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Oifig an Taoisigh
Office of the Taoiseach

20 November, 1995.

The Right Honourable John Major, MP,
Prime Minister.

Dear John

Thank you for your letter. I appreciate the thought you have put into your response. Likewise I have examined your proposals very carefully with Dick Spring, Proinsias de Rossa and our officials. I do believe some limited changes and elaborations are necessary before we can go ahead. I enclose an amended communiqué and a draft answer to questions about Washington Three, which we can consider in our next phone conversation. They can provide the principal focus for our discussions.

I share your concern at the ominous signs of increasing polarisation evident in the situation since last August. There are disquieting signs within the nationalist community of serious disillusionment at the failure to build on the momentum of the peace, with obvious consequences for the authority of those who called and sustain their ceasefire. It is now more vital - and urgent - than

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ever to build political momentum so as to underpin the unique opportunity of this peace with a lasting political settlement.

I do not share your assessment of the impact of my speech last Saturday week.

You acknowledged in your earlier letter, and my public record abundantly confirms, that I have always taken extraordinary pains to take account of unionist concerns myself, and to encourage others to do so. Indeed the unprecedented emphasis I gave to this dimension gave rise to some misconception on the nationalist side that it was at the cost of neglect of their legitimate and equally important concerns.

I was at pains to make clear in my speech that I am fully concerned for both, and to set out in detail my views in that regard.

Both our Governments have formally and explicitly recognised, in the Joint Declaration and the Joint Framework Document, that a totally new dispensation is needed in relation to Northern Ireland. We affirm the principle of consent as the key protection of unionist rights, but we equally acknowledge the need for extensive change and totally new political structures if nationalists in Northern

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Ireland are also to have ownership of the institutions governing them - a requirement equally necessary for justice and stability.

Indeed I think it would be helpful on your side to make clear that the British Government, in the exercise of a wider responsibility which transcends the unionist agenda, remains committed to the balanced approach and the philosophy underlying these documents. It would in particular be helpful if you could find an early occasion to reassure nationalists that their political future and rights are not once again being decided, as they still fear, as a function of unionist requirements. We must both show clearly, as I did in my London speech, that our intergovernmental agenda remains resolutely dedicated to reconciling the rights of both communities.

I accept that, while unionists do not have a veto, there can be no settlement without them. Nor can there be a settlement without broad nationalist support.

As regards an elected body, I made clear in my last letter that David Trimble's proposals should be given a respectful and constructive hearing and I will work to ensure this. At the same time you will be aware of the very strong nationalist opposition to such an approach.

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We must, therefore, ensure that David Trimble's proposals are treated in a way which does not prejudice the prospect of a constructive hearing but, equally, which does not weigh the scales against the general nationalist view. I might add that there will be a strong onus on David Trimble to allay nationalist fears that his proposal resiles from the position established in the 'Brooke Talks', particularly as regards the role of the two sovereign Governments, and to address the practical objections in terms of the potential for increased polarisation of such an election campaign, excess of negotiating numbers and so forth.

As to the remaining difficulties:

I consider the International Body will be of value in direct proportion to whether it offers to transcend the present impasse, as opposed to merely postponing it for a few weeks. That impasse centres mainly on "Washington Three". For that reason it must be agreed between us that the Body will deal with this aspect and that, at a minimum, there is an open mind on your side on the possibility of an alternative approach, and a readiness to consider such an alternative on its merits, and that this will be made clear in your public statements.

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I agree that we are looking at a date that is a firm aim, rather than a fixed date, but there is an understandable scepticism across the nationalist spectrum about unionist intentions in this regard, and the ability of the Governments to reach that objective. For that reason, we should spell out more fully the proactive role that the two Governments will play in the preparatory talks to lend conviction to the objective. I believe we should also agree, to underline the seriousness of our resolve, to meet jointly with the parties to review the situation and to consider the way forward, when we have the mid-January report of the International Body and the results of our first round of political contacts.

On the question of arms, I believe there is a general acceptance that there should be no equivalence between paramilitary and security force weaponry; that it is accepted that Sinn Féin may put, and the Body take cognisance, as it sees fit, of Sinn Féin's views on this issue generally; and that a diminishing threat gives scope for constructive responsive measures on the British side.

I believe the formula "the removal of arms now silenced" might reflect this position without prejudice to the fundamental positions on either side.

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As to punishment beatings, I have condemned these publicly on several occasions and they have been frequently raised in our contacts with Sinn Fein, including most recently at a meeting which Dick Spring had on Thursday last with Martin McGuinness. They are an abomination by any civilised standards.

I believe, subject to our being able to reach agreement on the outstanding points identified in this letter and attachments, that our Summit meeting should be in Ireland and, if we can finalise agreement, I would be agreeable to either 24th or 25th November with a preference for the meeting to be on the 24th. I would be happy if our officials would meet on Wednesday afternoon. I suggest that the meeting should be in the Butler/Teahon format.

I agree with you that the process needs, at this stage, to be led by the two Governments, working as closely as possible together. I am sure you will appreciate that a decision to go ahead carries very significant political risks for my Government and me, given the public stance recently taken by the SDLP and Sinn Féin. Their public stance has been reinforced in even stronger terms in private meetings.

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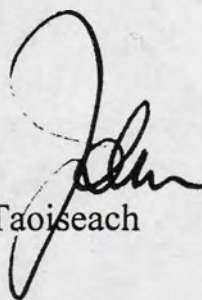
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I agree completely with you on the crucial importance of the support of the United States for our common endeavour. I am, therefore, sending a copy of the amended communiqué on an equally private basis to the President.

I look forward to our phone conversation tomorrow afternoon.

With warmest personal regards

Yours sincerely,


Taoiseach

DRAFT QUESTIONS AND ANSWERS

ON

WASHINGTON THREE

1. Is the Washington Three test within the remit of the International Body?
"Yes".

2. What is your position on the Washington Three test after a satisfactory report from the International Body?

"My Government will, as set down in the agreed communique, consider all aspects of the Body's recommendations on their merits".

3. Does this mean you will not necessarily insist on the Washington Three test?

"The underlying requirement is, and always has been, to underpin confidence that political progress will be achieved in an atmosphere free from violence or the threat of violence. That is the context in which the Washington Three test arose. A successful twin track process will generate momentum and increase confidence in a way which will make it easier to deal with this matter. As I have just said, my Government will, as set down in the agreed communique, consider all aspects of the Body's recommendations on their merits".

a political settlement based on consent. (subsequent all-party political negotiations should be.) These talks will have an open agenda, allowing any party to raise any relevant matters. These matters could include (matter, including) how best the structure and format of negotiations, involving both Governments and all the relevant Northern Ireland parties, directed to addressing in a comprehensive manner all the relevant relationships in a single three-stranded process, can properly take account of democratic mandates and principles, including whether and how an elected body could play a part at some point in the process.

4. In jointly managing the process of preparatory talks, the two Governments (each Government) will build on existing exchanges and bilateral contacts, treating each party on an equal basis, and will encourage other formats for meetings with the parties and among the parties which might further the objective of the preparatory talks. In particular, the two Governments propose to meet parties jointly, as far as the parties will agree, and to convene, as the Governments judge appropriate, meetings involving two or more of the parties by agreement with the parties concerned.

5. In parallel, the two Governments have agreed to establish an International Body to provide an independent assessment of the decommissioning issue.

6. Recognising the widely expressed desire to see all arms (weapons) removed from Irish politics, the two Governments will ask the International Body to report on the arrangements necessary for the removal from the political equation of arms now silenced (of those arms and other material silenced by the

statements of 31 August, 1994 and 13 October, 1994 from the political equation).

7. In particular, the two Governments will ask the Body to:

identify and advise on a suitable and acceptable method for full and verifiable decommissioning; and

report whether there is a clear commitment on the part of those in possession of such arms to a satisfactory process to achieve that in the appropriate context and manner.

8. It will be for the International Body to determine its own procedures. The two Governments expect it to consult widely, to invite relevant parties to submit their analysis of the issue of arms (the decommissioning issue) and, in reaching its conclusions, to consider such evidence on its merits.

9. (In establishing the Body,) The British Government reaffirms its willingness to continue to take responsive measures, on the advice of the security forces, as the threat reduces. (movement on such arms reduces the threat).

10. The two Governments have invited Senator George Mitchell to chair the Body, and have invited [...] to serve as the other members of the Body.

11. The two Government have asked the Body to submit its report to the two Governments by mid-January 1996. (Neither Government, nor any other party

co-operating with the work of the Body, is bound in advance to accept its recommendations, which will be purely advisory and not operational). The two Governments will consider carefully any recommendations it makes and give them due weight on their merits.

12. To that (this) end, and to review progress in the preparatory talks (and towards the target date) for all-party negotiations, the two Governments plan to call a one day conference with all the parties before end January 1996. (to meet again by mid-February 1996).



10 DOWNING STREET
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17 November 1995

CONFIDENTIAL - PERSONAL

THE PRIME MINISTER

Dear John,

As I promised in my previous letter, I am now able to send you proposals which should, I hope, give us the best possible chance of breaking the recent impasse.

In the spirit of our exchanges, I would like to give you a very frank explanation. I would be grateful if you could hold this letter privately.

After the last meeting between Michael Ancram and Martin McGuinness — on 3 November, we made a careful analysis of the positions of all intended participants in the twin track initiative. Every party has reservations about some element of it, yet the view of the majority is that it represents our best hope of moving forward — and no-one has come up with a better alternative.

I therefore believe that the reasons which led you and me to favour this approach several months ago still hold good. I am still ready to go ahead with it, though it is not without difficulties for us. I hope you are, too. Although Sinn Féin's talk of a crisis has been artificially generated to apply tactical pressure, it risks becoming a self-fulfilling prophecy. I am also concerned at the signs of increasing polarisation since September. So I continue to think that we should move ahead as quickly as possible and inject more momentum,

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ideally before Bill Clinton's visit (if it goes ahead).

Your letter of 5 November was timely, as it arrived when we were in the middle of shaping our new proposals and provided helpful input. As you will have seen, we have also had recent exchanges with all of the parties. This has caused a slight delay in completing our paper, but has been an essential element.

You asked in your letter for my current assessment of the position of the Unionists. Patrick Mayhew, Michael Ancram and I have between us had extensive discussions with David Trimble, Ian Paisley and Robert McCartney.

My assessment now is more sombre than it would have been a week ago, because your speech last Saturday, as you will know, has unfortunately negated much of the good done previously by your acknowledgement that the Unionist viewpoint had to be taken into account. I am in little doubt that the DUP (which since the summer had been showing encouraging signs of a more constructive approach) will remain extremely critical of the twin track initiative. However, if we both handle the initiative fairly, and if there is serious consideration of an elected body, I think there is a chance (I would put it no higher) that their approach may change over time. There is also a chance of involving Bob McCartney in the preparatory talks, if the UUP take part.

The Ulster Unionists hold the key. I had a further long meeting with David Trimble yesterday. He finds it very hard to accept the idea of joint management by the two governments of the twin-track process. To Unionists, your speech is seen as evidence that even an Irish Government led by you will seek to play a partisan role in Northern Ireland's internal affairs. They are concerned that your Government would be on the opposite side of the

negotiating table, rather than at its head. He was insistent on the need for the Provisionals to show tangible progress on decommissioning, and thought his supporters would see little distinction between the preparatory talks and the all-party political negotiations.

David Trimble has formally reserved his Party's position. I cannot be certain how will react to the initiative. He warned me to expect criticism. However, my best guess is that the UUP might be prepared to take part, at least bilaterally, in the preparatory phase, if it were clear that this phase would include serious consideration of proposals for an elected body. Nor was he rigid about the nature of that body. David Trimble's joint document with Bob McCartney and the DUP on Wednesday referred to a constituent assembly. In private, he and John Taylor talked to me about a time-limited elected body which, among other things, would have to have a North/South aspect - ie this would not be a step towards an internal settlement, and could fit into a three-stranded talks process. There are obvious difficulties, but such a body (within which the parties would nominate teams of negotiators) could possibly provide a format in which Unionists would be prepared to join in discussions with Sinn Fein and others.

David Trimble is sceptical that there would be more than token discussion of this idea in the preparatory talks. If you can assure me that you would be ready, as I am, to look at it in earnest and to encourage John Hume to do so, that could be a vital factor in bringing the UUP into the process.

I would like to discuss this further with you. We must not forget that our objective is all-party negotiations. I see no merit whatever in pursuing a route leading to negotiations without any Unionists (which was implicit in the recent Hume/Adams statement). Unionists account for nearly 50 per cent of the Northern Ireland electorate, and there cannot be a settlement without them.

They of course do not have a veto. Nor, however, should any other party - and it is the Hume/Adams position, not that of the Unionists, which has been the main obstacle to the twin track initiative.

Let me turn now to the details of our proposals. Some useful progress was made in Michael Ancram's talks with Martin McGuinness before Sinn Fein broke off. In particular, as you noted in your letter, Sinn Fein's agreement to speak to the international body authoritatively on the position of IRA weapons and how they can be decommissioned was a significant advance. For the first time, it opened the prospect that the international body could have productive and detailed exchanges with a Sinn Fein delegation. McGuinness also told Michael Ancram that Sinn Fein were working on a submission in reply to the paper we gave them (in the Spring).

On Sinn Fein's own analysis, this leaves only two significant issues standing between them and full co-operation in the twin track initiative. On each of these issues, there is common ground between our two Governments (shared also by the US Government): and I can see no reason why Sinn Fein should not come on to that common ground. Our proposals therefore seek to reflect the common understanding of the three Governments in a user-friendly manner.

The first issue is whether there should be a target date for all-party negotiations, as the three Governments agree, or a fixed date irrespective of progress in the twin track initiative - as Sinn Fein have demanded. I do not believe that Sinn Fein's demand is their bottom line. They must know that it is neither negotiable nor reasonable: it would make a farce of the twin track initiative. Our impression is that it is psychologically important to Sinn Fein to see a commitment by our two Governments to the target of initiating all-party negotiations within a specified time-frame. I can understand that. Without a

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time-frame, the scope for filibustering by one party or another would be obvious. I am ready to stand by the time-frame we suggested in September, which we judged to offer a realistic period for the international body and the preparatory talks to make the necessary progress. We would use our best endeavours to achieve this, in good faith. I should be interested in your views.

The second outstanding issue is whether the international body's remit should be limited to the weapons and explosives illegally held by paramilitaries. There is of course no question of the British Government equating the legitimate weapons of the police and the Army with the illegitimate weapons of paramilitary groups. Neither you nor the Americans are arguing that we should do so, and I would not expect any democratic Government to entertain such a proposition. Until the 3 November meeting, Sinn Fein appeared to share the understanding of the three Governments on this point, and our discussions with them were focusing on how it could most appropriately be expressed. On 3 November, Martin McGuinness surprised us by demanding that the international body's remit should extend equally to the weapons of the security forces, and that the body should be tasked with making recommendations about those weapons. This is not a tenable position for Sinn Fein. They of course will be able to say what they like to the international body - no-one is going to gag them. We have made this clear to McGuinness and Adams many times over. We have also devised a form of words which steers very reasonably around terminology to which they are allergic.

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I do not see the third of our Washington principles as a problem at this stage. I recognise that we are not yet in full agreement over it, though I know that you share my desire to see decommissioning begin. We do not need to rehearse the arguments now. The important point is that the twin track proposals do not require any participant to resile from stated positions. These positions need not be mentioned in the statement, but would be available in

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response to any subsequent questioning. As necessary, we shall confirm the British Government's view that a start should be made to actual decommissioning before all-party constitutional talks get under way. We shall also point out that a successful twin track process would generate momentum and increase confidence in a way which should make it easier to deal with this matter.

With this letter, I am sending you a draft statement which embodies our proposals. I believe that it represents a position all participants should now be able to accept. I hope that they will all have the courage to do so. The statement stems from our earlier joint work, and from the building blocks paper. I am informing the leaders of the parties that we have made further proposals to you, but I am not sending the draft statement to any of them. I see it as a document to be agreed first between our two governments, and which we would put forward on our own responsibility (as we did with the Downing Street Declaration and the Joint Framework Document). The support of the United States will of course be vital, not least because we both want George Mitchell to lead the international body. I shall therefore be sending a copy of the statement on a strictly private basis to Bill Clinton.

If you can agree to go forward on this basis, I think we should lose no time in putting out the statement. I would therefore invite you to London for a Summit meeting next Friday, 24 November, to launch the statement. (This is a date which our offices agreed in September to hold in reserve. However, I understand that it is now the date also for your referendum on divorce. You may feel that you should not be away on that day, in which case could we meet on the morning of Saturday 25 November?)

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on 21 November, which would fit this timetable well. There will also be an urgent need to resolve the outstanding practical issues to do with the international body, on which we gave proposals to your officials earlier this week. If we are to set ambitious target dates, there must be no delay in setting the body to work.

Finally, at the risk of extending a very long letter, could I mention the repugnant practice of punishment beatings? I was sorry that you did not mention this in your speech last week. Since their ceasefire, the Provisionals have carried out over 150 of these vicious assaults, and Loyalist paramilitaries account for nearly another 100. Without erecting any additional conditions, we must insist that both sides end this violence now. Quite apart from the need to abide by exclusively peaceful methods, the humanitarian case is overwhelming. I hope you will join me and others in opposing these beatings publicly and privately. I understand that the White House took the point up with Adams earlier this week and it would be helpful if your government could do so as well.

I think we have now reached a critical juncture in our joint endeavour. While I reject the thesis that violence is bound to return if talks do not start soon - I am not prepared to be blackmailed - I do see an urgent need for a political process which involves all the parties. I also think that it would best be led by our two governments, working as closely as possible together. I think a Summit meeting next week to launch the joint statement would give the peace process a huge boost. I very much hope you will agree. Could we discuss this by telephone on Monday?

Mr John Bruton TD

