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ANNEX D

HUME/ADAMS: SELLING ANY TEXT TO THE UNIONISTS

If we do ~~reach~~ ultimately reach agreement with the Irish on a passage on "entry conditions" for incorporation in the Hume/Adams text we will inter alia need to consider how best to present the whole package to Unionists. Realistically, of the three main Unionist parties, we can expect nothing but trenchant criticism from the DUP and UKUP and the height of our ambition is probably to secure grudging acquiescence from the UUP. We must not, however, forget the two Loyalist parties whose support for, or acquiescence in, the way we intend to proceed could also be crucial.

2. As to the UUP we face an uphill task. They have made it clear publicly and privately that they want the talks process to continue without Sinn Fein and that they are looking for entry conditions to be imposed which could never be met by Sinn Fein short of a total transformation in the outlook of the Republican Movement. While they have signalled a potential readiness to adjust their position on decommissioning if the barrier to Sinn Fein entry was sufficiently high, we have detected no readiness on their part (or, indeed, politically, any scope) to move away from their paper of 30 September in any other circumstances.

3. Against that background, the publication of the Hume/Adams text is likely to promote a strong negative reaction from the UUP, including a reaffirmation of their position on decommissioning. The attached checklist compromises the key arguments we could use with them in an attempt to persuade them to maintain a reasonably constructive approach.

4. There may be other arguments to deploy. Officials are already working on a possible device for remitting decisions on decommissioning to a body external to the talks participants; but even if something can be devised we might not be ready to present it

**CONFIDENTIAL**

in time. As an alternative we might revisit the idea of setting some deadline by which the Government would - assuming reasonable progress was being made in the substantive political negotiations - expect to see some decommissioning happening. That would give the UUP some cover against the situation they fear in which they eventually walk out of the talks because there has been no decommissioning, and get the blame for the collapse of the talks.

5. The most powerful influence on the Unionists is the security or otherwise of the Union. Anything which could be said or done (especially by the SDLP, the Irish or - ideally - Sinn Fein) to convince them that the Union was safe would significantly increase their ability to weather the major difficulties of decommissioning and Sinn Fein's potential involvement in the talks.

POLITICAL DEVELOPMENT TEAM  
25 OCTOBER 1996



CONFIDENTIAL

HUME/ADAMS TEXT: SELLING POINTS FOR UNIONISTS

Hume/Adams

1. No negotiation. Simply a restatement of existing positions.
2. May or may not lead to a ceasefire but important that everyone should know what was available to Sinn Fein in the event of an abandonment of the armed struggle.
3. (In private) if there is no early ceasefire and/or further terrorist atrocities it will become progressively easier - having made this effort - to persuade the Irish and SDLP to go along with an exclusive process.
4. Equally, it is necessary to respond to Unionist concerns that, especially after the Lisburn bombing, Sinn Fein should not be allowed to enter negotiations immediately after a purported ceasefire.

Entry Conditions

5. It is now explicit that, unless there is some development which provides incontrovertible evidence that the armed struggle has been permanently abandoned, there will be an interval of [at least a few weeks] between any purported restoration of the ceasefire and the issuing of an invitation for Sinn Fein to join the talks.
6. During that interval we will be assessing whether or not any restoration of the ceasefire is indeed unequivocal, applying criteria similar to those suggested by the UUP. We will be looking to see whether there are any actions which are inconsistent with [ending terrorism for good] [a complete and unequivocal restoration of the 1994 ceasefire]. Obviously if there were any such actions the clock would start again and it would become more difficult to convince us that the proposed restoration was indeed unequivocal.

CONFIDENTIAL

7. (Defensive) As you will appreciate there is no scope under the legislation to change the conditions for Sinn Fein's entry to the talks - an unequivocal restoration of the 1994 ceasefire.

Sinn Fein involvement in the Talks

8. If after the appropriate period has elapsed I can conclude that the restoration of the ceasefire is indeed unequivocal then Sinn Fein should be entitled to join the negotiations and play a full part in them. That is in everyone's interest.
9. At that point Sinn Fein [, representing the Republican Movement as a whole,] will need to confirm their total and absolute commitment to the Mitchell principles and engage in a process in which they must rely solely on their democratic mandate. Existing decisions (eg on rules of procedure), having already been taken by sufficient consensus, will stand. Sinn Fein will have no veto on the conduct or outcome of the talks.
10. Although the Irish Government and SDLP will continue to have a veto they will also be conscious of the requirement that any agreement in the talks must have the positive support of parties representing a majority of the Unionist community; and of the firm view of all the Unionist parties that at the very least some decommissioning must happen during the negotiations or there will be no agreement at the end of the day.
11. Sinn Fein's influence on the outcome of the substantive political negotiations may not be substantial. The Irish Government and SDLP, for example, along with all the other nationalist parties, are unambiguously committed to the principle of consent and insisted on that in the Dublin Forum even over Sinn Fein objections.



CONFIDENTIAL

Decommissioning

12. This must of course still be addressed to the satisfaction of talks participants. If there is a ceasefire the debate may of course cease to be largely academic.
13. Meanwhile we are pressing ahead with the Decommissioning Bill. That Bill, as you know, makes the necessary legal provision for the establishment of an Independent Commission which might have a range of roles in respect of the decommissioning of illegally held weapons, including verification.
14. There continues to be a degree of misunderstanding about our proposals for establishing a Committee of the Plenary to take the decommissioning issue forward. The point is that a considerable amount of preparatory work must be completed before any Commission could be formally established and we need to identify a vehicle for carrying that work forward at the earliest opportunity, without waiting for the legislation to be enacted. We do not believe others will be able to stall progress: any Committee would have clear and succinct terms of reference, most of the actual work would be done by technical experts provided by the two Governments and there would be regular plenary reviews to ensure that progress was being made in a balanced manner across the negotiations as a whole.
15. The two Governments have of course already undertaken to appoint independent experts of international standing to assist any Committee and who we envisage would play an appropriate role in relation to the Independent Commission when it is established. [These proto-Commissioners could work with the proposed Committee and with the two Governments' technical experts to make rapid progress on, for example, drawing up possible decommissioning schemes, so that there is no further delay on this score once the legislation is enacted.]