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PERSONAL - IN CONFIDENCE

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19 JUN 2000

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M's cc Baker

10 DOWNING STREET
LONDON SW1A 2AA

From the Private Secretary

15 May 2000

3a, 20a, 24, 25a, 58

Dear Dermot,

The Prime Minister and the Taoiseach spoke this morning about the letter which Peter Mandelson will be sending to David Trimble later today. I enclose the text of the letter for your information. We will make sure that Seamus Mallon and Gerry Adams are aware of the text before the letter issues.

Yours ever,

JOHN SAWERS

Mr Dermot Gallagher

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TEXT OF A LETTER FROM PETER MANDELSON TO THE RT HON DAVID TRIMBLE MP MLA, TO ISSUE ON MONDAY, 15 MAY

You raised a number of points with the Prime Minister and me in the course of our recent discussions. I have discussed them again with the Prime Minister, and this letter sets out our views.

Punishment beatings and shootings are incompatible with pursuing political objectives peacefully. As is clear both from the legislation and our statements, their continuation will be taken into account in assessing the ceasefires.

The putting of arms completely and verifiably beyond use will need to be in accordance with a decommissioning scheme. This again is clear from the two Governments' statement on 5 May. We expect the IICD to make regular reports, whose content must be for the IICD to determine. They will be published promptly by the two Governments.

The final releases of prisoners on 28 July 2000 can only proceed if the ceasefires are maintained. Our judgement on that will take into account, among other matters, any act of violence by paramilitaries and whether there is full co-operation with the IICD in the manner agreed.

The Northern Ireland Act 2000 will not be repealed. The Assembly and the North/South bodies are interdependent. If the Assembly collapses, the North/South Ministerial Council will not meet and the functions of the implementation bodies will, within a reasonable period, return to where they

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came from. In the event of direct rule, we will remain faithful to the spirit and letter of the Agreement.

Northern Ireland is legitimately part of the UK. In accordance with the commitments in the Agreement, we will look to recognise that in visible but sensitive ways.

I will be inviting the new Policing Board to agree the design of the service badge. Obviously, I shall need to take a power in the Police Bill to decide the issue in case they are unable to agree.

Our intention is that policing and criminal justice functions should be devolved sooner rather than later, and as soon as possible after the enactment of legislation on the Criminal Justice Review. In relation to criminal justice functions, we would be ready to include a date in the implementation plan for the review.

We will bring forward early legislation on electoral fraud. I would hope to find Parliamentary time for this before the General Election, although the timing of this will obviously depend on the timing of the Election.

I know your concerns about flag flying from public buildings. I do not want this to become a running sore within the Executive. Consequently, I will take the power by Order in Council to provide a proper legal basis for the regulation of the flying of flags, including on official flag days. I will of course consult fully with all parties before exercising it.

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You have made a strong case over the issue of the police name and the need to demonstrate clearly, as indeed the Patten Report states, that the RUC is not being disbanded. The Government is well aware of the deep concern over this issue. I can confirm that the Royal Ulster Constabulary is not being disbanded. I believe that we can find ways of retaining the RUC name consistent with implementing the reform proposals of the Patten Report, and we will do so in a manner which shows sensitivity to the views of the entire community and does not present any obstacle to the aims we all share: balanced recruitment from both traditions.

S believe that the legislation can make provision for permanently ~~changing~~ changing the RUC NAME in a ~~manner~~ consistent with the reform proposals of the Patten Report.

& S believe that we can find a way of keeping an honourable and permanent place for the RUC name, ~~[illegible]~~ consistent with the reform proposals of the Patten Report.

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