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FROM: D J R HILL
CPL DIVISION
5 JUNE 1996

UNDER/ SEC 40955
- 5 JUN 1996
CENT SEC

- cc PS/Sir John Wheeler(L+B) -B
- PS/Baroness Denton(L+B) -B
- PS/Mr Moss(L+B) -B
- PS/PUS(L+B) -B
- PS/Sir David Fell -B
- Mr Thomas -B
- Mr Legge -B
- Mr Leach -B
- Mr Bell -B
- Mr Watkins -B
- Mr Steele -B
- Mr Wood(L+B) -B
- Mr Stephens -B
- Mr Maccabe -B
- Mr Beeton -B
- Mr Lavery -B
- Mr Perry -B
- Mr Currie -B
- Ms Harrison -B
- Mr Whysall -B
- Ms Checksfield -B
- Ms Mapstone -B
- Mr Campbell-Bannerman -B
- Mr Cran, MP -B
- Mr Elletson, MP -B
- Lady Olga Maitland, MP -B
- Mr Lamont, RID -B
- HMA Dublin -B
- Ms Collins, Cabinet Office -B

P.
 1. cc to Carlton
 2. back to me. pl.
 HJD
 S.C.

PS/Michael Ancram(L+B) -B

PS/Secretary of State(L+B) -B

TALKS: OUTLINE HANDLING PLAN

I attach an abbreviated handling plan for the forthcoming Talks, intended to provide some general advice on how the substantive political negotiations might be taken forward once we have got past the crucial opening session.

CONFIDENTIAL

In addition to this outline handling plan officials will shortly be submitting a series of negotiating briefs on the main issues likely to arise in the negotiations. These set out the Government's objectives in each area, give relevant background, identify the positions of the other participants, provide advice on how the Government Team should approach the negotiation of each issue (including advice on which strand it should be tackled in) and list the related discussion papers which might be prepared for tabling in the Talks to facilitate the achievement of the Government's objectives.

3. The key message of the Handling Plan is that we cannot expect to be able plot the course of the negotiations in any detail (as the Irish would clearly like) and will need instead to be ready to respond flexibly and effectively to developments. However, there are a number of positive factors in the situation (summarised in paragraph 2) which we should seek to exploit and some broad handling objectives (see paragraph 7) which it seems desirable to pursue.

4. More generally it will be important for the Government Team to dispose itself so that information is rapidly transmitted around the system; policy and tactical decisions taken on the best possible basis (ie with the fullest possible information, analysed from a number of perspectives); and those decisions communicated effectively to all those with a role to play in implementing them. The Handling Plan identifies various ways in which the Government Team will be able to exercise direct and indirect influence on the course of the negotiations.

5. To pull the Government's approach together I suggest

- regular briefing sessions each morning, at which officials would hope to present a short written handling plan for that day's business. Other briefing meetings might be held during the day as necessary: where

CONFIDENTIAL

possible these should involve (including via the VCR) people outside those actually participating in the negotiations, to help avoid "group-think"

- periodic stocktaking meetings to reflect on overall progress
- rapid reporting to and daily official level liaison with Cabinet Office/No 10, the FCO/Dublin Embassy and other Departments as necessary
- regular reports to the Prime Minister and colleagues on NI. Quite apart from his interest in the issues and the political salience of the whole exercise, there may well be more occasions than in 1992 on which the Prime Minister's personal involvement would be valuable, eg in speaking to the Taoiseach, meeting the main Northern Ireland party leaders (especially Mr Trimble) from time to time and influencing the US Administration. We are also perhaps more likely than before to get into a substantive discussion of "Strand 3" issues which might require the attention of the Foreign Secretary and other Cabinet colleagues
- arrangements (by the Security Directorate and Sir David Fell) to keep the security forces and the Northern Ireland Permanent Secretaries briefed on relevant developments.

Conclusion

5. I trust Ministers will find the attached paper helpful. It might be desirable to convene a short meeting to

- run through the initial broad handling objectives suggested in paragraph 7

CONFIDENTIAL

- 3 -

CPL-MAIN/7959

CONFIDENTIAL

- review the channels/means of influencing the negotiations identified in paragraph 11 and confirm that arrangements are in place to exploit them effectively

- confirm the routines proposed above.

(Signed)

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CONFIDENTIAL

- 4 -

CPL-MAIN/7959

TALKS HANDLING PLAN

1. Possible Government objectives in the Talks are summarised in Annex A.
2. The Talks process faces significant procedural and substantive hurdles. However, there are some plus points:
 - the Talks will bring many of the key protagonists together to debate the issues face to face. HMG has the opportunity to escape from the unenviable position of having to explain and interpret the various parties' views to the others. Direct exchanges should improve understanding, carry more weight and be more effective
 - the Talks agenda is capable of embracing all the issues which all the participants want to discuss. This maximises the scope to promote implicit trade-offs and increases the possibility of producing a balanced package, across all the strands of discussion, which is capable of securing widespread endorsement
 - the Talks take place against the background of a widespread consensus on the key constitutional issues and involve an Irish Government which is politically and temperamentally far more ready to express its acceptance of the principle of consent formally and unambiguously. The position adopted by the then Irish Government in 1992 was the major obstacle to the success of the 1992 Talks: the new consensus may make it much easier to find a way through
 - although not all parties would acknowledge them as such, the Framework Documents provide a reasonably good guide to the general shape of the political

CONFIDENTIAL

accommodation which is likely to emerge. Even if some adjustments are required, the existence of the Framework Documents should make it easier to produce a re-balanced package

- both Governments are fully committed to the Talks and have bi-partisan support at Westminster and in the Dail respectively, and the positive support of the US Administration

3. The launch of the Talks will represent a significant shift. In some respects HMG's role (indeed the role of both Governments) will become less obviously central because there will be 9 or 10 autonomous participants and at least a couple of Independent Chairmen, all of whom will be able to influence the course of events. However, HMG will have

- very substantial direct influence as co-sponsor of the Talks, co-sponsor of the Independent Chairmen, Chairman of meetings on Strand 1 issues, a major participant in every strand of the negotiations and an influential member of the Business Committee, especially as the one in control of most of the administrative arrangements
- potentially very significant indirect influence through its various relationships with other key players - the Irish Government; the main Unionist parties, especially the UUP; the Loyalists; the Independent Chairmen; and the US Administration. We might also aim to build up relationships with the SDLP and (if appropriate) Sinn Fein.

4. We should aim to use all these sources of influence coherently and effectively to promote convergence in the Talks.

CONFIDENTIAL

CPL-MAIN/7959

- 2 -

road Strategy

5. The Handling Plan for the opening plenary, reflected in the "Opening Scenario", is intended to lead to a situation in which the opening plenary closes having

- secured total and absolute commitment to the Mitchell principles
- "addressed" the Mitchell proposals on decommissioning
- established a Business Committee
- adopted a comprehensive agenda
- adopted procedural rules
- agreed on a format for handling decommissioning issues.

6. The key to any successful negotiation is that every participant must gain at least some of their objectives and must not be required to concede any of their vital interests. To develop confidence among the participants it would be desirable to encourage or facilitate (as early as possible) debates which illustrate for the various participants that none of their vital interests are threatened and that some of their desirable objectives could be achieved. The various opening statements may be helpful in this regard.

7. The Government's aims thereafter might be to

- get the Forum up and running with a minimum of fuss and embarked on a useful and non-threatening programme of work
- promote early general agreement on an indicative timetable for the Talks, to facilitate the sensible scheduling of Talks and Forum business

CONFIDENTIAL

- ensure (if Sinn Fein is present) that progress in the substantive political negotiations is not held up pending actual decommissioning. Evidence of real engagement on the substantive political issues will significantly increase the chances of securing at least some decommissioning during the talks
- encourage the Talks participants to concentrate initially on "Strand 2" issues and use that agenda as the "spine" for the negotiation, tackling relevant "Strand 1", "Strand 3" or "constitutional" issues as they arise
- proceed from a consideration of general principles/common interests towards concrete institutional proposals and their practical implications
- move as rapidly as possible to a "Sub-Committee" format to allow the key negotiations to take place between the small teams from the two Governments and the [five] main parties, with regular reporting back to plenary meetings of the relevant strand to give the parties an input
- look for regular "overall" plenaries, including to take reports from the decommissioning Sub Committee.

8. The negotiation of the agenda is likely to be a protracted and difficult exercise, especially given Mr Trimble's firm views. Among the advantages of HMG encouraging an early concentration on "Strand 2" issues are that

- it would be consistent with Mr Trimble's preferences (and the DUP have also indicated that they would like to consider North/South issues early on). Mr Trimble's

CONFIDENTIAL

- 4 -

CPL-MAIN/7959

CONFIDENTIAL

desire to run discussion of Strand 2 and Strand 3 issues together could probably be accommodated fairly easily and naturally

- all the participants would be entitled to be present on an equal basis, so there would be no awkwardness at this early stage about having to exclude either the Irish Government or the Northern Ireland parties from full participation in whatever was going on
- it would bring the Independent Chairman into play without any requirement to hang around with nothing to do
- there is unlikely to be much scope for further consideration of Strand 1 issues until the wider relationships are a little clearer (at which point it would certainly be desirable to revisit them)
- an early focus on "Strand 2" issues should this time produce at least a signal of the Irish Government's contingent readiness to promote the amendment of Articles 2 and 3 of the Irish Constitution (in the right circumstances) which would help to bind the Unionists into the negotiation by demonstrating that something of value to them was indeed likely to be obtainable. We and the Unionists could reasonably expect to capitalise on the Downing Street Declaration, the Framework Documents and the report of the Dublin Forum for Peace and Reconciliation
- in many ways the nature and scope of any North/South institutions are indeed at the heart of the overall negotiations so it makes some sense to tackle these issues - at least in general terms - at an early stage.

CONFIDENTIAL

- 5 -

CPL-MAIN/7959

CONFIDENTIAL

The advantages of moving to a "Sub Committee" format were amply illustrated in the early part of the 1992 Talks: once plenary had adopted the Common Themes and Common Principles, virtually all the key developments in Strand 1 took place in the various Sub Committees. Sub Committees drawn from a sub-set of the participants in the parent plenary would

- bring relevant negotiators together on particular issues and reduce the numbers involved in working meetings to a manageable level
- give Sub-Committee members greater freedom to express and explore new positions, because they could always claim to be doing so ad referendum. (This works best when members of Sub-Committees do not include delegation leaders who cannot so easily speak less than authoritatively; that contributed to the relative failure of the "Strand 2" Sub Committee in 1992.)
- give delegations not represented on the Sub-Committee an opportunity to express their views when the Sub-Committee reports to the relevant plenary and to endorse or seek to amend any conclusions.

10. Beyond these broad handling objectives there is probably little value in trying to predict or plan the shape or course of the negotiations at this stage. The complexity of the issues and the number of other autonomous players would render any such attempt futile. They key will be to respond flexibly and effectively to developments in the negotiations and to encourage progress towards convergence on something like the model sketched out in the Framework Documents.

CONFIDENTIAL

- 6 -

CPL-MAIN/7959

tactical Devices

11. In exercising its direct and indirect influence to this end HMG should

- exploit the Business Committee. This is now established as a key part of the negotiating machinery, operating within certain constraints - in particular that it must not get involved in the substance of the negotiations. It nevertheless proved its worth in 1991 and 1992 as a device for moving potentially awkward procedural issues out of plenary and into an arena where they can be handled more effectively; and as a very useful piece of liaison machinery across the Talks as a whole

- maintain and develop the best possible bilateral contacts with all the Talks participants. Particular members of the team might be designated as having lead responsibilities for particular parties
 - the Irish Government: we should maintain close liaison, at both Ministerial and official level with a view of maintaining a common line in the negotiations (many other participants have an interest in splitting the alliance) and promoting constructive progress on an agreed basis. Besides formal meetings to discuss "Strand 3" issues, Ministers should have regular "Adare" type meetings with Irish colleagues and officials should maintain constant liaison via the Embassy, the Secretariat and the Liaison Group. The Prime Minister might speak to the Taoiseach from time to time and John Holmes keep in touch with Paddy Teahon

CONFIDENTIAL

- the two main Unionist parties, especially Mr Trimble: they will need constant persuasion and reassurance about issues arising in the negotiations and Mr Trimble in particular will value any efforts made to discuss forthcoming issues privately with him. There may also be a need to work quite hard on the Unionist parties in relation to the role of the Forum. The Prime Minister may have a role to play from time to time but the main burden of sustaining this contact will fall to the Secretary of State and Michael Ancram. Officials (PAB and Talks Team) will also seek to build up the confidence and commitment of the Unionist delegations

- the SDLP: it would be desirable if they did not fall into a habit of dealing only with the Irish Government during the Talks. There could be advantage in seeking occasional bilaterals at Ministerial level as well as working on official contacts, which in PAB's case are already extensive

- the Alliance Party: Alliance can often play a useful role in identifying sources of disagreement, pointing out logical inconsistencies and offering pragmatic solutions to problems. Again, occasional Ministerial meetings and ongoing official contact would be valuable

- Sinn Fein: If they are or become party to the negotiations it would be desirable to rebuild contacts with them. Again, it would be desirable if they did not naturally turn to the Irish Government during the negotiations. We need a direct line on their thinking and it would be desirable to ensure that they hear our analysis

CONFIDENTIAL

- 8 -

CPL-MAIN/7959

CONFIDENTIAL

direct. Mr Thomas might have lead responsibility for this relationship but occasional bilaterals with Ministers could be very helpful. A Prime Ministerial meeting might be a powerful card at the right juncture

- the Loyalist Parties: we should encourage and guide them through a novel and difficult experience and address particular concerns they may have about the process generally, decommissioning in particular and perennial issues such as prisons. Mr Leach might have a lead responsibility for maintaining the relationship but occasional meetings with Michael Ancram could be valuable

- other parties participating in the negotiations: apart from contacts in the negotiations themselves and in the margins, eg over coffee, this may need to be rather more left to officials (PAB in the lead), although Mr McCartney would need to be seen by Ministers from time to time.

- keep the US Administration fully briefed, via the Washington Embassy, the US/London Embassy and through regular contact with Tony Lake, (either via Michael Ancram or John Holmes). Given Senator Mitchell's involvement, the US Administration will have a major interest in securing a constructive outcome from the Talks and if we can point their influence in the right direction it could be very effective with certain of the parties. IPL, in liaison with the FCO and US posts, will ensure that adequate and appropriate briefing gets out to all the relevant Irish/American opinion-formers. Similar though less extensive measures may need to be taken in relation to Canada, the EU and other countries with a particular interest

CONFIDENTIAL

- 9 -

CPL-MAIN/7959

CONFIDENTIAL

- work hard to build strong working relationships with the Independent Chairmen. It would be desirable to convey an impression of purposive efficiency right from the beginning even in details in arranging accommodation and other facilities. So far as the substance of the negotiations are concerned we should demonstrate that we have clear and workable ideas on the way ahead and participate constructively in the discussions. It may not be appropriate to seek regular bilaterals at Ministerial level, though we should not let the Irish get ahead in that regard; but it would be highly desirable to establish discreet avenues for informal contacts with the Chairmen and their staff. CPL and SPOB (in respect of the Decommissioning Sub-Committee) might aim to develop such links at an early stage

- exploit other procedural devices as appropriate, eg
 - convening or proposing leaders' meetings
 - tabling discussion papers to facilitate progress and shape the course of discussions
 - encouraging other participants to table papers on particular issues. This can force people to formulate and occasionally rethink their positions; it also gives other parties a firmer basis for analysing and responding to those positions
 - providing written/oral presentations, eg to explain a particular economic or social issue or a piece of machinery of government, in order to provide the basis for more informed debate

CONFIDENTIAL

- 10 -

CPL-MAIN/7959

CONFIDENTIAL

- recommending the referral of points of difficulty to a committee of technical experts (apparently utilised to good effect in the negotiations which led to the constitutional settlement in South Africa)
- calling for adjournments or suspending/proposing the suspension of proceedings if the discussion looks like degenerating.

CONSTITUTIONAL AND POLITICAL DIVISION

5 JUNE 1996

CONFIDENTIAL

- 11 -

CPL-MAIN/7959

TALKS HANDLING PLAN - OBJECTIVES

1. HMG's objective in the Talks is, essentially, to
 - secure agreement on a comprehensive political accommodation in relation to Northern Ireland which has the potential to provide lasting political stability and underpin a lasting peace

2. If Sinn Fein joins the Talks, either at the outset or later, the Talks could directly secure long-term peace in Northern Ireland as part of a political settlement. If Sinn Fein is absent the Talks could nevertheless provide an opportunity to bring about a comprehensive political accommodation which would itself put real pressure on Sinn Fein/the IRA to abandon the armed struggle.

3. Given the investment of time and effort and the holding of elections, it is less easy than before to envisage fall-back objectives which could be counted as successes, but they might include:
 - making demonstrable progress towards a comprehensive political accommodation and concluding on a basis which allows for the possibility of a resumption or for the overall objective to be taken forward in other ways. Progress might be demonstrated through agreement on a statement of principles

 - identifying a proposition or propositions which could be tested in a referendum

 - avoiding the blame for any failure to reach full agreement and, in particular, maintaining the trust and confidence of all sides in order to maximise the prospects for future attempts to promote constructive political development in relation to Northern Ireland.