

From: THE ~~SECRET & PERSONAL~~ PRIVATE SECRETARY



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24 March 1998

Dear John,

**NORTHERN IRELAND: IRISH TEXT OF 23 MARCH**

You asked for quick advice on the text Teahon sent you on 23 March, following the phone call between the Prime Minister and the Taoiseach.

What we do next is closely linked with the parallel approach by Senator Mitchell, as reported in my earlier letter of today.

**Substance**

As to the substance of the Irish text, it is not far from the text you sent Teahon. The significant substantive changes are:

- a new "general affairs" format;
- vaguer language on the constraints on decision making on each side;
- insistence that both the Council and initial implementation bodies must be established in the British-Irish Agreement and in Westminster legislation;
- a mechanism for resolving disagreement;
- implementation bodies to be clearly answerable to the Council in the first instance (our draft was silent but Trimble clearly sees implementation bodies reporting to the Assembly and the Dail respectively not the Council);

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- a free-standing secretariat with the ability to put forward its own proposals.

In principle, the differences of substance with the draft sent to Teahon are not great. But there still remains a gulf with what David Trimble has said he is prepared to contemplate.

Inevitably, the presentation in the Irish draft is designed to build up the impression that the Council is going to be an important decision-making body, meeting almost weekly and with its own expenditure and even sources of finance. Much of this will be highly neuralgic to unionists.

I attach a revised version which builds on the Irish draft but seeks to pull it back into conformity with the general scheme you originally sent to Teahon. We have:

- reinserted a reference to the East/West Council;
- emphasised repeatedly the need for decisions to be by agreement;
- toned down or deleted much of the unnecessary detail;
- returned to the language of the first draft you sent Teahon on delegated decision-making;
- finessed the Irish desire for a dispute resolution mechanism;
- made the secretariat operate under instructions from both sides.

The end result is a text which is close in substance to the original you put to Teahon. But, as we knew when we put it to Teahon, that already contained some points which left Trimble uneasy or to which he openly objected.

#### Process

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We think there is much to be said for showing the Irish draft to Trimble (subject, of course, to any conditions of confidentiality Teahon may have imposed). Trimble will expostulate - but it is better he expostulates at an Irish draft and then sees the improvements we are proposing to make to it, than that he only sees the British draft and expostulates at that.

One way or another, as the Prime Minister told Ahern, Trimble's temperature needs to be taken. We assume you are best placed to do that, but one approach would be to send him the Irish draft together with our proposed revisions.

On the wider picture, we need urgently now to decide how best to carry the negotiations forward, particularly in the light of Senator Mitchell's proposal reported in my earlier letter of today.

On foot of Senator Mitchell's request and the Taoiseach's discussion with the Prime Minister, the Irish side are clearly expecting us to engage directly with them and intensively. We need to decide how to respond - subject to the Prime Minister's views, the Secretary of State thinks that we should now engage with Irish officials intensively using both the regular contacts we have here through the Liaison Group and elsewhere and, when appropriate, your channel to Teahon.

A copy goes to Jan Polley.

*Yours ever*  
*John Major*  
pp W K LINDSAY

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