be willing to legislate in parallel.
- The precise timing of introduction, and enactment, not yet finalised: dependent on progress in Talks, and how we see the next phase developing. May still be necessary to seek enactment before Christmas, subject to these constraints, and the likely attitude of the House.

Content of Bill

- The Bill provides for an amnesty from prosecution in respect of certain specified, mainly possession-related, offences, available to those acting in accordance with a decommissioning scheme; for certain evidential restrictions; for restrictions on forensic testing of articles decommissioned; for powers to confer certain attributes, privileges and immunities on a Commission, its members and staff; and for powers to pay any expenses incurred in connection with a decommissioning scheme or in connection with a Commission.

Circulation to NI

- How we play the draft legislation into the current phase of the Talks still being considered. NI has given contingent approval for publication of the draft Bill as part of the Talks process; if colleagues wish I can circulate a copy of the Bill to colleagues beforehand.

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- The Bill is specifically tailored to provide for arms decommissioning in Northern Ireland. The UUP and DUP have criticised this (as have the Irish).
- We considered carefully at an earlier stage how we might handle terrorist arm holdings in Great Britain and concluded that the Bill should remain specific to Northern Ireland; and that when necessary we should take steps separately to facilitate the decommissioning of terrorist arms in Great Britain taking account of the arrangements made on decommissioning in Northern Ireland and the particular considerations applicable to GB.
- Believe this is the right course: extension of the Bill now would preclude early introduction.

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CONFIDENTIAL**NI ARMS DECOMMISSIONING BILL: CRITICAL PATH**

<u>Forum</u>	<u>Stage</u>	<u>Illustrative range of dates</u>
Talks/Cabinet Committee	NI Committee LG [Consultation - Talks Committee]	21 October/28 October
	Queen's Speech	23 October
Commons	1st Reading 2nd Reading Committee Stage Report Stage Third Reading	11 November/18 November
Lords	1st Reading 2nd Reading Committee Stage Report/Third Reading	25 November/2 December
Commons	Consideration of Lords amendments	9 December/16 December
Lords	Royal Assent	19 December

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