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10 DOWNING STREET
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From the Prime Minister's Chief of Staff

9 January 1998

Dear Ken,

HEADS OF AGREEMENT (AGAIN)

I should try to sum up today's to-ing and fro-ing, although by tomorrow things will probably have changed yet again.

I spoke to Trimble this morning. He said he was extremely unhappy with the Irish text and would not address it at all. We had made a big mistake in taking our draft off the table. I pressed him on differences of substance but he would not be drawn.

The Prime Minister then spoke to Trimble from Tokyo and took him through the Irish draft paragraph by paragraph. On the basis of this conversation we promised to provide a revised draft incorporating some of the Irish language for Trimble to look at.

I showed this to Paddy Teahon on a personal basis. He suggested a few changes which we incorporated, more or less (we should not reveal to Trimble that we showed this text to Teahon).

In the meantime, Trimble had spoken direct to Ahern to say how unhappy he was with the Irish text. The Irish should come forward with something new.

I faxed the Tokyo text to Trimble early in the afternoon. He finally came back to me at 6.30. He said the draft was still unacceptable. But he then proceeded to give me a series of comments on both the Tokyo text and the earlier British text (short text). Both texts are attached.

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On the Tokyo text he made the following comments:

Paragraph 2: He did not like the phrase "to involve a Northern Ireland assembly". This was a plot by John Hume to avoid having an assembly. I proposed "including a Northern Ireland assembly". He said he could not accept the last two lines: "and with provisions to ensure that these institutions operate on the basis of cross-community agreement, to protect the interests of both communities." This would give John Hume a veto on all future business in Northern Ireland and lead to civil war. I said the point was to express the need for both communities to work together rather than dictate to one another. I was sure language that was acceptable could be found.

Last two paragraphs: He said these were broadly acceptable. However he could not accept a reference to a Bill of Rights when we were in the process of passing a Bill of Rights for the whole United Kingdom in the form of the ECHR incorporation (Teahon later told me that he thought he could manage this with fuller language about the ECHR). Trimble also wanted a couple of minor textual changes which I have incorporated.

On the short text Trimble had the following comments:

First paragraph: He could accept the inclusion of the word "balanced".

Second tiret: He could agree to add a sentence at the end: "Such decisions may result in agreed policies being implemented on a cross-border or North/South basis."

Last paragraph: He could accept its replacement with the last two paragraphs of the Tokyo text as amended.

I suggested he should now engage in direct negotiations with the Irish. He said he would be at home all evening if the Taoiseach wanted to call him. I then called Teahon and persuaded him to get Ahern to call Trimble at home to talk through these issues. Teahon himself would follow through with Trimble subsequently on texts. I have sent both texts to Teahon.

Teahon has promised to call me later tonight to let me know how he gets on.

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Comment

Finally Trimble is beginning to engage, even if only at a glacial pace. It was encouraging that he told me he attached great importance to getting a text tabled on Monday. He had assured the UDP and PUP that an acceptable document would be forthcoming. If it were not, a disappointment could destabilise the whole process.

I am copying this letter to John Holmes in Tokyo, John Grant (Foreign and Commonwealth Office), Jan Polley (Cabinet Office), and to Sir Christopher Meyer (Washington) and Veronica Sutherland (Dublin) by fax.

Yours ever
Jonathan Powell

JONATHAN POWELL

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