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CONFIDENTIAL - PERSONAL



10 DOWNING STREET LONDON SW1A 2AA

From the Private Secretary

9 October 2001

In DCO (Whox

Dear Paul

PRIME MINISTER'S MEETING WITH GERRY ADAMS AND MARTIN MCGUINNESS

The fourth paragraph of Jonathan Powell's letter to you of earlier today included the sentence "we agreed that legislation on the OTRs would need to be *passed* by the end of March" (my italics). As I think your Secretary of State has observed, the word "passed" in this sentence should read "introduced".

Yours ever

MICHAEL TATHAM

Paul Priestly NIO

CONFIDENTIAL



NORTHERN IRELAND OFFICE Block B, Castle Buildings Stormont Estate BELFAST BT4 3SG

Tel: (028) 9052 8138 Fax: (028) 9052 8471

Senior Director, Belfast Director, Policing and Security

Ref: DJW 7799

John Warne Esq Director General Organised and International Crime Directorate Home Office 50 Queen Anne's Gate LONDON SW1A 9AT

9 October 2001

Dear John,

POST-AMERICA LEGISLATION

I am most grateful that TPU and POCU have kept us up to date on developments post 11 September. We are reasonably up to speed with the content of the various Bills in preparation.

I fully appreciate that there has not been time for the usual Ministerial correspondence on the legislative package and I understand that correspondence will issue shortly on the individual elements in the Bill. The Secretary of State has raised a couple of points with me in the past few days and I wanted to alert you to these in advance of the Ministerial correspondence. Karen Pearson discussed some of these issues briefly with Simon Dawson and Peter Storr. Karen will be in the Home Office today for a meeting with Bob Whalley and Ben Gunn and would be happy to expand on the issues raised in this letter.

Political dimension

The Secretary of State made a general observation that we must be able to handle the accusation that we are prepared to take tougher action on international terrorists than against our domestic terrorist problems. Post-Colombia and loyalist actions in North Belfast, this is a very live issue for us. No doubt you are expecting some adverse comparisons with non-Irish domestic terrorism too. There is of course a reasoned argument why the indefinite detention



proposals, for example, should apply in the asylum context only, and not read across to either bail arrangements or arguments about internment. But this is one area where we can expect some adverse criticism from those who, by a crude analogy, would like tougher action against Irish terrorism. (John Reid's main line of defence is likely to be that Northern Ireland faces a <u>residual</u> threat from terrorism that is resolving itself into paramilitary organised crime – but, as I note below, that itself entails other implications for your legislation.) The Secretary of State is in sum simply wanting assurance that the Northern Ireland dimension of the forthcoming changes is being considered carefully. We have assured him that this is the case and it would be helpful if the potentially awkward Northern Ireland comparative dimension could be borne in mind.

Last week, the Secretary of State discussed some of these issues with the Home Secretary. The Home Secretary's response was that if the Secretary of State wished him to consider any further measures for inclusion in the emergency package, we should alert him and you to these as a matter of urgency. We fully appreciate the time pressures you are under and the need for the Bill to be a coherent package of tightly drawn measures if it is to pass through Parliament quickly. We do however have a couple of observations and one or two suggestions.

Finance measures

Our first observation is that the terrorism finance measures will be particularly welcome here. In discussion with the RUC, they were unable to identify any significant finance measure which is not already covered by the emergency package or the Proceeds of Crime Bill. There is however a particular issue arising from the finance provisions. In Northern Ireland, separating terrorist from organised crime finances is probably more difficult than elsewhere in the UK. Approximately 50% of our organised crime groups have links with paramilitary organisations. In some cases, terrorist organisations are engaged directly in organised crime activities. In other cases, activities of organisations are 'licensed' by the paramilitaries. For us, the evidential distinction between terrorist and organised crime finances may be more blurred, or it is at least a relevant consideration in more organised crime cases than may be the case elsewhere in the United Kingdom. The Secretary of State, picking up the main line of defence I mentioned earlier, is keen that new measures have the widest application.

The answer to this is, I think, that the emergency package bolts on to the existing finance provisions in the Terrorism Act. Similar provisions are planned in the Proceeds of Crime Bill and what we get from this exercise is a fast track approach to improving the Terrorism Act provisions. But I should be grateful if the ambit of legislation is not so tightly drawn that the broad spectrum of counter-terrorist interests here is not lost.



Gateways

We would be very keen that these are introduced on as wide a basis as possible. We would hope that the provisions dropped from the Police and Criminal Justice Bill earlier this year could be resurrected in their entirety given that they are already drafted and because they could make an immediate impact on tackling organised crime by allowing greater information sharing.

Early release prisoners

A separate issue arises in relation to the early release arrangements for terrorist prisoners. Late last week, we were asked by No 10 to consider this issue as a matter of urgency. The problem is that the power to recall terrorist prisoners who have benefited from the early release scheme is narrowly drafted with a narrow object in view, with the result that it now offers little advantage or leverage when all qualifying prisoners have already been released and the licence conditions have proved hard to trigger. No 10 have asked us to consider as a matter of urgency whether changes to the recall arrangements are possible. We think there is scope for some improvement over the existing powers and we are considering whether this is possible in Convention terms. I shall be putting advice to the Secretary of State today and we may subsequently ask you to consider including these changes in the emergency Bill. We are mindful of the size of the Bill and the tight timetable and will come back to you on this issue as quickly as possible this week.

Retrieval of eavesdropping equipment

In addition, the Security Service has raised with us an idea which could have potentially valuable application UK-wide. I understand that this is likely to be raised directly with you but I thought I would give you early notice that this is a measure which the NIO would support. In an emergency, where there is no time or opportunity to plan a warranted, covert operation, there is no express power for the police to enter premises to recover eavesdropping equipment. The suggestion is for the police to have the power, where it is believed necessary for the purposes of the protection of national security, prevention of serious crime etc, to enter on or interfere with property in order to retrieve any equipment/device or other thing used in connection with covert surveillance. (This might be coupled with the ability to use reasonable force to prevent any occupant of or owner of the property from viewing the removal of the equipment.) The police might also be able to allow others access to the property in order to assist them with the retrieval of the equipment. The exercise of this power could then be the subject of a complaint to the RIPA Tribunal.



Admissibility of intercept

Finally, the Secretary of State is very keen to continue discussions on the use of intercept in criminal proceedings, though not with a view to inclusion in your current Bill. He will write to the Home Secretary about this in the next day or so.

I am sorry for the length of this note but I thought you might appreciate a read-out of the Secretary of State's thinking in advance of Ministerial correspondence on the package. I would also welcome a steer on whether you would like us to take soundings direct from the Lord Chief Justice of Northern Ireland at the stage of Ministerial correspondence on the various elements. Ideally, this consultation would be undertaken by the Lord Chancellor's Department but the Lord Chief Justice will often look to NIO to keep help to keep him in the loop. We are happy to consult direct provided you se no difficulties with this.

I am of course happy to discuss.

I am also copying this letter to David Manning in the Cabinet Office since the broader political points of concern to John Reid, described in the first part of this letter, may be relevant to work in hand there.

Yours sincerely

David Watkins

DJWATKINS



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9 October 2001

10 DOWNING STREET LONDON SW1A 2AA

From the Private Secretary

Iran Un O Bradaigh

The Prime Minister has asked me to thank you for your letter of 11 September.

The Prime Minister has noted your opposition to the Good Friday Agreement and your proposal for a completely new political structure in Ireland. The Agreement is supported by the majority of all the democratically elected parties in Northern Ireland, including both of the main nationalist parties, Sinn Fein and the SDLP. The Agreement also received overwhelming support in the referendums held in Ireland, North and South, on 22 May 1998. It therefore remains the priority of the British and Irish Governments to see it implemented in full.

With regard to your comments on Holy Cross School, the Government utterly condemns the recent scenes of violence in North Belfast to which young children have been exposed. The Government upholds without question the right of children to walk to school without fear or threat of violence. Indeed, a major commitment of police and army resources has been deployed in the area. The people in the area have also been assured that the police and army will continue to provide the necessary measures to protect the community for as long as it takes.

It remains the case, however, that the situation can only be resolved through dialogue between the two communities involved. The Government will do everything it can to promote and facilitate such dialogue, but it cannot dictate how it will be done.

As for the more widespread violence, the Government utterly deplores and condemns without reservation all sectarian attacks in Northern Ireland. Those who carry out these acts have nothing to offer their communities but sectarian hate and bigotry.

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-2-To be effective in eradicating the sectarianism for good, we need to achieve a lasting peace on a basis that both sides of the community can support. The Prime Minister believes that the best way we can do this is to make the vision of the Good Friday Agreement a lasting reality. Your muchy Michaelather **MICHAEL TATHAM** Mr Ruairí O Brádaigh

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10 DOWNING STREET LONDON SW1A 2AA

MASTER A

9 October 2001

From the Prime Minister's Chief of Staff

Da Part 9/100m

PRIME MINISTER'S MEETING WITH GERRY ADAMS AND MARTIN McGUINNESS

The Prime Minister, accompanied by your Secretary of State, met Gerry Adams and Martin McGuinness today at Downing Street.

Adams handed over the attached texts and said that he had given David Trimble a draft statement that he could make after an act of decommissioning (A). Trimble had responded with a less-than-satisfactory text (B). Sinn Fein would continue working on him to get something better.

Adams went on that they had a number of amendments to the texts that Bill Jeffrey had given them for a British response to an act of decommissioning. They had some people in their organisation in favour of an act of decommissioning but even they did not want to do it as a unilateral act. They would only do it in the context of decent responses from the British Government, the Irish Government and the UUP.

This was then followed by a discussion of Adams's amendments conducted, as your Secretary of State said, in the best traditions of an insurance salesman trying to close a deal before leaving the room. In the end, the Prime Minister agreed to the proposed changes at 1, 2, 5 and – with some reservations – 6 and 7. He was not prepared to agree to the changes proposed at 3 and 4. We would suggest alternative language for 6 and 7. Whilst we accepted the amendment at the end of the paragraph on criminal justice, we would need to amend the actual wording. The paragraph on demilitarisation would need to refer to a reduction in the threat. We agreed that legislation on the OTRs would need to be passed by the end of March.

The Prime Minister then pressed Adams and McGuinness on timing. If this was to be done, it needed to be done very quickly. We would be forced into suspension at some stage next week. Even more importantly, we continued to receive intelligence that the IRA were still trying to acquire weapons. This would not be tolerable in the future. We had to be clear we were moving on from a ceasefire to the end of the armed struggle. Adams protested that they had no knowledge of Colombia or of any other attempts to acquire weapons.

McGuinness, in a trademark rant, said he would welcome it if we could get decommissioning dealt with in the IICD but he could see two more road blocks coming down the track (sic). Firstly, the dismantling of the IRA and secondly, the commitment to exclusively peaceful means. He agreed with both of these, but we should not allow them to become barriers.

The meeting ended with the Prime Minister proposing that your Secretary of State meet Adams and McGuinness later today to finalise the text. We needed an act of decommissioning soon.

I have passed an outline of this account and the texts to Michael Collins in Dublin who will be seeing Adams and McGuinness at lunchtime. I have also spoken to David Campbell who tells me that he and Reg Empey will meet Gerry Kelly to look again at the UUP text this evening.

y ---

JONATHAN POWELL

Paul Priestly NIO

FA - 662 1019

DRAFT 3
8 October

BRITISH GOVERNMENT LINES

The Government warmly welcomes today's report from the IICD verifying that the IRA has carried out a substantial act of decommissioning. Resterate words of IICD Report

This is an unprecedented and genuinely historic move, which greatly

enhances the prospects for peace in Northern Ireland and for the full implementation of the Good Friday Agreement. In particular, we can and should now see the full and stable operation of the political institutions which are the democratic core of the Agreement. It is to be the following the political institutions which are the democratic core of the Agreement. It is to be the following the political institutions the good will oriend the following the participants in the Good Friday Agreement committed themselves to the total disarmament of all paramilitary organisations. The IRA's move the total disarmament of all paramilitary organisations. The IRA's move the total disarmament of all paramilitary organisations. The IRA's move the will resolving the arms issue. All paramilitary groups need now to play their papel to build on this progress.

Together with the Irish Government, we will do all that we can to implement fully the Good Friday Agreement, including through the proposals which the Prime Minister and the Taoiseach made after the Weston Park discussions. This includes:

further progress in implementing the Agreement's provisions on human rights and equality;

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the achievement of a new beginning in policing on the basis

set out in the Agreement by implementing the Patten reportant full

including a review of the new arrangements and the

introduction of legislation to amend the Police Act 2000 as to meet

described in the Weston Park proposals;

the implementation of the Criminal Justice Review, so that the criminal justice system has the confidence of all parts of the community and delivers justice efficiently and effectively through a fair and impartial system which encourages community involvement where appropriate and in Staffact and appropriate of the Rydrist standard of fair and layout all the Rydrist of the community or a whole.

as early a return as possible to normal security arrangements in Northern Ireland, subject to the assessment of the threat at the time. Provided the threat is reduced, this will include a progressive rolling programme reducing levels of troops and installations. In particular, the IRA's action as reported today has reduced the assessed security threat to the extent that the Chief Constable has confirmed that he will now proceed, as soon as logistically possible, with the demolition of the four installations mentioned in the Weston Park proposals.

- as described in the Weston Park proposals, such steps as are necessary to resolve the issue about supporters of organisations now on ceasefire against whom there are outstanding prosecutions, and in some cases extradition proceedings, for offences committed before 10 April 1998.
- We are grateful to the IICD for their patient work to discharge their important responsibilities under the terms of Agreement and to secure the putting of all paramilitary arms beyond use.

facilities For SF Mls at West minister

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Today's report from the IICD (......) is very welcome. I acknowledge its profound importance and significance. It is the clear evidence we have sought of republican good faith and commitment to the Good Friday Agreement and brings an end to the uncertainty about republican intentions.

This development allows us to move forward on the basis of equality, inclusive government in Northern Ireland and the full operation of all of the other institutions in respect of North/South and East/West relationships.

I applaud the IICD for its efforts. I accept its informed and authoritative determination and I urge others to do the same.

In light of the positive report from the IICD, the UUP ministers (will not now be tendering their resignations) (will remain in office) (will resume their offices). I will also be seeking re-election in the Assembly as First Minister.

The UUP will immediately lift the ban on Sinn Fein Ministers attending North/ South Ministerial Council meetings. In the future, the minister with relevant responsibilities for that sectoral meeting of the North/South Ministerial Council will be nominated as lead minister.

The functioning, sustainability and stability of all the institutions agreed on Good Friday, 1998, is essential to the full implementation of the Agreement.

As we move forward, the UUP will play a full part in the institutions established under the Good Friday Agreement and we will not seek to exclude or prevent others from playing their rightful part, in accordance with the Pledge of Office. We look forward to a renewed and intensified programme of work in all the institutions established under the Agreement.

We have lost a great deal of time. We must now move forward together to implement the Agreement in full.

I am fully committed to doing this and I would ask all others to do so also.

(Note: It would be helpful if Mr Trimble dropped his appeal against the court decision on his refusal to nominate Sinn Fein Ministers to North/South Ministerial Council meetings.)



UUP Decommissioning Response

Note in the event of actual decommissioning we would immediately seek a meeting with the HCD. We would then make a response including the following:-

In August we welcomed the agreement on the modalities of decommissioning between the IRA and the IICD, but called for the actual beginning of the process. We have consistently recognised that there are two basic fundamentals to decommissioning. First that it meets the statutory definition of making weapons "permanently unusable or permanently unavailable and secondly, that the decommissioning is verified by the IICD.

General de Chastelain and his colleagues have confirmed to us that these basic requirements have been met. [We would have preferred that it had been done in a manner that would have created greater public confidence, nevertheless] this beginning is very important in itself and of great symbolic significance.

[Ulster Unionist Ministers will remain in office.] [We call on the Secretary of State to lift the suspension of the Assembly so that all Ministers can resume office and First and Deputy First Ministers be elected.] Now that all aspects of the Agreement are being implemented, we expect that the Agreement, including the NSMC, will proceed normally and smoothly. We will continue to play our full part.

We expect that this process will result in the total disarmament of all paramilitary groups. Accordingly we call on the UVF and the UDA to begin immediately the decommissioning of their weapons. It is our earnest hope that the decommissioning issue can be left to the HCD and the various paramilitary groups. We will now focus on the continuing violence and racketeering. We will do our utmost, through the Policing Board to see that all the armed gangs are made subject to the rule of law. We call on all political, social and religious leaders for their support. We look forward to the Assembly assuming direct responsibility for this task. Only in this way can the full promise of the Agreement, the promise of a real and lasting peace be achieved.

CONFIDENTIAL and PERSONAL

FROM: BILL JEFFREY

Political Director 9 October 2001

BJ/MR/89

PS/SECRETARY OF STATE(L&B)

CC Sir Joseph Pilling Mr Watkins Mr Alston Mr Fittall Mr Stephens Mr Powell No. 10-FAX CC MT

MEETING WITH GERRY ADAMS AND MARTIN McGUINNESS

I attach a brief for this evening's meeting. It is consistent with the account the Secretary of State and Jonathan Powell have given me of this morning's discussion with the Prime Minister, and includes, for example, the PM's agreement that we will do OTRs by the end of March 2002.

I will bring with me to the meeting a version of this morning's text annotated in manuscript, as the Secretary of State requested.

[Signed]

BILL JEFFREY 11 Millbank 2 6447

Meeting with Gerry Adams and Martin McGuinness: Sinn Féin amendments to response text

1. Paragraph 1: delete "carried out a substantial act of decommissioning"; substitute whatever words are used in the IICD report.	Accept.
Paragraph 2, line 4: delete "should"; substitute "must".	Accept.
3. Paragraph 2, add at end: "To secure the full stability and sustainability of the political institutions, the Government will amend the NI Act to remove the veto afforded to First and Deputy First Ministers in respect of nominations to the NS Ministerial Council".	Resist. Not agreed at Weston Park. Could if pressed add: "In accordance with the Agreement, we support the inclusion in the Executive's representation at sectoral meetings of the North South Ministerial Council of the appropriate Minister able to take decisions in the Council on the relevant sector."
4. Paragraph 2, add: "We will repeat the legislation which enables the suspension of the institutions".	Resist. (This ought to be resisted because including it would give the political signal that we were ruling out suspension for all time, whereas - as with Scotland and Wales - there is an essential constitutional point that Parliament retains the right to legislate as it wishes. The political argument for resisting this is therefore strong, although it will not be that easy to articulate with Sinn Féin since the suspension legislation was only passed in 2000 and is simply a convenient way of saving Parliament the trouble of passing emergency legislation if suspension ever becomes necessary again.)
5. Paragraph 3, insert after first sentence: "The terms of the Agreement on the issue of decommissioning are clear, unambiguous and binding on all parties to it".	Accept.
6. Paragraph 3, second sentence, delete "so far" and "process of resolving" and amend to read: "The IRA's move represents by far the most significant progress in the resolution of the arms issue".	Resist the deletion of "so far". Accept the deletion of "process of resolving". The Sinn Féin changes have the effect of losing all sense of a continuing process, which is important for Trimble. If we keep "so far", the sentence makes more sense, and leads more naturally into the sentence about building on the progress.
7(i) Paragraph 4, second indent. Insert "in full" after "implementing the Patten report".	Resist. We have always avoided saying we are implementing Patten in full. Saying it here could be taken to mean that the amending legislation will cover existing officers taking the new oath and the revenue-raising power for the DPPs.

7(ii) Paragraph 4, second indent. Delete "including a review of the new arrangements".	Resist. Deleting the reference to the review could be taken as meaning that we are not now planning to have one before the amending legislation, which is not the case.			
7(iii) Paragraph 4, second indent. Delete "as discussed in the Weston Park proposals". Replace with "to meet these requirements".	Accept the deletion but not the substitution. Especially taken with "in full", "to meet these requirements" would be taken to mean the requirements for full implementation. What we are committed to is the legislative changes mentioned in the implementation plan. To imply any more would unsettle the SDLP.			
8. Paragraph 4, third indent. Add at end: "and is staffed in accordance with the rigorous application of the highest standards of fair employment and equality for the community as a whole".	Resist as drafted, because the Sinn Féin wording would be too risky in relation to the judiciary. The Fair Employment Act 1989 does not apply to the judiciary, and the procedures used are therefore not as transparent as in other areas. Thus, for example, there are no interviews in respect of appointments to the High Court, references are not sought and it is possible for persons who have not applied to be appointed. You could offer as an alternative: "The Government strongly endorses the recommendation in the Criminal Justice Review that a core objective throughout the criminal justice system should be to develop a workforce which is broadly reflective of the community in Northern Ireland".			
9. Paragraph 4, fourth indent. Replace the whole thing with: "a progressive rolling programme reducing levels of troops and installations".	Accept, but with the addition of "as the threat reduces" or "subject to the assessment of the threat".			
10. Paragraph 4, fifth indent. Delete "as described in the Weston Park proposals". Amend to read: "such steps as are necessary as soon as possible, and in any event before the end of the year".	Accept, but with "the end of March 2002" substituted for "the end of the year".			
11. Westminster facilities for Sinn Féin MPs.	Separate side letter after the event.			

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File cop

10 DOWNING STREET LONDON SW1A 2AA

From the Private Secretary

9/10

8 October 2001

Dear Paul

NORTHERN IRELAND:
TELEPHONE CONVERSATION WITH THE TAOISEACH

The Prime Minister spoke to the Taoiseach at about 2000 today. The call began with a short discussion about the military strikes on Afghanistan.

The <u>Taoiseach</u> said he had been in frequent contact with Adams and McGuinness over the last few days. In practice, McGuinness had been in the driving seat for much of the last two weeks. The Taoiseach preferred dealing with McGuinness: Adams was pleasant enough, but hard to get clear answers out of; McGuinness was more straightforward. McGuinness had admitted frankly that the events of 11 September had altered the political context and that the IRA had been wrong to act as they did in early August.

Sinn Fein's current preoccupation was for stronger language in the UK statement responding to decommissioning. Sinn Fein claimed they were having problems persuading "the other guys" to move. They would therefore press for a stronger statement – they were going through the same process with the Irish Government and Trimble. The Taoiseach suggested employing the kind of formulae used at Weston Park and in May 2000 – the sense that if the IRA took this step, there would be an entirely new situation creating prospects for forward movement etc. The Taoiseach concluded that Sinn Fein accepted that it was time for the IRA to move; their concern was how we would react to it.

The <u>Prime Minister</u> said he intended to have a straight talk with Adams and McGuinness. He thought the terms of a statement had been pretty much agreed with Aidan McAteer, but if necessary we could look at whether any tweaking would help. If we were confident that the IRA were decommissioning for real (and not re-stocking at the other end), this would certainly create good prospects for serious progress on demilitarisation.

The Prime Minister said we faced a big problem over timing. In about a week's time we would have to shut down the institutions. The <u>Taoiseach</u> said the IRA must do something before then. Sinn Fein were saying they only had one call on this issue: there would be a crucial session at which the IRA would have to be persuaded to do what they had backed off doing in August. The Taoiseach sensed that Adams and McGuinness wanted to sign off with the Prime Minister and himself tomorrow (they were travelling on to Dublin after London) and then make their approach to the IRA in the next few days. Adams had tried to enlist Mandela's help during his visit to South Africa, and something might be forthcoming here. The Taoiseach repeated that the immediate issue for the Prime Minister's meeting tomorrow was likely to be the wording of the UK statement.

The Taoiseach said the Colombia arrests, the events of 11 September and the US reaction to them were all putting intense pressure on the IRA. The <u>Prime Minister</u> said the writing was clearly on the wall. But the timing of any move would be crucial.

There was a brief discussion about Trimble's position. The <u>Taoiseach</u> thought Trimble now accepted an IRA move was likely. The <u>Prime Minister</u> said Trimble had remarked to him recently that he would welcome an opportunity to get the debate off the decommissioning hook, with Sinn Fein commitment judged instead by an end to violence. That would clearly be an excellent development.

The <u>Taoiseach</u> said the 11 September terrorist attacks had had the useful consequence of undermining even the very limited degree of public support enjoyed by dissident Republican groups.

The <u>Prime Minister</u> said he would call the Taoiseach tomorrow if anything significant emerged from his meeting with Adams and McGuinness.

I am copying this letter to Sir Ivor Roberts (Dublin).

Yours ever

Michael Ratham

MICHAEL TATHAM

Paul Priestly NIO



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FROM: BILL JEFFREY

Political Director 8 October 2001 010

PS/SECRETARY OF STATE - O

cc: Sir Joseph Pilling - 0

Mr Watkins - O Mr Fittall - O

Mr Stephens - 0

Mr Powell No.10 - Fax

Bup.

PRIME MINISTER'S MEETING WITH GERRY ADAMS AND MARTIN McGUINNESS

I attach a brief for tomorrow morning's meeting. To save time, I am copying it direct to Jonathan Powell, but if there is anything the Secretary of State wants to add or subtract, it can easily be redone.

Signed

BILL JEFFREY
11 Millbank 2 6447

PREM49/2162

dated 8 oct 2001



MEETING WITH GERRY ADAMS AND MARTIN McGUINNESS: 9 OCTOBER

Your main objective should be to persuade Adams and McGuinness that it is in their own interests to get the IRA to move quickly. There are signs that they are playing things long.

>> They have got into a lengthy wrangle with us and the Irish about the terms of the two Governments' responses when decommissioning happens (see below).

THIS IS A COPY. THE ORIGINAL IS RETAINED UNDER SECTION 3 (4) OF THE PUBLIC RECORDS ACT

Trimble is likely to defer unionist Ministerial resignations until the beginning of next week, but will expect John Reid to suspend the institutions within days of that happening, i.e. by about the middle of next week. The Secretary of State has declined to give Trimble an absolute guarantee, but it will not be possible to avert suspension for more than a few days. It is all too easy to envisage a situation arising towards the end of next week in which we have little option but to suspend, while Sinn Fein are saying that decommissioning may be imminent but will not happen if the institutions are suspended.

This may in fact be their tactic, either as cover for doing nothing or in the hope that if they push things off another week or so, they might be able to get the Secretary of State to call Assembly elections.

You should try to persuade them that, in the new conditions, post-Colombia and 11 September, it will not be understood if they hold off any longer and appear to be playing tactics. We can probably hold off from suspending the institutions until towards the end of next week, but no longer. If suspension makes it more difficult for them to act, they should forestall it by acting

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quickly. You could also remind Adams that it is now the best part of a month since he first told you that he and McGuinness had decided to try to get the IRA to move.

For their part, Adams and McGuinness will try to focus the discussion on how we, the Irish and Trimble will react when decommissioning happens, and in particular, whether they can be assured that the institutions will never again be threatened. You can assure them that we will definitely want to stabilise the institutions, and (without implying that the decommissioning process is unimportant) move the argument beyond decommissioning.

Adams met Trimble this morning. He told him that he was trying to get the IRA to move and would like to put to Trimble some language which Trimble would use. He didn't know when decommissioning was likely to happen, but would give Trimble some advance notice and try at that stage to agree some lines with him. Trimble kept his counsel.

We and the Irish have, as you know, been exchanging with Sinn Fein texts of what the two Governments would say. The latest draft of our text is attached. Sinn Fein are largely satisfied with the Irish version, but are pressing the Taoiseach for the release of the killers of Garda McCabe and for a more advanced position on Northern Ireland representation in the Dáil. The Taoiseach talked to Adams yesterday, and has so far resisted both points. He and Brian Cowen are likely to meet Adams in Dublin a few hours after your meeting.

Sinn Fein have been complaining that our text is hopeless, and will no doubt press you for changes. We have in fact taken most of their drafting points in the version attached. The tone is about as positive as it could be. The points they are likely to press are:

PRM 48/2162

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- Deputy First Ministers of their function of nominating Ministers to attend North/South meetings. This was raised at Weston Park, but not agreed, and would be unacceptable to Trimble. The point was, however, addressed in the draft all-party statement which emerged from Weston Park which included the following: "In accordance with the Agreement, at sectoral meetings [of the NSMC] the Executive's representation will include the appropriate Minister able to take decisions in the Council on the relevant sector".
 - Timeframe for action on OTRs. The text repeats the commitment to take "such steps as are necessary" to resolve the OTRs issue, as described in the Weston Park proposals. This catches, by implication, the commitment to do so by the end of this year. But the Secretary of State was reluctant to highlight the commitment, since there is no chance of taking legislation through Parliament on that timescale.
 - ➤ Commons facilities. Sinn Fein want a public commitment to afford the same facilities to Sinn Fein MPs as are enjoyed by other Members. We have been resisting this, on the ground that while your private commitment stands it is a matter for the Commons itself, and now is not the moment to go public. It is arguably not even in Sinn Fein's interests for it to look as though Commons facilities are part of a dirty deal on decommissioning.

PR6m49/2162

dates Brief act,

DRAFT 3 8 October

BRITISH GOVERNMENT LINES

- The Government warmly welcomes today's report from the IICD verifying that the IRA has carried out a substantial act of decommissioning.
- This is an unprecedented and genuinely historic move, which greatly
 enhances the prospects for peace in Northern Ireland and for the full
 implementation of the Good Friday Agreement. In particular, we can and
 should now see the full and stable operation of the political institutions
 which are the democratic core of the Agreement.
 - All participants in the Good Friday Agreement committed themselves to the total disarmament of all paramilitary organisations. The IRA's move represents by far the most significant progress so far in the process of resolving the arms issue. All paramilitary groups need now to play their part to build on this progress.
 - Together with the Irish Government, we will do all that we can to implement fully the Good Friday Agreement, including through the proposals which the Prime Minister and the Taoiseach made after the Weston Park discussions. This includes:
 - further progress in implementing the Agreement's provisions on human rights and equality;
 - the achievement of a new beginning in policing on the basis set out in the Agreement by implementing the Patten report, including a review of the new arrangements and the introduction

PROM 49/2162

data 80cf

of legislation to amend the Police Act 2000 as described in the Weston Park proposals;

- the implementation of the Criminal Justice Review, so that the criminal justice system has the confidence of all parts of the community and delivers justice efficiently and effectively through a fair and impartial system which encourages community involvement where appropriate.
- as early a return as possible to normal security arrangements in Northern Ireland, subject to the assessment of the threat at the time. Provided the threat is reduced, this will include a progressive rolling programme reducing levels of troops and installations. In particular, the IRA's action as reported today has reduced the assessed security threat to the extent that the Chief Constable has confirmed that he will now proceed, as soon as logistically possible, with the demolition of the four installations mentioned in the Weston Park proposals.
 - as described in the Weston Park proposals, such steps as are necessary to resolve the issue about supporters of organisations now on ceasefire against whom there are outstanding prosecutions, and in some cases extradition proceedings, for offences committed before 10 April 1998.
- We are grateful to the IICD for their patient work to discharge their important responsibilities under the terms of Agreement and to secure the putting of all paramilitary arms beyond use.

PROM 49/2162

dated 8 oct 200

T. 62 FROM: WILLIAM FITTALL Associate Political Director (L) 8 October 2001 PS/Secretary of State (L&B) cc See Copy Distribution Below IRA MEETING WITH DE CHASTELAIN COMMISSION I had a phone call from John de Chastelain at 10.30am today. He reported that the Commission had had a meeting with "O'Neill" last night. The discussion had not broken new ground. The IRA representative had confirmed that the IRA stood by the method of decommissioning which they had already agreed with the IICD, that they were not for the moment going to put it formally back on the table. He sought and received confirmation that the IICD stood by the position that it had taken in early August. John de Chastelain and his colleagues had confirmed that they did. Provided the decommissioning met the statutory test and provided the Commission were able to take an inventory, to be present and to witness the event they stood ready to issue a positive report. John de Chastelain said that his impression was that the meeting had been arranged to discharge the IRA's public announcement that it was intensifying contacts with the Commission. A date had also been agreed for the next meeting. In accordance with his usual reticence he would not be drawn on when it was, beyond saying that it represented a more rapid tempo than the once every three weeks which had been the average in the run up to August. 4. John de Chastelain said, unprompted, that he and his colleagues were left with the clear impression that "an event was not about to take place". Barring a complete surprise he did not foresee decommissioning this week. He also sounded less than optimistic about the prospects for next week though was at pains to stress that anything was possible. He had told "O'Neill" that he was himself due to be away from Northern Ireland from Wednesday 17 to Thursday 25 October, though he had made it clear that he would change his plans at short notice if there was a need to do so. O'Neill had not commented one way or the other.

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5. John de Chastelain said that he and his colleagues had come away from last night's meeting with the impression that decommissioning was going to happen some time. They remained persuaded that the IRA were serious. Andrew Sens interjected to say that "choreography" seemed to be the challenge. The danger would be if actions by Trimble or HMG in the meantime blew the IRA off course. I acknowledged that resignations and suspensions played badly with the IRA hard-liners, but the fact was that the IRA leadership had known for a long time what needed doing. Their protestations that decommissioning had not happened before 12 August because of the unionist reaction to the 6 August IICD statement should be taken with a pinch of salt, as should any suggestion now that they could be knocked off course by others, if they were really determined to proceed.

William Fittall

WILLIAM FITTALL
11 Millbank
Ext 6469 (Fax: 6479)
BRENT Fax 020 7210 0843
email: william.fittall@nio.x.gsi.gov.uk

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PS/Sir Joseph Pilling (L&B) Mr Jeffrey Mr Alston Mr Powell, No 10 08-OCT-2001 12:36 FROM NIO LONDON

TO

P.02

ROM:

WILLIAM FITTALL

Associate Political Director (L)

8 October 2001

cc

See Copy Distribution Below

JPO CO. MT JM AC

MEETING WITH IRISH OFFICIALS

PS/Secretary of State (L&B)

Michael Collins and Brendan Scannell spent nearly two hours with Bill Jeffrey, Chris Maccabe and me in Belfast on Friday reviewing the political situation. Martin Mansergh was present for the first hour.

Summary

2. Easy and positive atmosphere. Shared analysis on all key issues. Irish unprecedentally forthcoming about what Sinn Féin have been seeking from them on prisoner release and representation in the Oireachtas. Cautious Irish optimism over decommissioning but acknowledgement that it may not come soon enough to avoid suspension. Agreement that Secretary of State and Cowen should aim to meet between any resignation of unionist Ministers and suspension. Detailed decision on a review to be held over for Taoiseach/PM summit after suspension. Irish keen for BIIGC to operate more formally and frequently during suspension. If decommissioning occurs and institutions are stabilised, Irish suggest a big relaunch event involving two Prime Ministers.

Detail

Sinn Féin

3. We compared notes on the two Governments' continuing contacts with Adams and McGuinness. Martin Mansergh endorsed our assertion that what was on the table was Weston Park and no more. We noted that the timetable for delivering the OTR commitment was now tricky given the time which had elapsed since August. It was unrealistic to expect us to have got a Bill on the statute book by the end of the year. Michael Collins agreed but said that presumably we could at least publish a Bill this

- problem. Collins said that Adams was seeking a discussion with the Taoiseach over the weekend (McGuinness having seen him one to one last weekend). He revealed that the Irish had rejected Sinn Féin request for movement on the release of the murderers of Garda Maccabe and on Northern representation in the Oireachtas in order to secure decommissioning. The former was simply not on. As to representation there might be some comfort which could be offered down the track but not now.
- 4. We probed on the representation issue and for the first time got a straight answer. Mansergh said that Brian Lenihan's parliamentary committee had had a report in draft for a couple of years but it had been put aside because the Irish Government did not want it surfaced until the 'main issue [presumably decommissioning] was cleared up'. The report would canvas two ideas: one that Northern Ireland representatives might be able to speak in certain Dail debates but they would not be members nor have the right to vote; the other (which would require a referendum) institutionalising the arrangement whereby some Seanad seats might go to individuals from the North.
- 5. Mansergh said that this would fall far short of Sinn Féin demands. He saw no prospect of any party in the Dail supporting automatic representation for Westminster MPs it would undermine the constitutional settlement of the Good Friday Agreement and would be far more generous to Sinn Féin than the other parties in the Republic would tolerate. There would also be an inbuilt reluctance to weaken the Government's ability to maintain its own majority in the Seanad.
- 6. With an abortion referendum in the first 3 months of next year, a general election probably in June and the likely need for a Nice referendum in the autumn, 2003 looked like the earliest for any referendum on Oireachtas representation. And even this would not be possible without a fair measure of cross-party support. It would be an issue for the Government after the election.
- 7. Mansergh said that there had been some discussion of the issue with Trimble who was reasonably relaxed about Seanad representation. Bill Jeffrey said that HMG was interested in all this. A limited right of Northern participation in certain Dail debates would not trouble us, particularly if it was explicitly on North-South issues and perhaps with some element of reciprocity. New arrangements for the Seanad were also unlikely to create difficulties, unless they attempted to allocate seats in proportion to Assembly strength and simply triggered a unionist boycott.

8. On the timing of decommissioning, Mansergh speculated that the Provisionals might not want to give the Taoiseach a boost by doing something just before the Fianna Fail Ard Fheis on Saturday 13th. So he thought we probably needed to find a way of stretching things into the following week. We mused whether the Provisionals might seek to hold back in the hope of triggering elections. The Irish agreed that there might be delay but confirmed that it was a miscalculation since no one in Dublin was now minded to reward Sinn Féin with elections.

Trimble and suspension

- 9. We said that Trimble well understood the need to avoid giving Sinn Féin excuses and had clearly taken seriously what the Taoiseach had said to him. But he had to manage the party and avoid giving the DUP the initiative. So he had to be tough. The best we could hope for was that he would be able to avoid submitting resignations on Monday by saying that he would consult party officers later in the week. Michael Collins said that Trimble had floated this with the Taoiseach and suggested that there might then be a further 7 days before he lost the right to re-nominate. If he made it clear that he would re-nominate in the 7 days if decommissioning occurred and seek re-election as First Minister, could we let things run for a bit with no unionists in office?
- 10. We said that Ministers had yet to reach a view on this. To have important departments without Ministers for a few days was very difficult. Nevertheless, if there were still some chance of decommissioning we might be able to wait up to, but not beyond, 7 days. Suspension would then be unavoidable since it would be unsustainable to move to a situation with an Executive from only one part of the community. We understood the Irish constitutional difficulties but we would have no option.
- 11. The Irish did not contest this. Mansergh said there was much less sympathy for Sinn Féin in Dublin now than in February 2000. He said that since the Irish Government did not now want elections the name of the game would be to bring the period of suspension to an end as soon as possible. We agreed, though noted that we might have no option to increase the size of our ministerial team given the very heavy burden which had become apparent during the 2000 suspension.

eview

- 12. We said that as a matter of law there had to be a review before we could restore again, though as the 24 hour suspensions had shown, it was an elastic concept. We assumed that the Irish would want us to stress that any suspension was for the purpose of a review.
- 13. The Irish agreed though said that they had an open mind on the nature of a review. Much would depend on the assessment made of why decommissioning had not happened. Scannell advised caution over assuming there should be an external review until we had had some bright ideas in house first. Otherwise it would be hard to get someone to accept such a poisoned chalice. Michael Collins asked if the Prime Minister was still keen on involving President Clinton and asked what exactly would be reviewed. We confirmed that Clinton's name was still in the frame but would probably be unacceptable to Trimble. In any review it was inevitable that parties would advance their own agendas however narrowly we tried to confine the focus.
- 14. Michael Collins said that during suspension the Irish would want to show that they were working closely with HMG on Northern Ireland issues. We agreed that the right format for this would be the BIIGC.

Other issues

- 15. Four other points were mentioned:
 - the Irish Ambassador in South Africa had reported that Adams had met Ramaphosa and
 Ahtisaari there;
 - Sinn Féin were very concerned that they might appear on a list which the EU was preparing
 of terrorist organisations to which new arrest and extradition arrangements would
 apply. The relevant Justice and Home Affairs meeting was on 7 December (we shall pursue
 with the Home Office);
 - according to the Irish, Trimble had just decided to be in Washington on 15/16 October;

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 Collins said that if decommissioning occurred and the unionists stayed in Government, we should find a way of involving the two Prime Ministers in a 'relaunch' of the institutions.

William Fittall

WILLIAM FITTALL
11 Millbank
Ext 6469 (Fax: 6479)
BRENT Fax 020 7210 0843
email: william.fittall@nio.x.gsi.gov.uk

Distribution List

PS/Sir Joseph Pilling (L&B) Mr Jeffrey Mr Alston Mr Maccabe Mr Stephens Mr Powell, No 10 Sir Ivor Roberts, Dublin



WILLIAM FITTALL

Associate Political Director (L)

8 October 2001

PS/Secretary of State (L&B)

cc

See Copy Distribution Below

e: MT AC

SINN FÉIN CONTACT WITH IRISH GOVERNMENT

Brendan Scannell has just told me that Adams and the Taoiseach had a conversation on the phone over the weekend. Adams had pressed the Taoiseach again over the release of the killers of Garda Maccabe and over Northern representation in the Irish Parliament. The Taoiseach had not given any ground.

Arrangements were now being set up for Adams and McGuinness to meet the Taoiseach and Cowen at 1pm tomorrow. Apparently the Taoiseach was not best pleased with this (Cabinet in the morning and PQs in the afternoon) but it looked like the only time available. The two Prime Ministers will have the chance to consider tactics when they talk to each other on the phone, provisionally between 7.30pm and 8pm tonight.

William Fittall

WILLIAM FITTALL 11 Millbank Ext 6469 (Fax: 6479) BRENT Fax 020 7210 0843 email: william.fittall@nio.x.gsi.gov.uk

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PS/Sir Joseph Pilling (L&B) Mr Jeffrey Mr Watkins Mr Alston Mr Stephens Mr Powell, No 10

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WILLIAM FITTALL
Associate Political Director (L)
8 October 2001

Jh e.mr Dm AC

PS/Secretary of State (L&B)

See Copy Distribution Below

TO

IRA MEETING WITH DE CHASTELAIN COMMISSION

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cc

- 2. The discussion had not broken new ground. The IRA representative had confirmed that the IRA stood by the method of decommissioning which they had already agreed with the IICD, that they were not for the moment going to put it formally back on the table. He sought and received confirmation that the IICD stood by the position that it had taken in early August. John de Chastelain and his colleagues had confirmed that they did. Provided the decommissioning met the statutory test and provided the Commission were able to take an inventory, to be present and to witness the event they stood ready to issue a positive report.
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- 4. John de Chastelain said, unprompted, that he and his colleagues were left with the clear impression that "an event was not about to take place". Barring a complete surprise he did not foresee decommissioning this week. He also sounded less than optimistic about the prospects for next week though was at pains to stress that anything was possible. He had told "O'Neill" that he was himself due to be away from Northern Ireland from Wednesday 17 to Thursday 25 October, though he had made it clear that he would change his plans at short notice if there was a need to do so. O'Neill had not commented one way or the other.

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5. John de Chastelain said that he and his colleagues had come away from last night's meeting with the impression that decommissioning was going to happen some time. They remained persuaded that the IRA were serious. Andrew Sens interjected to say that "choreography" seemed to be the challenge. The danger would be if actions by Trimble or HMG in the meantime blew the IRA off course. I acknowledged that resignations and suspensions played badly with the IRA hard-liners, but the fact was that the IRA leadership had known for a long time what needed doing. Their protestations that decommissioning had not happened before 12 August because of the unionist reaction to the 6 August IICD statement should be taken with a pinch of salt, as should any suggestion now that they could be knocked off course by others, if they were really determined to proceed.

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11 Millbank
Ext 6469 (Fax: 6479)
BRENT Fax 020 7210 0843
email: william.fittall@nio.x.gsi.gov.uk

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PS/Sir Joseph Pilling (L&B) Mr Jeffrey Mr Alston Mr Powell, No 10 CROM:

WILLIAM FITTALL

Associate Political Director (L)

8 October 2001

JB C: MT

PS/Secretary of State (L&B)

cc See Copy Distribution Below

AC

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2. Arrangements were now being set up for Adams and McGuinness to meet the Taoiseach and Cowen at 1pm tomorrow. Apparently the Taoiseach was not best pleased with this (Cabinet in the morning and PQs in the afternoon) but it looked like the only time available. The two Prime Ministers will have the chance to consider tactics when they talk to each other on the phone, provisionally between 7.30pm and 8pm tonight.

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WILLIAM FITTALL 11 Millbank Ext 6469 (Fax: 6479) BRENT Fax 020 7210 0843

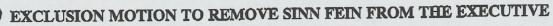
email: william.fittall@nio.x.gsi.gov.uk

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The Facts: The UUP Exclusion Motion is to be debated in the Assembly this afternoon. The debate begins at midday, breaking at 2.30pm and then resuming from 4pm - 6.00pm. To succeed, the UUP motion must gain cross community support (a majority of designated nationalists and a majority of unionists, present and voting). If, as expected, the motion falls in the absence of nationalist support, the DUP Exclusion motion will also be put to the vote. This is also expected to fail.

d DM MT Pess

Trimble announced a two stage strategy this morning. In the event that the Motion fails, UUP Ministers will first withdraw from the Executive. Then Trimble will announce "the precise arrangements for resignation" early next week. The DUP have indicated that if the UUP walk, they will follow. Both parties would then have 7 days in which to nominate replacement Ministers. If they fail to do so, the Assembly must run d'Hondt to fill the vacancies. Legislation and standing orders are silent on when exactly this must happen, but the Assembly Business Committee could schedule d'Hondt for the day immediately following the 7 day deadline for the nomination of replacements. The Secretary of State will suspend the Assembly before d'Hondt can be run to prevent an entirely nationalist, and therefore non-representative, Executive being returned.

Lines to take:

- > Exclusion is a matter for the Assembly.
- > I appreciate the frustration that the unionist community feel about the lack of progress made on decommissioning. I share it. However, I believe the best way to resolve the present difficulties is through dialogue and mutual accommodation.
- We <u>have</u> taken important steps to deal with the issue of arms in Northern Ireland. We have mechanisms in place to encourage and manage the disposal of illegally held arms; and a democratic process in which to address the grievances of both sides of the community, and to encourage the return of a peaceful society in which all aspirations are recognised and respected.
- > There have been positive developments because of this and I remain convinced that our best chance for achieving long term peace and stability in Northern Ireland is to continue to work towards the full implementation of the Agreement.
- Q. Will you be suspending the Assembly if Trimble withdraws his Ministers?
- A. Do not wish to speculate confident that Secretary of State will act in the best interests of the process.

My hope is that the Assembly and Executive will continue to operate as envisaged by the Good Friday Agreement - on an <u>inclusive</u> basis. It is for the parties involved, and not the Government, to decide whether this will be possible.

FROM: BILL JEFFREY

Political Director 8 October 2001

PS/SECRETARY OF STATE - O

cc: PS/Ms Kennedy (B&L) – O

PS/Mr Browne (B&L) – O

Sir Joseph Pilling - O

Mr Watkins - O

Mr Alston - O

Mr Fittall – O

Mr Maccabe - O

Mr Stephens – O Miss Bharucha – O

Mr Whysall - O

Mr Powell No.10 - E

Sir Ivor Roberts, Dublin - O

WEEKEND CONTACTS WITH DAVID TRIMBLE AND DAVID CAMPBELL

The Secretary of State has spoken several times to David Trimble over the weekend.

- 2. Before the first such conversation, I rang David Campbell at around lunch-time on Saturday. Campbell said that Trimble planned to sound out Paisley today about the possibility of an understanding that there would be an orderly withdrawal from Government following the defeat of this afternoon's exclusion motion. By this he meant leaving the Ministers in place for up to a week. Trimble would also be talking to UUP colleagues over the weekend. The DUP position was hard to call. Robinson was being difficult.
- 3. I told Campbell that I had heard from McGuinness that Adams would probably be seeking a meeting with Trimble today to ask him how he would react in the event of IRA decommissioning. Campbell said there had not yet been a request for a meeting, but he was sure Trimble would agree to one and his position was still that, if there was a convincing act by the IRA, he would do his best to shift the argument on from decommissioning, to peaceful intentions and paramilitary criminality.

- 4. The Secretary of State spoke to Trimble later on Saturday afternoon. He told me subsequently that Trimble had said that he would be willing to defer Ministerial resignations by up to a week, on the basis that they would not fulfil their duties during that period, but only if the Secretary of State assured him that we would suspend the institutions within 48 hours of Ministers' resigning. The Secretary of State had said he would think about it and get back to Trimble.
- 5. The Secretary of State and I discussed this yesterday morning, and had a conference call with Jonathan Powell around the middle of the day. We noted that there were some indications that Sinn Fein were spinning things out for tactical reasons. On the one hand, we had to be alive to the risk that they would try to use an implied promise of early decommissioning to persuade us not be suspend the institutions. One could easily imagine Adams saying that an early act was possible, but not if we suspended. On the other hand, there were dangers in tying the Government's hands by guaranteeing to Trimble that suspension would take place as early as Wednesday of next week. The Secretary of State agreed that he should tell Trimble that our expectation would be to suspend the institutions within a couple of days of unionist Ministers resigning; that this could not be guaranteed because there were imaginable circumstances in which we might want to hold off until the weekend after next; but that he would certainly suspend before d'Hondt was run.
- 6. The Secretary of State spoke to Trimble in that sense later yesterday, with me on the line. Trimble said that his main concern was to avoid a period of 7 to 10 days after resignations in which nationalist Ministers would be on their own and could get up to mischief. If the Secretary of State was going to hold off from suspending for as long as that, he would bring the resignations forward. The Secretary of State said that he was not saying that. In the normal case, he would expect to suspend the institutions within 2 or 3 days of unionist Ministers resigning. But if we were told convincingly that something dramatic was about to happen, we would have to take that into account. He would certainly consult Trimble in that event, and would not envisage holding back on suspension beyond the weekend after next, or allowing things to get to the point where

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d'Hondt was run. There were uncertainties around how soon Sinn Fein could move, and surprising stories in the Sunday media about McGuinness' role. He wanted to get a better hold on these when he got back to the office this morning.

- 7. Trimble said that this thinking on timing had been influenced by what the Taoiseach had said to him, which he regarded as more authoritative than other speculation. He was meeting his UUP colleagues at 10.00 am this morning, and would have to say something. If the Secretary of State could give him a better steer before then, well and good. If not, he would "just have to toss a coin".
- 8. I understand from the Secretary of State that Trimble rang him again this morning. The Secretary of State took the same line as yesterday. Trimble said he would probably go for resignations next Monday or Tuesday anyway more likely Tuesday because Michael McGimpsey was due to be in the US on Monday. His main concern was that nationalist Ministers should not be in charge any longer than necessary.

Signed

BILL JEFFREY
11 Millbank 6447

St trying to squeeze was out of us a our. I The gu should see Term.

The is a remor Pet halm theforms From: Bill Jeffrey has fater our from scale though a cos of Date: 5 October 2001

JONATHAN POWELL my ce Cas from cc: Dr John Reid

CALL FROM MARTIN McGUINNESS

Martin McGuinness rang me this afternoon. Our second draft was a slight improvement on the first, but was still "of little use". It was essential that he and Adams meet the Prime Minister on his return, either on Monday evening or early enough on Tuesday for McGuinness to get back for an education debate in the Assembly.

I asked what the problem was. He said I knew what the problem was. I said I didn't. We had not been able to take all his suggestions on the text, but we had made the tone markedly warmer and had included a lot of the material on meeting our commitments to which he attached importance. Time was short. I did not see why we had to wait for the Prime Minister's return, and was not sure if he could manage a meeting anyway. If McGuinness would tell me what was wrong with the document, we could have a reasonable discussion.

McGuinness agreed that time was short, but he and Adams were clear that the best way to proceed was to have a meeting with the Prime Minister. He would look at the document again, and might ring me about specific points over the weekend.

McGuinness also mentioned that Adams was planning to meet David Trimble on Monday and would be asking him for the words he would use in response. He and Adams would appreciate it if, before Monday, we could give them suggested language for that purpose. I said I would think about this. During and after Weston Park, we had brought Trimble, with some difficulty, to accept the terms of the draft

-2-

All Party Declaration on the stability of the institutions. We might be able to deploy some of that language. But Trimble could speak for himself, and it would be better for him and Adams to have a frank discussion.

We might have a word about whether the Prime Minister should agree to a meeting when you are next in touch. Sinn Fein now seem to me to be messing us about. If McGuinness phones me over the weekend I will take on board any specific points he raises. But apart from that, I think (and John Reid agrees) it would be a mistake for any of us to chase after Sinn Fein. They will have to make up their minds. We should not assume that we are now marking time. If they want to do so, they are quite capable of going to the IRA with the text as it stands, and carrying on the dialogue in the hope of getting some further concessions. Michael Collins told us this morning that they are still haggling with the Irish over Dail representation and the McCabe case, and there may be a meeting with the Taoiseach over the weekend.

I think the request for words for Trimble may be more of a trap than an opportunity, but I will ask David Campbell what he thinks Trimble would be willing to say if the conditions were right, and construct something which we could deploy if necessary.

Anne Stenson
PP BILL JEFFREY

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10 DOWNING STREET LONDON SW1A 2AA

THE PRIME MINISTER

5 October 2001

Jear Klain,

Now that we finally have – for the first time – a cross-community Policing Board, I wanted to write and thank you and your team for the enormous amount of work you have put into implementing the policing reforms in Northern Ireland. I know from bitter experience how frustrating this work has often been. It is a huge achievement to be where we now are.

I have relied a great deal on your support – in London, Chequers,
Hillsborough and Weston Park. I have also been acutely conscious that on these
occasions I have seen only the tip of the iceberg of the huge efforts you have made.

Thank you again – and keep up the good work.

yours ene Tong blair

Mr Robin Masefield



NORTHERN IRELAND OFFICE 11 MILLBANK LONDON SW1P 4PN

Michael Tatham Esq 10 Downing Street London SW1 2AA

5 October 2001

ear Michael

BLOODY SUNDAY INQUIRY: VENUE

My Secretary of State has seen the letter of 17 September to you from PS/Defence Secretary, and has noted the Defence Secretary's decision to support the soldiers' application for a judicial review of the Tribunal's ruling on the venue for hearing the soldiers' evidence.

It might be helpful to remind colleagues that the Inquiry is of course an independent body established under an Act of Parliament, for which the Government has pledged full support. The Ministry of Defence, in taking the decision to support a judicial review, is acting in its role as the soldiers' former employer. This is properly distinct from the position of the Government as a whole, which must be one of neutrality towards the rulings of the Inquiry.

Copies of this letter go to the Private Secretaries of the Secretary of State for Defence, the Lord Chancellor, Foreign Secretary, Home Secretary, Attorney General and Cabinet Secretary.

Yours ever

PRIVATE SECRETARY



דכוכו וט וטט דט טאו pul. 1-2 P. 92 DUTY CLERK + 78WH 16:48 04/10/01 84-00T-2001 13:35 FROM MIG LONDON CONFIDENTIAL and PERSONAL. BILL JEFFREY FROM: Political Director 4 October 2001 BJ/MR/82 Sir Joseph Pilling PS/SECRETARY OF STATE(L&B) CC Mr Watkins Mr Alston Mr Fittall Mr Maccabe Mr Stephens Mi Powell No. 10-Fax STATEMENT IF DECUMMISSIONING HAPPENS Following my meeting with Martin McGuinness yesterday afternoon (on which I have reported separately) I attach a second draft of our response if the IRA decommission. There are several points to note, in the order in which they arise. 2 In the first paragraph, I have, as McGuinness asked, deleted the words "by making a significant quantity of arms permanently inaccessible or permanently unusable", or, the busis that what matters is what de Chastelam says, and that the phrase "a substantial act of decommissioning" remains. In the second paragraph, I have strengthered the reference to the stability of the institutions, but not as much as Micholagess asked. (He had "must see the full and stable operation .. ") I have ignored his suggestion that we promise to amend the Northern Iteland Act 1998 to remove the First and Deputy First Ministers' ability to veto nominations of Ministers to attend North/South meetings. This was raised at Weston Park, but not agreed. It would infuriate Trimble. In the third paragraph, McGuinness offered a redraft which removed the word "process" altogether, put the duty to build on the IRA's progress on CONFIDENTIAL and PERSONAL

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CONFIDENTIAL and PERSONAL

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There is no reference to the collusion inquiry (which is probably all right in a version to go to Sinn Féin) but, if we do include a list of highlights, the SDLP will expect to see one

I have taken McGuinness' minor amendments to the last paragraph.

The Secretary of State may wish to discuss. If he and No.10 are content, I will run the text past the Irish and get it to McGuinness later today

[Signed] 11 Millbank 2 6447 34/18/01 16:48 DUTY CLERK - YCL-4

TO

84-001-2001 13:36 FROM MIN LONDON

CONFIDENTIAL and PERSONAL

(3)

VERSION 2 4 October

BRITISH GOVERNMENT LINES

- The Government warmly welcomes today's report from the IICD verifying that the IRA has carried out a substantial act of decommissioning.
- This is an unprecedented and genuiriely historic move, which greatly enhances the prospects for page in Northern Ireland and for the full imprementation of the Good Friday Agreement. In particular, we can and should now see the full and stable operation of the political institutions which are the democratic core of the Agreement.
- All participants in the Good Friday Agreement committed themselves
 to the total disarmament of all paramilitary organisations. The IRA's
 move honours their commitment to initiate a process to put their arms
 completely and verifiably beyond use and represents by far the most
 significant step so far in resolving the arms issue. All paramilitary
 groups need now to play their part to build on this progress.
- Together with the Irish Government, we will do in that we can to secure the full implementation of the Good Friday Agreement, including through the proposals which the Prime Minister and the Taoiseach made after the Weston Park discussions. This includes:

further progress in implementing the Agreement's provisions on human rights and equality;

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CONFIDENTIAL and PERSONAL

the achievement of a new beginning in policing on the basis set out in the Agreement and in the Patter report, including a review of the new arrangements and amending legislation as described in the Weston Park proposals;

the implementation of the Criminal Justice Review, so that the criminal justice system has the confidence of all parts of the community and delivers justice efficiently and effectively through a fair and impartial system which encourages community involvement where appropriate

as early a return as possible to normal security arrangements in Northern Ireland, subject to the Chief Constable's assessment of the threat at the time. Provided the threat is reduced, this will include a progressive rolling programme reducing levels of troops and installations. In particular, the Chief Constable has confirmed that the IRA's action as reported today has reduced the security threat to the extent that he will now proceed, as soon as logistically possible, with the demolition of the four installations mentioned in the Weston Park proposals.

as described in the Weston Park proposals, such steps as are necessary to resolve the issue about summanders of organisation now on ceasefire against whom there are outstanding prosecutions, and in some cases extradition proceedings for offences committed before 10 April 1998.

 We are grateful to the NCD for their patient work to discharge their important responsibilities under the terms of Agreement and to secure the putting of all paramilitary arms beyond use.

CONFIDENTIAL and PERSONAL



PS/Secretary of State 04 October 2001

JRO of MT

cc: See Copy Distribution List

Mr Fittall

MEETING WITH DAVID TRIMBLE, 4 OCTOBER

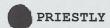
The Secretary of State met with David Trimble, who was accompanied by Michael McGimpsey and David Campbell, in his office in the Palace of Westminster this morning, to discuss the options open to the UUP up to and following the debate of the exclusion motion in the Assembly. Bill Jeffrey and you were also present. The meeting was good humoured and business-like throughout, with Trimble appearing particularly focused on the political handling of the next few weeks.

- 2. <u>Trimble</u> said he had agreed at his meeting with the Prime Minister yesterday to discuss the options open to the UUP with the Secretary of State. He was not averse to providing another breathing space for Sinn Fein, but his room for manoeuvre was limited. The Taoiseach had told him that McGuinness had said the Provisionals needed another week to achieve the desired result. He believed this would be possible, even if he was sceptical about the Provisionals delivering on decommissioning. He would have to manage his party and the Unionist electorate carefully, since they believed collapse would immediately follow the resignation of the UUP Ministers. One option would be for UUP Ministers to withdraw from the Executive, in the sense of ceasing all co-operation and contact with other Ministers, in the same way as the DUP. In these circumstances, the Executive would not be able to meet.
- 3. The Secretary of State said he believed this could be used to create space and would be manageable. Bill Jeffrey said this position could not be sustained for long because the Executive would not be able to meet. However, we would not be driven to suspension immediately. Trimble said the difficulty for him was that the DUP Ministers might decide to resign. This would leave the UUP exposed. Peter Robinson was smarting over the handling of the policing issue by his party leader and about being out manoeuvred by the UUP on the exclusion motion. He might therefore see resignation by the DUP Ministers as an opportunity to recover lost ground.



- Trimble said another option would be for the UUP to state publicly that their Ministers were going to resign at the end of next week. In these circumstances he would need to make clear the reason for the delay. Bill Jeffrey said that if Trimble explained the delay in terms of an expectation of imminent decommissioning, this would ensure that decommissioning did not happen.
- 5. <u>Trimble</u> said the other option was for UUP Ministers to resign immediately after the debate on the exclusion motion. This would leave a period of 7 days during which d'Hondt could be run if decommissioning happened. However, if HMG did not suspend before the 7 day period expired, the process would be wrecked, since we would end up with an Executive comprising only Sinn Fein and SDLP Ministers. He needed to look carefully at the Standing Orders and take legal advice before considering this option further. <u>The Secretary of State</u> said he would do likewise.
- 6. <u>Bill Jeffrey</u> noted that the "withdrawal" option would probably give Sinn Fein less opportunity to make political capital. <u>Trimble</u> said he did not yet know whether the UUP would stand for this approach. He also had to take account of the opportunity it would provide for the DUP. If he decided to go with it, the UUP would say there would be no Executive meetings; Sir Reg Empey would declaim the role of First Minister; and there would be no contacts between Ministers. He would also need to consider what explanation he could give for delaying resignation.
- 7. <u>Trimble</u> said he was due to meet the UUP Assembly Group tomorrow and would talk through the options. The attitude of the Assembly Group would be critical: if they did not support his proposed approach, he would be in trouble. He would probably also need to be in contact with the Secretary of State over the weekend. He needed to be very clear by Monday on the course of action he was going to take after the debate. Only that way could he carry the party with him and show he was in control.
- 8. It was agreed that officials would check the Standing Orders and the legal position on the running of d'Hondt during the 7 day period, if UUP Ministers resigned immediately after the debate. The meeting would reconvene at 2pm.





P G PRIESTLY

PS/Secretary of State

(B) 28110

(L) 6462

cc: PS/Secretary of State (B&L)

PS/Ms Kennedy (B&L)

PS/Mr Browne B&L)

PS/Sir Joseph Pilling (B&L)

Mr Jeffrey

Mr Watkins

Mr Alston

Mr Maccabe

Mr Stephens

Mr Hannigan

Ms Bharucha

Mr Crawford

Mr Waterworth

Mr Olszewski

Mr Tatham No.10

Sir Ivor Roberts, HMA Dublin

Fle.

ANNA WECHSBERG

From: Jonathan Powell Date: 4 October 2001

Cc: Geoffrey Norris

IRELAND: MOX PLANT

• Michael Collins called me in Moscow this evening to register the Taoiseach's concerns about the announcement on the Mox plant at Sellafield. He had been pressed hard on this point at the Dail and he had said that he would speak to the Prime Minister. That was clearly not possible, but he wanted to make sure we had registered the concern.

I said the concern was duly noted. The Prime Minister would try to speak to the Taoiseach on Monday on Northern Ireland business and the Taoiseach could raise this issue then if he wished.

Can you pass this on to those who need to know at the DTI, DTLR and Dublin.

JONATHAN POWELL

CC

FROM: BILL

BILL JEFFREY
Political Director
4 October 2001
BJ/MR/82

CC: DN AW

PS/SECRETARY OF STATE(L&B)

Sir Joseph Pilling Mr Watkins Mr Alston Mr Fittall Mr Maccabe Mr Stephens

Mr Powell No.10-Fax

STATEMENT IF DECOMMISSIONING HAPPENS

Following my meeting with Martin McGuinness yesterday afternoon (on which I have reported separately) I attach a second draft of our response if the IRA decommission.

- 2. There are several points to note, in the order in which they arise:
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 - In the third paragraph, McGuinness offered a redraft which removed the word "process" altogether, put the duty to build on the IRA's progress on

other groups and not on the IRA; and omitted the reference to "carrying the process forward to completion and making an unambiguous commitment to democracy and exclusively peaceful means". I have acted on the last of these, on the basis that there is nothing to prevent Ministers saying something of that sort when it comes to it; ignored the second; and retained the word "process" by the device of introducing a reference to the IRA's original commitment.

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- I have taken McGuinness' minor amendments to the last paragraph.
- 3. The Secretary of State may wish to discuss. If he and No.10 are content, I will run the text past the Irish and get it to McGuinness later today.

[Signed]
BILL JEFFREY
11 Millbank \$\mathbb{B}\$ 6447

VERSION 2 4 October

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 to the total disarmament of all paramilitary organisations. The IRA's
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- Together with the Irish Government, we will do all that we can to secure the full implementation of the Good Friday Agreement, including through the proposals which the Prime Minister and the Taoiseach made after the Weston Park discussions. This includes:
 - further progress in implementing the Agreement's provisions on human rights and equality;

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- as early a return as possible to normal security arrangements in Northern Ireland, subject to the Chief Constable's assessment of the threat at the time. Provided the threat is reduced, this will include a progressive rolling programme reducing levels of troops and installations. In particular, the Chief Constable has confirmed that the IRA's action as reported today has reduced the security threat to the extent that he will now proceed, as soon as logistically possible, with the demolition of the four installations mentioned in the Weston Park proposals.
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- We are grateful to the IICD for their patient work to discharge their important responsibilities under the terms of Agreement and to secure the putting of all paramilitary arms beyond use.

- 2 -CONFIDENTIAL and PERSONAL FROM: THE PRIVATE SECRETARY



1. 5/10

NORTHERN IRELAND OFFICE 11 MILLBANK LONDON SW1P 4PN

Michael Tatham Esq PS/Prime Minister 10 Downing Street LONDON SW1A 2AA

S October September 2001

Dear Michael of

Mr Ruairí Ó Brádaigh, the President of Republican Sinn Fein has written to the Prime Minister criticising the Good Friday Agreement for failing to deliver peace in Northern Ireland.

Republican Sinn Fein was the break-away group which emerged after the Sinn Fein Ard Fheis in 1986 voted to end abstention from the Dail. The party is linked to the Continuity IRA, which is committed to undermining the Good Friday Agreement.

Mr O'Bradaigh believes that the recent upsurge in Loyalist violence, particularly at Holy Cross School in Belfast, illustrates the failure of the Agreement. He calls on the British Government to announce publicly a declaration of intent to leave Ireland by a given date; to acknowledge the right of the whole people of Ireland, acting as a unit, to decide their own destiny without outside interference and to release all political prisoners.

Mr Ó Brádaigh also mentions in his letter that republican Sinn Fein are committed to a totally new Ireland comprised of a four province federation including a nine county Ulster. Under their proposed structures nationalists and former unionists would share a power according to local majority.





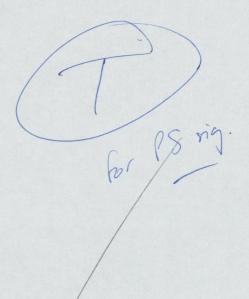
I attach a draft letter for your consideration, which stresses the Government's continuing commitment to the Good Friday Agreement. The letter also condemns the recent upsurge in sectarian violence.

Yours ever Kursten McFarlaine

KIRSTEN MCFARLANE



Mr Ruairí Ó Brádaigh President Republician Sinn Fein Teach Dáithí Ó Conaill 223 Parnell Street DUBLIN 1 Ireland



October 2001

Thank your for your letter of 11 September 2001 to the Prime Minister.

I note your opposition to the Good Friday Agreement and your proposal for a completely new political structure in Ireland. The Agreement is supported by the majority of all the democratically elected parties in Northern Ireland, including both of the main nationalist parties, Sinn Fein and the SDLP. The Agreement also received overwhelming support in the referendums held in Ireland, North and South, on 22 May 1998. It therefore remains the priority of the British and Irish Governments to see it implemented in full.

With regard to your comments on Holy Cross School, the Government utterly condemns the recent scenes of violence in North Belfast to which young children have been exposed. The Government upholds without question the right of children to walk to school without fear or threat of violence. Indeed, a major commitment of police and army resources has been deployed in the area. The people in the area have also been assured that the police and army will continue to provide the necessary measures to protect the community for as long as it takes.



It remains the case, however, that the situation can only be resolved through dialogue between the two communities involved. The Government will do everything it can to promote and facilitate such dialogue, but it cannot dictate how it will be done.

As for the more widespread violence, the Government utterly deplores and condemns without reservation all sectarian attacks in Northern Ireland. Those who carry out these acts have nothing to offer their communities but sectarian hate and bigotry.

To be effective in eradicating the sectarianism for good, we need to achieve a lasting peace on a basis that both sides of the community can support. The Prime Minister believes that the best way we can do this is to make the vision of the Good Friday Agreement a lasting reality.

PS/Prime Minister.



002

CONFIDENTIAL

From:

Ivor Roberts
HMA Dublin

Date:

3 October 2001

CG:

PS/SofS (L&B)

PS/PUS (L&B) Mr Stephens Mr Fittall

Ms Duff, EUD(B)

Mr Powell, No 10 (by fax)

To:

Mr Jeffrey

oc: DM MT

EXCHANGE WITH THE TAOISEACH

1. I had a brief word with Bertle Ahern this atternoon at the conclusion of the first Taoiseach's Questions of this Dall session. He said, in answer to my question, that he was still waiting to hear further from Sinn Feln. His impression was that they would definitely do something but his worry was that it would not be done quickly enough. I said that, as he would know, David Trimble was calling on the Prime Minister earlier today to discuss, among other things, the sequence of events next week. He said that it was vital to have as much time as possible, "at least six days", from the announcement of the UUP's withdrawal from the administration. He urged me to keep in touch.

(SIGNED)

Ivor Roberts

028 9052954

for your orp or)

STORL

The word.

Department of Enterprise, Trade and Investment for Northern Ireland

From the Minister

Rt Hon Tony Blair MP
Prime Minister and First Lord of the Treasury and
Minister for the Civil Service
10 Downing Street
LONDON
SW1A 2AA

3 October 2001

Dear Prime Minuter

I wrote to you on 26 September following the tragic events in the United States expressing my concerns about the announcement by Bombardier/Shorts of 2,092 job losses in Northern Ireland and the resultant adverse effects on the local aerospace sub-contact sector. Indeed the knock on effects of the crisis in the airline sector are already evident and my Department is dealing with an urgent request for help from a key subsiduary of BE Aerospace in the US which supplies a number of major US airlines and whose Northern Ireland operation is now threatened with closure and the loss of significant high quality jobs in an area of high unemployment. I have no doubt that as the ramifications unfold we will face similar problems from others in the industry.

I understand that following meetings last week between DTI officials, Bombardier/Shorts management and my officials, DTI officials in conjunction with the Export Credit and Guarantee Department are considering a request from the company in relation to aircraft financing arrangements which would enable customers to fulfil contract delivery obligations until the market recovers. I cannot impress enough upon Her Majesty's Government the importance of a positive response if there is to be any hope of averting at least some of the 2,092 job losses announced.

While the measures being considered will be crucial in limiting the damage in the short term, it is clear that the key to long term recovery in the airline industry is the re-establishment of confidence amongst the travelling businessman and public in order to re-stimulate market demand

028 90529545

in the sector. I would therefore urge Her Majesty's Government that in developing the international coalition against terrorism a key ingredient should be the simultaneous mounting of a major international effort to engender market confidence in the airline industry which is of such crucial importance in economic terms both for the UK and world wide. I can assure you that you will have the collective support of my colleagues in the Executive who had a full discussion about the situation when I made a statement at the Northern Ireland Assembly on Monday.

I am copying this letter to Rt Hon Patricia Hewitt MP, Rt Hon Dr John Reid MP, Henry McLeish MSP and Rhodri Morgan MP.

Regals Reg

SIR REG EMPEY MLA

Minister for Enterprise, Trade and Investment



NORTHERN IRELAND OFFICE 11 Millbank, London, SW1P 4PN Tel 020 7210 6469

Fax 020 7210 6479

email: william.fittall@nio.x.gsi.gov.uk

Wh

DM AC

3 October 2001

Jonathan Powell Chief of Staff 10 Downing Street LONDON SW1A 2AA

Den Touthe

PRIME MINISTER'S MEETING WITH DAVID TRIMBLE

The Prime Minister met David Trimble, Michael McGimpsey and David Campbell at 12.15pm today for 50 minutes. You and I were also present.

Summary

Trimble clear that Ministers will have to be withdrawn once Assembly exclusion motion falls at 6pm on Monday though prepared to explore with Secretary of State over next 48 hours how best to pave way for a soft landing, in the absence of decommissioning. Thinks it might be tolerable if suspension did not happen until the end of next week but adamant that it must intervene before right to nominate Ministers passes to other parties after seven days. Prepared to renominate Ministers in the course of next week if decommissioning happens and believes that securing FM/DFM election would then be achievable. Keen not to impale himself on hook of when decommissioning would end and instead to shift the focus onto continuing paramilitary violence. PM sympathetic to establishing commission into racketeering and lowering the threshold for recall of released prisoners who support specified organisations.

Detail

The meeting started with five minutes of bad temper over a reference in the PM's conference speech. Trimble said that it implied that he and unionists were supremacists. This was a repetition in an aggravated form of something the Prime Minister had said in a speech in 1999. He had dealt with that at the time (and handed you an extract from a book to prove it). What the Prime Minister had said simply reinforced the views expressed in last week's Daily Telegraph editorial that he was instinctively anti-unionist.

The Prime Minister said that he had had no intention of causing offence. Sometimes it was hard to get things just right within a very short span of words. He would find a suitable opportunity to clear up any misunderstandings.

Trimble said that he would have some things to say to the Secretary of State as well about some of his recent remarks following the O'Hagan murder. Trimble said that he had been told within 12 hours of the attack who was responsible. What had come out in the press subsequently was consistent with what he had been told. He mentioned two names (which I am passing separately to David Watkins) and said that one of them was a life sentence prisoner who ought to be recalled. Both were members of the LVF though one had a family connection to the SDLP.

Eventually we got to the politics. Trimble said that the Taoiseach had been positive yesterday about the chances of an IRA move. But McGuinness said that he needed more time. This was just the same thing as the Prime Minister had heard from Adams three weeks ago. The Irish had been optimistic at the beginning of August but nothing had happened so what was the basis for believing something would happen now? Trimble said his fear was that there would be another stunt over the dumps, perhaps choreographed with Ramaphosa during this week's South African visit.

The Prime Minister said that the Provisionals could be under no doubt over what was required. You said that Ahtisaari had been told when he was in London on 11 September that nothing short of IICD supervision and certification would do.

The Prime Minister said that there was no question of the Irish or of us weakening on this. Nor was there any question of the Provisionals getting any more than Weston Park, though it was reasonable for them to want to know what the two Governments would actually say once the deed was done. Trimble agreed with this, provided the decommissioning was for real. The Prime Minister said that he thought it would be, but he was worried over whether the Provisionals would get the timing right. His judgement was that Adams and McGuinness were trying but could not necessarily carry all those they needed with them. The truth was that we would not know until and unless the decommissioning happened.

Trimble said that if decommissioning occurred he would say that it was important as the beginning of a process to be managed by the IICD and important as a symbolic act in its own right which acknowledged that the campaign of 30 years had been wrong. But he would then want to shift the focus on to monitoring levels of paramilitary violence, republican and loyalist. It was right to move the attention from decommissioning to violence. It was a simpler concept. And he did not want to get caught on the hook of when decommissioning might be complete.

The Prime Minister said that this was sensible. Decommissioning was essentially a symbolic issue. What mattered was bearing down on violence, racketeering and everything which linked into criminality.

The Prime Minister asked what the sequence of events was likely to be next week. Trimble said that the outcome of the 6pm Assembly vote on Monday was a foregone conclusion. The UUP would then have to withdraw. This would "probably take the form of resignation". At some point thereafter the Secretary of State would have no option but to suspend. Pressed by the Prime Minister on timing Trimble said that he had little room for manoeuvre without running into internal party difficulties over appearing to cling on to power. What he wanted to do was discuss with the Secretary of State over the next couple of days what the sequence would be.

His bottom line was that the Secretary of State needed to give him a guarantee that he would suspend the institutions before the right to nominate passed to other parties seven days after his Ministers' resignations. Armed with that he would then be able to make it clear that were the IRA to decommission in the course of next week he would re-nominate his Ministers. I asked what his

assessment was of the prospect of securing First and Deputy First Minister election post decommissioning. He said that it was achievable albeit with some nifty footwork.

Post suspension Trimble said that he supported a review. We needed to remember that there were only two ways out of suspension. One was if decommissioning was to happen. The other was for changes to the procedures for forming an administration so that devolution could be restored without Sinn Féin. This would mean moving away from the d'Hondt formula. There was no point in expecting the SDLP to take all the strain on this. The most that could be expected of them was acquiescence if HMG set a lead and the Irish Government was prepared to go along with it. He did not underestimate the difficulty. But the attempt had to be made.

The Prime Minister said that he accepted that the Secretary of State would have to suspend within seven days of Ministerial resignations. But the ensuing political vacuum risked aggravating instability on the ground. Trimble said there was already huge instability. There had been a collapse of will at senior levels within the police and the NIO over tackling paramilitary violence. The Prime Minister said that, to be fair, it was probably more that we were trying to reach a judgement over whether action would make things better or worse. McGimpsey said that it was precisely the lack of credible sanctions which was the difficulty both in handling the Provisionals and loyalists. Trimble said that there had been a time when the paramilitaries had taken great care over the state of their ceasefires but now they were hardly bothering to maintain the pretence. The UDA and LVF were behaving unacceptably, though it was important to realise that republicans were deliberately setting a trap for them.

Trimble said that the Prime Minister should revive his Weston Park idea of a commission into racketeering and paramilitary financing, including where it spilled over into otherwise legitimate activity. One of the Irish party leaders had told him yesterday in Dublin that Sinn Féin had spent more in one constituency than the whole budget of his party. We had to get a grip on this. We also needed to be tougher on specification and on pulling in licensees who stepped out of line. He knew there were difficulties with the ECHR but we should be robust about suspending licences on the basis of intelligence. He assumed that we had got the right people on the Sentence Review Commission. He also thought that we should bring the anti racketeering legislation as close as possible to that of the Americans, including using wire tape evidence.

The Prime Minister said that he would think seriously about all this. He had always thought that we had set the threshold too high for revoking early release licences. And the wider racketeering issue would have to be faced.

Next steps

After the meeting the Prime Minister asked you to speak to McGuinness to underline the urgency of the situation. The Prime Minister said he would also speak to the Taoiseach later today or tomorrow. The Secretary of State is now meeting Trimble at 8.45am tomorrow. We shall separately let you have advice in the next few days on the early release licence and commission into racketeering ideas.

A copy of this letter goes to Ivor Roberts.

WILLIAM FITTALL
Associate Political Director

CONFIDENTIAL

FROM: BILL JEFFREY

Political Director 3 October 2001 54

JRO JRO MT MT TK

PS/SECRETARY OF STATE(L&B) - O

Sir Joseph Pilling - O

Mr Watkins - O

Mr Alston - O

Mr Fittall - O

Mr Maccabe - O

Mr Stephens - O

Mr Powell, No.10 - F

MEETING WITH MARTIN McGUINNESS

I met Martin McGuinness for about half an hour at Clonard Monastery this afternoon. The main points to report are that:

CC

- McGuinness handed me the attached amended version of the text I had sent Gerry Adams on 27 September. I will work on it urgently and submit a fresh version as quickly as possible.
- ➤ He wants an early meeting with the Prime Minister. I am pursuing this separately with Jonathan Powell, but I warned McGuinness that the Prime Minister is effectively out of action from tomorrow morning until Monday.
- 2. <u>McGuinness</u> asked what I thought would now happen with Trimble. Did yesterday's developments mean that we were heading for the resignation of unionist Ministers early next week? I said I thought it probably did. We weren't sure how Trimble intended to handle things. He was meeting the Prime Minister today. But my sense was that he had run out of road and would withdraw his Ministers sooner rather than later. <u>McGuinness</u> asked what then. I said that, although we knew Sinn Fein did not agree, we had always made it clear that an all nationalist Executive would not be sustainable or consistent with the Agreement, and the Secretary of State was therefore likely to suspend the institutions quite soon afterwards. There would then probably be a discussion between the two Governments and some kind of review.

- 3. McGuinness confirmed that Sinn Fein would be strongly opposed to suspension. There was probably nothing to be done about Trimble, but it was clear there was no time to waste. He and Adams were working hard to avoid a collapse. For that purpose, our proposed form of words was not nearly positive enough. It would have had a very bad effect if it had been taken to the IRA. We needed to make a big effort to find more positive language. Getting the IRA to accept decommissioning would be exceptionally difficult. He and Adams were prepared to try, but they needed to be armed with the best possible arguments.
- 4. I said that I understood that. We believed that the text we had sent Adams was positive, with its references to the decommissioning act as historic and as providing a basis for the stable operation of the institutions. The Government was still committed to the Weston Park proposals. The only reason we had not spelt them out in the text was that they were already in the public domain. On a quick read of the Sinn Fein's amendments, I was pretty sure we could not do what they were asking on amendments to the Northern Ireland Act to remove the First Minister's veto on North/South nominations (which had not been agreed at Weston Park, though it had been raised), nor on Commons' facilities, which I thought the Prime Minister would prefer to treat as a private commitment until the moment was right. But we might well be able to import some of the Weston Park text and would do our best.
- 5. I added that, if McGuinness did speak to the Prime Minister soon, he would find him frustrated at the lack of progress. It was now some weeks since Gerry Adams had told him that he and McGuinness had decided to try to get the IRA to move. Did McGuinness have any idea how long it would take? McGuinness ducked the direct question. We would need first to have agreed satisfactory Government responses. He and Adams were working intensively to prevent a collapse. A fourth suspension would give a very bad signal, from which it would be hard to recover.
- 6. Most of the rest of the discussion was about North Belfast and the UDA.

 McGuinness was very critical of the Secretary of State's handling of UDA specification which republicans and nationalists found incredible, given what the UDA had done in recent times and were likely to do again. He did not know where the information that the

UDA were pulling back had come from, but no-one believed it would last for long. They were bound to revert to pipebomb and other attacks. I said that in that case, the Secretary of State wouldn't hesitate to specify them. He had come very close to doing so, but had concluded that – just at that moment - specification would do more harm than good.

McGuinness said he wasn't particularly angling for specification. What republicans were interested in was the best way of ending the UDA's attacks. The situation in North Belfast was impacting badly on the wider politics. I said that the Secretary of State was approaching the issue from exactly the same angle. The only difference was that, in his judgement, specification last weekend would have made things worse rather than better.

7. As I left, McGuinness urged me again to do my best. He wanted to be able to carry on dealing with the problems of the 11 plus and berating the British Government for the inadequacy of the Barnett formula.

Signed

BILL JEFFREY
11 Millbank **26** 6447

2

TO

BRITISH GOVERNMENT LINES

- The Government warmly welcomes today's report from the IICD verifying that the IRA has carried out a substantial act of
- x decommissioning.by making a significant quantity of arms
- x permanently inaccessible or permanently unusable.
- This is an unprecedented and genuinely historic move, which greatly enhances the prospects for peace in Northern Ireland and for the full
- x implementation of the Good Friday Agreement. In particular, it has we must now see
- created a context in which we believe the full and stable operation of the political institutions which are the democratic core of the
- * Agreement, can now be secured. To secure the Future operation of the
- * POLITICAL INSTITUTIONS THE GOVERNMENT WILL AMEND THE A.I. LOT TO

 * REMOVE THE VETO APPORAGED TO THE FIRST AND DEPLTY FIRST MINISTERS IN RESPECT

 * OF NOTIONATIONS TO THE NORTH SOUTH PRINISTERIAL COUNCIL.
- * All participants in the Good Friday Agreement committed themselves
- to the total disarmament of all paramilitary organisations. The IRA's an maries to the total disarmament of all paramilitary organisations. The IRA's an maries to the total disarmament of all paramilitary organisations. The IRA's an maries to the total disarmament of all paramilitary organisations.
- K move is by far the most significant stop so far in that process. All other
- ✓ paramilitary groups need now to play their part to build on these
- x moves in carrying that process forward to completion and making an
- x unambiguous commitment to democracy and exclusively peaceful
- x means.

DO ALL THAT IS IN OUR POWER TO FULLY IMPLEMENT THE GOOD FRIDAY AGREEMENT AND

the proposals, which the Prime Minister and the Taoiseach made after the Weston Park discussions, to bring about the full implementation of the Agreement. In particular, the Chief Constable has confirmed that the IRA's action as reported today has reduced the security threat to the extent that he will now proceed, as soon as logistically possible, with the demolition of the four installations mentioned in these proposals.

* FURTHER AND SPEEDY PROGRESS IN NORTHERN IRELAND ON THE EDUALITY AGENDA

TO

- "THE ACHIEVEMENT OF A NEW BEGINNING TO POLICIPE ON THE BASIS SET OUT IN THE GOOD FRIDAY AGREEMENT BY IMPLEMENTING THE PATTEN REPORT IN FULL AND AMENDING LEGISLATION IN RESPECT OF THE POLICE ACT 2000"
 - THE IMPLEMENTATION OF LEGISLATION AND STHER MEASURES
 IN RESPECT OF THE JUSTICE EVETERS SO THAT THE SYSTEM;

 HAY THE CONFIDENCE OF ALL PARTS OF THE COMMUNITY

 DELIVERS JUSTICE EFFICIENTLY AND EFFECTIVELY TO

 THE COMMUNITY THROUGH A FAIR AND IMPARTIAL SYSTEM

 WHICH ENCOURAGES COMMUNITY INJUDICIPAENT
 - A PROGRESSIVE ROLLING PROGRATIME REDUCING LEVELS OF TROOPS AND INSTALLATIONS IN NORTHERN TRELAND IN PROCEED WITH THE IMMEDIATE DEMOLITION OF THE WILL NOW PROCEED WITH THE IMMEDIATE DEMOLITION OF THE FOUR INSTALLATIONS MENTIONED IN THESE PROPOSALS.
 - · Such steps as are necessary, as soon as possible,
 AND IN ANY EDENT BEFORE THE SAND OF THE YEAR, TO REDOWNE
 THE DIFFIGURTY IN RESPECT OF SUPPORTERS OF ORGANISATIONS
 HOW ON CEASEFIRE AGAINST WHOM THERE ARE OUTSTANDING
 PROSECUTIONS AND IN SOME CASES EXTRADITION PROCEEDINGS
 FOR OFFICILES COMMITTED BEFORE 10 APRIL 1998

IN ADDITION, THE GOVERNMENT WILL ENSURE THAT NO WORKASONARLE IMPEDIMENT WILL BE PLACED OR WILL PEMAIN IN THE PATH OF DEMOCRATIONALLY ELECTED REPRESENTATIVES. ACCORDINGLY THE GOVERNMENT WILL ENSURE THAT SIND FEIN MEMBERS OF PARLIAMENT ARE AFFORDED THE SAME FACILITIES AS DESTMINSTER AS OTHER MEMBERS OF PARLIAMENT TO ENSURE NO DISABUANTAGES OR DISCRIMINIMATION IN RESPECT OF PALITICAL OR OTHER RESOURCES CONSONANT WITH THE DISCHARGE OF THEIR RESPONSIBILITIES AS PUBLICLY ELECTED REPRESENTATIVES.

b . 03

CONFIDENTIAL and PERSONAL

We are grateful to the IICD for their patient work to discharge their really of the Appropriate responsibilities under the Agreement to secure the putting of all paramilitary arms beyond use. In the Agreement to secure the putting of the Agreement to secure the Ag



NORTHERN IRELAND OFFICE 11 Millbank, London, SW1P 4PN Tel 0171 210-6447

POLITICAL DIRECTOR

CONFIDENTIAL Jonathan Powell Esq. Chief of Staff 10 Downing Street

sé: mr.

ID.79 3 October 2001

Dear Jonathan

MEETING WITH DAVID TRIMBLE TODAY

I enclose a brief for the Prime Minister's meeting with David Trimble later today. It incorporates some helpful overnight intelligence from the Dublin Embassy following Trimble's meeting yesterday with the Taoiseach.

I am copying this to Paul Priestly, William Fittall (who will attend today's meeting) and Ivor Roberts.

Yn en Zul

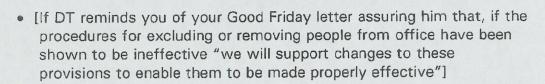
BILL JEFFREY

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Lines to take

- As Bertie told you yesterday, Sinn Féin asked us and the Irish
 Government recently for the words we would use in responding
 publicly to an act of decommissioning by the IRA.
- Adams and McGuinness say they are trying to get the IRA to act, but need more time.
- It would be actual decommissioning, as discussed at Weston Park,
 verified in person by the IICD. Adams is in touch with Ramaphosa,
 but I don't think he is about to pull a fast one by dealing only with
 Ramaphosa he knows the IICD have to be there.
- We are offering no more than was on the table at Weston Park.
- I still think the logic of the situation (particularly after 11 September)
 and the pressure on Sinn Féin is such that movement is likely soon.
- Essential that you don't, by your actions, give them an excuse for doing nothing. I realise you couldn't avoid the exclusion motion to be debated on Monday. Assuming it fails, is there any way you could delay the resignation of UUP Ministers, even by another couple of weeks?
- [If DT asks what happens after collapse]
 If unionist Ministers resign, we would have to suspend and probably
 go into some kind of review. I would first take stock with Bertie.



We can obviously look at that, but the political reality is that cross-community government without Sinn Féin is only possible if the SDLP are willing to exclude them.

Background

Trimble saw the Taoiseach in Dublin yesterday. Bertie apparently told him the two Governments had been asked by Sinn Féin for texts of their responses to an act of decommissioning, and once these were agreed McGuinness would go to the Army Council.

Sinn Féin are arguing that our text is too weak. Bill Jeffrey is meeting McGuinness in Belfast today to see what changes they want.

The Assembly debate on the UUP and DUP exclusion motions will be next Monday. Trimble told the Ambassador in Dublin that he would have been happy to have it as late as the following Wednesday, but his representative on the Assembly Business Committee argued strongly for an early date.

Trimble will argue that, if the Executive collapses later next week, he will still have given us virtually the three weeks grace from 23 September for which you asked.

It will be worth probing how he intends to manage the situation after Monday's debate. His current thinking seems to be that we would hold off from suspending until a week later. This is the period under Assembly Standing Orders, at the end of which the d'Hondt formula has to be run again to fill the vacancies, at which point we would know for sure that there was no alternative to an all-nationalist Executive. It is true that, provided the situation in the province remains stable, the Secretary of State could hold off from suspension until an all-nationalist Executive was inevitable. Trimble could help pave the way for that by saying that if the IRA acted during the course of next week he would be willing to renominate his Ministers.

Delaying Monday's note (which Jonathan raised as a possibility) does not seem to be a runner. The period of the debate has been set by the Business Committee. There will be a vote at the end of it unless the

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Assembly passes a cross-community motion to defer a vote. This would be messy and difficult for Trimble, especially so since one of the motions is the DUP's, and they will insist on a vote.

- 3 -CONFIDENTIAL

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FROM: BILL JEFFREY

Political Director 2 October 2001 BJ/MR/76

PS/SECRETARY OF STATE(L, B&Brighton)-Fax cc

Sir Joseph Pilling Mr Watkins Mr Alston Mr Fittall Mr Stephens

Mr. Campbell Mr. Crawford Mr. Powell No. 10-Fax CCM7

DEVELOPMENTS OVERNIGHT

Martin McGuinness rang me late yesterday afternoon, proposing a meeting in Belfast at 2pm tomorrow to discuss our draft response to an act of decommissioning, which he described as "very disappointing, a real step backwards" and more in that vein. He had just heard that Pauline Armitage had added her name to the DUP motion, and was concerned about the implications.

- 2. I said that if the DUP had the necessary 30 signatures, that meant that the motion would be considered by the Assembly Business Committee today and was likely to be debated early next week.

 McGuinness said that this was far too quick for the development on which he and Adams had been working. I said that he and we had known for some time the direction things were heading. It pointed up the urgency of the situation. Might it not be better if we had our meeting today? I could make myself available. McGuinness replied that, with Adams away, he had too many things to do and people to speak to. Tomorrow afternoon was the earliest he could do.
- 3. Adams rang me from South Africa this morning. He had just spoken to Trimble, who had told him that the DUP motion was likely to be debated next week and the Executive would be finished within a

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fortnight. He had asked if this meant Trimble planned to pull out his Ministers. Trimble had said of course he did, that's why he was telling Adams. Adams had not pressed the matter, because Trimble had seemed preoccupied, but we needed to know that he definitely needed more time than that. Someone on our side needed to talk some sense into Trimble.

- 4. I said that the immediate question was how soon the DUP motion would be debated. I was planning to speak to Trimble's people about their attitude to that and to the situation which would arise after the debate. I took Adams' point about timing, but the fact was that we had all known for ages where things were going. Was there no way Adams himself could speed things up? Adams said there wasn't. It had to be done properly, with the maximum number of people on board. It was also difficult for the IRA to be seen to be responding to unionist pressure. I said that the pressure was not going to get any less.
- 5. I spoke to <u>David Campbell</u> mid-morning. He was on his way to Dublin for Trimble's meeting with the Taoiseach. He said Trimble was taking the attitude that the DUP were now in control, and was pressing for a short, sharp debate. The likely date for the debate was next Tuesday 9 October, which was inconvenient for Trimble, because he was hoping to be at the Conservative Party Conference. If he contributed to the debate at all, it would be towards the end.
- 6. I asked whether the debate needed to be as early as 9 October. I understood that such a motion had to take precedence under the Standing Orders, but the nationalist parties were presumably in no hurry, and if they and the UUP favoured the following week, between them they could surely carry the day. Campbell said that the SDLP were at the moment pressing for next Tuesday, but if they and Sinn Féin argued for a later date at today's meeting of the Assembly Business Committee, it would be easier for the UUP's representative (Jim Wilson) to go along with this.

- 7. Campbell then said rather mysteriously that Trimble might well want to spring a surprise and was "looking at options to render the debate meaningless". I asked whether that meant pulling out his Ministers before it took place. Campbell said I could well draw that conclusion. It was to discuss precisely these difficult tactical questions that Trimble thought it essential to have an early meeting with the Prime Minister.
- 8. I have since spoken to Michael Collins and Brendan Scannell.

 Brendan agreed to get someone to speak to Eddie McGrady, the SDLP's representative on the Business Committee. Ray Bassett has now spoken to McGrady who is willing to argue for playing things long, but believes the UUP want an early debate. Robert Crawford is meeting Lord Alderdice this morning, with a brief not to bring improper pressure, but to tell Alderdice that we have not given up on IRA decommissioning; that we can say nothing about timing; but that a further breathing space could well help. I will report further when we have the outcome of the Business Committee meeting.

Comment

Both sides now seem to be marching resolutely towards the edge of the cliff. Trimble is obviously going into fatalistic mode. Collins tells me the Taoiseach will try to settle him this afternoon, but I doubt if it will make much difference. If the Prime Minister cannot manage a meeting tomorrow or Thursday, I think the Secretary of State should try to see Trimble soon.

It is difficult to know what Sinn Féin are up to, but their behaviour is consistent with pushing things to the limit with a view to failing, so that Adams can say that he was doing his best, but was undermined by a combination of the unionists' actions and our inadequate response. I will do what I can with McGuinness tomorrow, but it might be timely for the

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Prime Minister to weigh in with a telephone call to Adams or McGuinness before he himself goes abroad, or failing that for the Secretary of State to do so. McGuinness told me that Adams might ask to meet the Prime Minister when he was passing through London on Friday, but Jonathan Powell tells me this will not be possible.

[Signed]

 Following Pauline Armitage signing the DUP exclusion motion yesterday and the PUP signing the UUP motion this morning, the Assembly Business Committee met today at 12.30pm to consider both motions.

Ru 5.

- 2. The outcome of the meeting is that both motions were accepted and placed on the Order paper. The debate will be on Monday 8 October from 12.30pm to 6.00pm with a break from 2.30pm-4.00pm for Assembly Questions. Jim Wilson (UUP chief whip) pressed strongly for the debate to be held on Monday. He did not seek a deferral. We believe the timing is to allow Trimble to speak in the debate and still be free to attend the Conservative Party conference on Tuesday and Wednesday.
- 3. The UUP motion is first on the order paper. If the motion falls there will then be a vote on the DUP motion (but no debate).
- 4. DLD officials will be attending the debate and will provide a readout as soon as possible after it is finished.
- 5. Alan Smith, PAB, has spoken separately to Jim Wilson about the withdrawal of UUP Ministers after the debate. Wilson confirmed that UUP Ministers would resign, but said that the timing of this would be for Trimble to decide. He would not confirm that this would happen next week.

Signed

D01

UNCLASSIFIED
VISIT BY GERRY ADAMS - 1-3 OCTOBER
From: PRETORIA CAPETOWN

TO DESKBY 011100Z FCO TELNO 285 OF 010848Z OCTOBER 01 INFO PRIORITY DUBLIN, NIO BELFAST

SUMMARY

1. Gerry Adams to see Mandela, and to commemorate Bobby Sands death with former political prisoners on Robben Island.

DETAIL

- 2. I spoke to Ahmed Kathrada, Mandela's fellow Robben Islander and a member of its museum Governing Council, and to Andre Odendahl, Museum Director, about the invitation to Gerry Adams to visit the island for a commemoration on 2 October. Kathrada reminded me of the sympathy 20 years ago amongst Robben Island prisoners for Bobby Sands and his colleagues on hunger strike; the Council had welcomed Gerry Adams' suggestion that Sands' death be commemorated with former political prisoners on the island this week.
- 3. Adams will spend Monday and Tuesday in Johannesburg, apparently as a guest of the ANC. He will brief ANC members on the peace process in Northern Ireland, and is expected to meet former President Nelson Mandela early on 2 October, before flying to Cape Town and Robben Island. This will not be a Government occasion as such, and Kathrada emphasised that no political statement nor signal was intended regarding the current situation in Northern Ireland.

GRANT

Sent by PRETORIA CAPETOWN on 01-10-2001 08:48 Received by No10 on 01-10-2001 11:06 To send to Janatha pleane. SECRET

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2
10 DOWNING STREET
LONDON SW1A 2AA

SECRET

S 99 /01

From the Prime Minister's Chief of Staff

28 September 2001

Dear Paul

SPECIFICATION OF PARAMILITARY ORGANISATIONS

The Prime Minister has seen your letter of 27 September and agrees that the UDA should be specified.

Yours ever

JONATHAN POWELL

Paul Priestly NIO



PIECE/ITEM	Date and sign
Extract details: Letter dated 28 September	
2001	
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CONFIDENTIAL - UNTIL ANNOUNCE....

FROM:

D J WATKINS

SD(B)

28 September 2001

Ref: DJW 7779

cc PS/Ms Kennedy (B&L)

PS/Mr Browne (B&L)

PS/Sir Joseph Pilling (B&L)

Mr Jeffrey

Mr Alston

Mr Fittall

Mr Hannigan

Mr Bain

Mrs Madden

Mr Powell, No 10

PS/Secretary of State (B&L)

NORTHERN IRELAND (SENTENCES) ACT 1998: SPECIFICATION

I attached a draft press release to my earlier substantive submission. I now attach a Q & A brief for use by Ministers and the Press Office.

- 2. Two points from the Chief Constable:
 - his people have been very reluctant to provide statistics on the justifiable basis that reliable attribution of specific incidents is extremely difficult and indeed the use of statistics could get us into greater trouble (suggesting a threshold for specification, implicating other paramilitary groups, etc). His advice to the Secretary of State is that he should avoid the use of statistics. That said, however he has agreed that his people and we should try to produce something as quickly as possible. Mary Madden will put up anything that emerges from that

he strongly suggests that the Secretary of State should signal a way out to the UDA leadership by suggesting that they have already shown an ability to control violence (last month). They should do so again, but more effectively. If they were to do so, there is a way back through de-specification etc.

[signed]

D J WATKINS **CB EXT 28138**

Q & A ON SPECIFICATION FOR UDA/UFF

Q. Why have you waited until now to specify the UDA/UFF?

A. I am obliged, under the terms of the Northern Ireland Sentences Act, to keep the status of all organisations purporting to be on ceasefire under review and do so. I need to reach a judgement, taking account of the specific terms of the legislation and other relevant factors, as to the status of any organisation's ceasefire. Whatever the public belief about the status of the ceasefires, I need to be assured that any decision I take meets the criteria the courts would apply.

Q. Aren't you just knee-jerking because of the clamour from nationalists and republicans to act against the UDA/UFF?

A. No. I have taken advice from the Chief Constable and others and have come to this judgement based on an objective consideration of all the available information. I believe this is the right and proper action to take at this time.

Q. What evidence have you been given by the Chief Constable concerning the UDA?

A. I had asked the Chief Constable to keep this organisation under constant review. He has fully briefed me on its activities. I am not prepared to disclose the details of the information the Chief Constable has provided but I am fully satisfied that it is right to specify the organisation.

Q. If the Chief Constable has evidence why is he not making arrests?

A. This is a matter for the Chief Constable.

- Q. Is it right to tar the whole organisation with the same brush? Should you not only specify those elements responsible for violence?
- A. It is neither legally nor practically possible to be selective in terms of specifying any particular part of an organisation. Given the run of events in relation to the UDA/UFF there comes a point when a collective responsibility has to be borne by the whole organisation for the actions of many. In terms of the UDA/UFF that point has been reached.
- Q. Should you not have acted sooner/given the organisation more time to mend its ways?
- A. I have reached this judgement after the most careful consideration. It would have been wrong either to have taken any precipitate decision or to have prevaricated in light of the information available to me. Government has consistently let it be known that the status of ceasefires is kept under continuous review. In recent times that maxim has been very publicly and explicitly directed at the UDA/UFF. It was heeded initially but has, sadly, been disregarded subsequently.
- Q. Surely the IRA [and UVF] were as involved in the recent violence as the UDA/UFF?
- A. I have taken into account the action of the UDA/UFF over many weeks, not just the last few days.
- Q. What are the implications of this decision for the UDA/UFF?
- A. First and foremost the UDA/UFF leadership will need to consider very carefully what they are about and where they think they are going. The UDA/UFF seems to be an organisation spinning out of control into a Mafia and sectarian sub-culture.

Early released prisoners associated with the UDA/UFF can now be rearrested if they support that organisation; the membership charge

provisions introduced post-Omagh now apply to UDA/UFF personnel; and their members found guilty of a terrorist offence committed before 10 April 1998 cannot benefit from early release arrangements.

Q. Won't this decision be counterproductive and simply further alienate the UDA/UFF and Loyalism in general?

A. I do not think this is the case. There will always be a hard core element who will act negatively but I believe many will think carefully about their future action, the consequences of those actions for all, including themselves and their own communities, and will take stock.

Q. What are the implications of specification for individual members of the UDA/UFF?

A. There are potentially serious implications for the UDA membership, particularly those released under the terms of the Good Friday Agreement. Of course any individual found in breach of the law will be subjected to the full rigour of the law but with particular reference to specification, those UDA/UFF prisoners released under the Good Friday Agreement could be liable to be returned to prison. Also liable to post-Omagh membership provisions and no early release if found guilty of pre-GFA offences.

Q. Will prisoners released under the Good Friday Agreement simply be rounded up and returned to prison?

A. There is no intention to "round up" released prisoners. Each and every case has to be considered on its merits. I believe that many of those individuals have mended their ways and disassociated themselves from the current acts of the UDA/UFF.

Where there is evidence of involvement by any individuals through continuing to support the organisation then, yes, they will be returned to serve any remaining sentence.

Q. Now that the UDA/UFF has been specified can it be de-specified?

A. Yes, that is possible. That can come about if the organisation clearly demonstrates by word and by deed that it is once again maintaining a complete and unequivocal ceasefire. It would be a matter for the organisation's leadership to make that demonstrably clear and I am not going to be prescriptive at this stage. They have shown in recent weeks they can control the level of violence. A lasting and reliable cessation would be a development which would be welcomed by all.

Q. What are the implications for other organisations on ceasefire?

A. I have not looked at the UDA/UFF in isolation. I have undertaken a comprehensive review of all organisations currently on ceasefire but it is my judgement that only the UDA/UFF ceasefire has broken down.

Q. Is there not prima facie evidence to suggest that the UVF and PIRA have returned to violence?

A. I reiterate the point that the status of all ceasefires is kept under continuous review. I say it plainly and without equivocation and ask that all those other organisations and their political spokespeople take heed.

Q. Surely the Colombian connection puts the seal on PIRA's continuing involvement in terrorism?

A. The apparent Colombian connection is understandably a worrying development, as commentators across the world have recognised. But we need to await the full outworking of the judicial process in Colombia.

Q. But the UVF have been revealed to be responsible for the Ballycastle device which could have killed large numbers?

A. Appalling has that incident was, there is no indication it was authorised or in any way sanctioned by the leadership. It has been disavowed, including by the PUP leadership.

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What are the implications for the Good Friday Agreement? Q.

- The Good Friday Agreement is about the democratic process working for the benefit of all right-thinking people in Northern Ireland. It is not a safe haven A. for thugs and unreconstructed terrorists who have no rightful place in normal civil society.
- If you're not specifying PIRA, how can Government claim to be part of international solidarity against terrorism? Q.
- We act where we have firm enough grounds for doing so. Today's decision is evidence of our determination to bear down on terrorism, not the reverse. A.

Q.

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Early released prisoners associated with the UDA/UFF can now be rearrested if they support that organisation; the membership charge

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provisions introduced post-Omagh now apply to UDA/UFF personnel; and their members found guilty of a terrorist offence committed before 10 April 1998 cannot benefit from early release arrangements.

- Q. Won't this decision be counterproductive and simply further alienate the UDA/UFF and Loyalism in general?
- A. I do not think this is the case. There will always be a hard core element who will act negatively but I believe many will think carefully about their future action, the consequences of those actions for all, including themselves and their own communities, and will take stock.
 - Q. What are the implications of specification for individual members of the UDA/UFF?
 - A. There are potentially serious implications for the UDA membership, particularly those released under the terms of the Good Friday Agreement. Of course any individual found in breach of the law will be subjected to the full rigour of the law but with particular reference to specification, those UDA/UFF prisoners released under the Good Friday Agreement could be liable to be returned to prison. Also liable to post-Omagh membership provisions and no early release if found guilty of pre-GFA offences.
 - Q. Will prisoners released under the Good Friday Agreement simply be rounded up and returned to prison?
 - A. There is no intention to "round up" released prisoners. Each and every case has to be considered on its merits. I believe that many of those individuals have mended their ways and disassociated themselves from the current acts of the UDA/UFF.

Where there is evidence of involvement by any individuals through continuing to support the organisation then, yes, they will be returned to serve any remaining sentence.

Q. Now that the UDA/UFF has been specified can it be de-specified?

A. Yes, that is possible. That can come about if the organisation clearly demonstrates by word and by deed that it is once again maintaining a complete and unequivocal ceasefire. It would be a matter for the organisation's leadership to make that demonstrably clear and I am not going to be prescriptive at this stage. They have shown in recent weeks they can control the level of violence. A lasting and reliable cessation would be a development which would be welcomed by all.

Q. What are the implications for other organisations on ceasefire?

A. I have not looked at the UDA/UFF in isolation. I have undertaken a comprehensive review of all organisations currently on ceasefire but it is my judgement that only the UDA/UFF ceasefire has broken down.

Q. Is there not prima facie evidence to suggest that the UVF and PIRA have returned to violence?

A. I reiterate the point that the status of all ceasefires is kept under continuous review. I say it plainly and without equivocation and ask that all those other organisations and their political spokespeople take heed.

Q. Surely the Colombian connection puts the seal on PIRA's continuing involvement in terrorism?

A. The apparent Colombian connection is understandably a worrying development, as commentators across the world have recognised. But we need to await the full outworking of the judicial process in Colombia.

Q. But the UVF have been revealed to be responsible for the Ballycastle device which could have killed large numbers?

A. Appalling has that incident was, there is no indication it was authorised or in any way sanctioned by the leadership. It has been disavowed, including by the PUP leadership.

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Q. What are the implications for the Good Friday Agreement?

- A. The Good Friday Agreement is about the democratic process working for the benefit of all right-thinking people in Northern Ireland. It is not a safe haven for thugs and unreconstructed terrorists who have no rightful place in normal civil society.
- Q. If you're not specifying PIRA, how can Government claim to be part of international solidarity against terrorism?
- A. We act where we have firm enough grounds for doing so. Today's decision is evidence of our determination to bear down on terrorism, not the reverse.

CONFIDENTIAL

15V-emailed Ge attachment 10 DOWNING STREET **LONDON SW1A 2AA** From the Private Secretary 28 September 2001 Dear Tom NORTHERN IRELAND FISCAL INCENTIVES The Duke of Abercorn (who is Lord Lieutenant of County Tyrone and an active member of the business community in Northern Ireland) has coordinated an initiative in which a working party of leading Northern Ireland businessmen has prepared a report setting out proposals for revised fiscal incentives within Northern Ireland. This report has been sent to us under cover of the attached letter from Stephen Kingon, Managing Partner in Price Waterhouse Coopers' Belfast office. I would be grateful if you could arrange for a Ministerial reply to be sent from Treasury to Mr Kingon. The Duke of Abercorn has suggested that it would be useful for members of his working group to discuss this issue with the Prime Minister. I think it would make more sense for the group to meet with a Treasury Minister: if you agree, the Treasury reply to Mr Kingon might make this offer. I am copying this letter to Paul Priestly (NIO). Michael Rotham MICHAEL TATHAM Tom Scholar **HM** Treasury



Private and Confidential

1 Michael Tatham 10 Downing Street London SW1A 2AA

2. Tho

5 September 2001

Fanum House
108 Great Victoria Street
Belfast BT2 7AX
Northern Ireland
Telephone +44 (0) 28 9024 5454
Facsimile +44 (0) 28 9089 1600
Direct Phone + 44 (0) 28 9089 1604
Direct Fax +44 (0) 28 9089 1600

PricewaterhouseCoopers

Dear Mr. Thatham

Northern Ireland Fiscal Incentives

Following the recent correspondence between His Grace the Duke of Abercorn and Mr William Chapman, I enclose for your consideration a copy of a summary document setting out the key principles and proposals for revised fiscal incentives within Northern Ireland. A full version of the detailed proposals is also attached.

I shall be pleased to discuss any points arising with you and to provide any additional information that you may require.

Yours sincerely

Stephen Kingon Managing Partner

Show K

stephen.l.kingon@uk.pwcglobal.com

PricewaterhouseCoopers is the successor partnership to the UK firms of Price Waterhouse and Coopers & Lybrand. The principal place of business of PricewaterhouseCoopers and its associate partnerships, and of Coopers & Lybrand, is 1 Embankment Place, London WC2N 6RH. The principal place of business of Price Waterhouse is Southwark Towers, 32 London Bridge Street, London SE1 9SY. Lists of the partners' names are available for inspection at those places.

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From the Private Secretary

28 September 2001

Dear Bernadette

LETTER FROM MINISTER FOR ENTERPRISE, TRADE AND INVESTMENT, NORTHERN IRELAND EXECUTIVE

Sir Reg Empey has written to the Prime Minister about the impact of the 11 September attacks on Bombardier Aerospace (Shorts) in Northern Ireland. His letter urges the Government to consider special interventions in relation to the aerospace industry.

I would be grateful for a quick draft reply. It would be helpful to have this by close on 3 October.

I am copying this letter to Kirsten McFarlane (NIO) and Andrew Allberry (Cabinet Office).

Yours ever

MICHAEL TATHAM

Bernadette Kelly DTI

DRS

Department of Enterprise, Trade and Investment of M7

for Northern Ireland

From the Minister

puni get an uget or

Rt Hon Tony Blair MP
Prime Minister and First Lord of the Treasury and
Minister for the Civil Service
10 Downing Street
LONDON
SW1A 2AA

September 2001

Dear Prine Munth

As part of its worldwide response to the downturn in the airline sector together with the recent events in the United States, Bombardier/Shorts today announced a major contraction in its business operation. The effect in Northern Ireland is a loss of 2092 jobs in Bombardier/Shorts with many more to come in the sub-contracting network.

Bombardier Aerospace (Shorts) is the largest industrial employer in Northern Ireland, employing 7800 in the design and manufacture of aerospace components. The main product lines are fuselages, nacelles and flight components for regional jet programmes. Salary levels are among the highest in the Province and the company over the last few years has expanded rapidly and put a considerable effort into training new recruits many of whom have come through the Bridge to Employment Scheme.

Just last year Bombardier announced a multi-million pound investment involving work on new aircraft, including the Continental business jet and the regional jet as well as additional workshare on existing programmes.

The company's success has had major benefits for the Northern Ireland and UK economy. In addition to the salaries and wages that go into the



local economy, the investment programme has enabled high value-added work previously done by subcontractors outside Northern Ireland to be repatriated. The company's local supplier development programme is worth £30m per year.

Today's announcement will impact severely not only on those directly affected in the Bombardier plants in the Greater Belfast area but also on those engineering companies across Northern Ireland who are suppliers to Bombardier. A number of these suppliers are located in areas of high unemployment and the loss of business from Bombardier will have serious consequences for the local areas. As well as the direct job losses it is estimated that there could be a further 800-1200 jobs lost in the economy because of the downward multiplier effects.

Clearly developments of this scale and nature will have a devastating effect on the people of Northern Ireland, both those directly affected by the loss of livelihood and those in the wider community. Having endured the pain and adverse economic consequences of local terrorism for more than 30 years it will be a real blow to sustain such a dire effect from global terrorism – perhaps the GB equivalent of up to 70,000 jobs lost. All the more so since it comes at a time when we have been working hard to build a platform which will provide political, social and economic stability.

I and my colleagues in the Executive will be working together to do all we can within our devolved responsibilities to mitigate the effects of this announcement. However, there are limits to what we can accomplish in isolation and I would urge Her Majesty's Government, perhaps necessarily working in conjunction with national leaders in other affected countries, to broaden the scope of your considerations of special interventions to include the aerospace industry in general. My officials have already been in touch with DTI colleagues to highlight this problem, but I am sure political input will be necessary if an appropriate response is to be found. It would be sad indeed if we were to allow the actions of terrorists to destroy one of the UK's most promising areas of industrial growth-

I readily acknowledge the very heavy burden you are carrying personally at this time of national crisis and the leadership you are showing and can assure you that I and my colleagues stand ready to work with you in the battle against terrorism.

I am meeting with representatives of the media later today and whilst I intend to refer to this letter I will not disclose its detailed content.

I am copying this letter to Ms Patricia Hewitt MP, Rt Hon Dr John Reid MP, Henry McLeish MSP and Rt Hon Rhodri Morgan MP.

Regends

SIR REG EMPEY, MLA

Minister for Enterprise, Trade & Investment

File (NOE: Mabria)



10 DOWNING STREET LONDON SW1A 2AA

From the Prime Minister's Chief of Staff

28 September 2001

Der John,

NORTHERN IRELAND POLICING BOARD

The Prime Minister has seen your minute of 27 September about the Northern Ireland Policing Board. He is content with your proposal to appoint Rea to the chair and Bradley to the vice-chair.

Josev J.

JONATHAN POWELL

The Right Honourable Dr John Reid MP

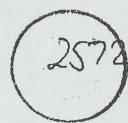
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20:55



FROM: THE PRIVATE SECRETARY

SECRET



NORTHERN IRELAND OFFICE 11 MILLBANK LONDON SW1P 4PN

I of red. (An)

10 Downing Street LONDON SW1A 2AA

Jonathan Powell Esq

27 September 2001

Dear Jonathan .

SPECIFICATION OF PARAMILITARY ORGANISATIONS

There has been a spate of loyalist attacks over recent months, mainly aimed at the Catholic community, involving the UDA/UFF. These culminated in sustained attacks orchestrated by the UDA/UFF last night. My Secretary of State has concluded that the evidence is now such that the organisation cannot be said to be on ceasefire, and that it has to be specified.

Following an increase in attacks in July involving the UDA/UFF, Dr Reid publicly warned that their ceasefire was under close scrutiny. The UDA's Inner Council, comprising brigadiers of the UDA/UFF's six units, acted to discourage violence, and attacks reduced. Further warnings had a similar effect on a return of attacks towards the end of August.

Since early September, however, there has been a further growth in UDA violence:

 UDA members from other brigade areas were drafted into North Belfast to support loyalist protests at Holy Cross School. 'C Company' directed some of the violence that followed. They were almost definitely responsible for a pipe



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bomb attack on the police at the school on the morning of 4 September and for at least some of 15 blast-type devices thrown at police the same day. The following day they were responsible for a further pipe bomb attack which injured 6 officers, one seriously. Only after wide adverse media coverage did the UDA decide to withdraw from its violent stance.

- nevertheless on 15 September UFF members tried to murder a Catholic taxi driver in Belfast
- the RUC assess that they were also involved in the sectarian clashes in North Belfast last weekend
- perhaps most tellingly, last night there were sustained attacks on the RUC orchestrated by the UDA/UFF. Forty nine single shots and 5 bursts of automatic fire were directed at the police, together with over 100 petrol bombs, 15-20 blast bombs and fireworks. Thirty RUC officers were injured.

Against this background, the Secretary of State has concluded that, in terms of section 3 of the Northern Ireland (Sentences) Act 1998, the UDA/UFF can no longer be said to be "maintaining a complete and unequivocal ceasefire".

At the same time, as he is obliged by the same Act, the Secretary of State has reviewed the ceasefires of other paramilitary organisations. Taking into account the assessment of his security advisers, he believes that a distinction can and should be made between the UDA/UFF on the one hand and both PIRA and the UVF on the other. PIRA's actions in Colombia together with continuing training, weapons acquisition, targeting and paramilitary assaults clearly put their ceasefire



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in doubt. Some of its members were involved in sectarian clashes in Belfast last weekend and PIRA are assessed to have fired shots over the heads of loyalist rioters on 23 September. Likewise, the UVF has been responsible for targeting, some sectarian attacks, some involvement in throwing blast bombs at police at the Holy Cross School; and most notoriously UVF members, unauthorised, sought unsuccessfully to detonate a car bomb in Ballycastle on 28 August. So their ceasefire must similarly be in doubt. But the evidence suggests that there has been no systematic breakdown in their ceasefires directed by central authority, and this together with the intensity of actual UDA/UFF attacks, are points of clear distinction from the UDA/UFF.

What are the practical consequences of UDA/UFF specification? In security terms the Chief Constable anticipates that this is unlikely to increase the level of violence. Now that all early release prisoners have been released, specification merely makes it only slightly easier than otherwise for the Secretary of State to suspend licences of UDA/UFF prisoners released early, and Ronnie Flanagan does not believe that he has sufficient evidence to recommend any suspensions. But any persons affiliated to the UDA/UFF now found guilty of a pre-Good Friday Agreement offence would not qualify for early release provisions. And the post-Omagh provisions now enshrined in the Terrorism Act 2000, could now be used against the UDA/UFF. But perhaps of greatest significance, HMG's condemnation by way of specification should enable more responsible unionist and loyalist opinion to condemn any further violence by the UDA/UFF, and so put a brake on it. So specification could have the effect of reinstating a proper UDA/UFF ceasefire.

Yours ever,

Paul

PAUL PRIESTLY

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27/09/2001

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CONFIDENTIAL - APPOINTMENTS



Prime Minister

The rent third.

NORTHERN IRELAND POLICING BOARD

I want to announce tomorrow the appointments of Professor Des Rea to the chair of the Board, and Denis Bradley to the vice-chair. I judge that this is the best outcome in the circumstances, but the political reaction will be bumpy, though less bad than if an announcement is delayed until next week.

Political importance

Under the Police Act (NI) Act 2000 the chair and vice-chair are appointed by me from amongst the 19 members (10 nominated from the Assembly, 9 independents) The UUP, DUP and SDLP nominated last week, and made the names public. At the same time I identified the 9 independents following a selection process, and they were informally notified on Monday. There has since been intense public speculation as to the full membership, and that in turn has intensified the focus on the question of chair and vice-chair.





Prime Minister

Den lang,

NORTHERN IRELAND POLICING BOARD

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Mallon, Paisley and Trimble have all been applying pressure, some public, in favour of nationalist or unionist candidates for the chair. Inevitably one side will be disappointed, and the longer an announcement is delayed, the greater and more damaging that will be. That risks serious damage to the credibility of the Board itself which in turn would undermine the prospects for wider political development.

I have therefore decided to accelerate the selection process, and my officials will be writing to explain this to the Commissioner for Public Appointments. I shall need to consult the First Minister and Deputy First Minister as required by law, and to sound out Trimble and Paisley. But I hope acceleration of the process will enable me to make an announcement by Friday night.

Selection of chair/vice-chair

We have received the following applications:

- chair: Denis Bradley, Lord Kilclooney (formerly John Taylor),
 Professor Des Rea
- vice-chair: Denis Bradley, Professor Des Rea.

<u>Denis Bradley</u> is a businessman and voluntary sector activist in Derry, having been a Catholic priest. He has been a member of the NI BBC Broadcasting Council and of the NI Drugs Committee. He is





particularly well known in Derry, but has developed a wider profile in recent times as an insightful commentator on public affairs. He unquestionably carries a great deal of credibility in the Catholic/nationalist community, though a good deal less so in the Protestant/unionist community. He has relevant experience and impressive understanding of the issues, but it is doubtful if his chairmanship skills are, at this stage, as great as Rea's – and it is very important that the chair demonstrate high-level chairing skills from day one.

Lord Kilclooney is an Assembly member for the UUP, as well as a member of the Lords. He is a former MP and MEP, and remains involved in WEU and Council of Europe business. He has long experience of both politics and business (chair of a local newspaper group and of a housing association), is clearly equipped for the post against the required competences and would bring to bear a measure of judgement and understanding of the issues. On the other hand, those very qualities that would commend him to many in the Protestant/unionist community would almost certainly reduce the confidence of the minority community, who would point out that he is a former Minister for Home Affairs in the old Stormont government, whereas we are seeking "a new beginning". They would also see not only a Protestant/unionist majority on the Board, but within that a clear majority (7:3) of those drawn from the Assembly, and a unionist politician in the chair. There must also be a risk that his prominence





within the UUP would tend to make it harder for him to advocate or defend Board/police decisions that do not square with UUP policy. Nor can we wholly overlook the volume of local, national and international business already on his plate.

Des Rea on the other hand, while reported to have political affiliations to the UUP in the 1980s, would certainly be generally seen as only broadly unionist in orientation. He is well known as an economic observer, an academic, chair of the Labour Relations Agency and previously of other public bodies in the education and other fields, and member of the moderate and cross-community JIGSA group. His experience clearly equips him for the role of chair of the Board. While his appeal within unionism would be narrower than Kilclooney's, he would command greater acceptance in the nationalist community. Since he is not a prominent member of any political party, he would have much less difficulty than Kilclooney in advocating and defending Board/police decisions which do not square with one party's stance.

Recommendations

On this analysis I recommend Rea for the chair.

Turning to the <u>vice-chair</u>, it follows from the above that <u>Bradley</u> is the only remaining candidate. He is certainly equipped for the post. And a Protestant/unionist chair would be well complemented by a catholic/nationalist vice-chair. Nor should we contemplate appointing





Kilclooney to this: not only did he not apply, but a protestant/unionists taking both positions would be wrong in principle and damage public confidence in the Board.

Reaction

This outcome would give the UUP, DUP and SDLP some of what they demand, and we should argue that we have achieved a success for both sides. But we should expect criticism

- from Trimble that we should have appointed Kilclooney and that Bradley has Provisional affiliations (untrue, despite being a childhood friend of McGuinness and his role in Derry which has inevitably brought him into frequent contact with republicans)
- from Paisley about Bradley's appointment
- from Mallon that a nationalist should be chair to counter-balance the overall minority of Catholics/nationalists on the Board (9:10 on one measure) and the particular imbalance against them (3:7) among the Assembly members. Mallon has also said today that Bradley will not accept anything other than the chair, but our assessment is that we should continue with Rea and offer Bradley the vice-chair.





All three will doubtless predict dire consequences. But my judgement is that this outcome should be defended as that most likely to give something significant to both sides, if short of their aim.

If you are agreeable, I will now formally consult Empey and Mallon and sound out Trimble and Paisley. I will also be seeking to co-opt Cowen's support and anything you can do with the Taoiseach would be helpful.

JOHN REID

September 2001



FROM: BILL JEFFREY

Political Director 27 September 2001

BJ/MR/74



PS/SECRETARY OF STATE(L&B)

cc Sir Joseph Pilling Mr Watkins Mr Fittall Mr Alston Mr Powell No.10

LINES IF DECOMMISSIONING HAPPENS

l attach the version of the text which I have now sent to Gerry Adams. It takes account of the Secretary of State's and Jonathan Powell's comments and (marginally) of an Irish suggestion that the phrase "unambiguous choice between democracy and terror" was a bit stark.

2. At Dalton's suggestion, I spoke to Adams before sending it. I said that he should understand that this is what we would say in the precise circumstances discussed at Weston Park, in other words a de Chastelain report that the IICD had verified that a significant quantity of arms had been made permanently inaccessible or permanently unusable and that the Commission saw this as part of a process in fulfillment of the IRA's earlier commitment. I also said that we would expect an accompanying IRA statement which provided some reassurance for unionists about the IRA's longer term intentions to set against recent events, perhaps in the form of a renewed commitment to peace. It would also be important that a such statement did not, for internal management reasons, diminish the significance of the act reported by the IICD. It would blow the whole thing out of the water if the IRA themselves were presenting it as little more than a piece of housekeeping when the rest of us were claiming an historic advance. Adams noted all this without comment, save for

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remarking that he hoped that the text I was about to send him was correspondingly strong.

3. I also told Adams that we understood from David Trimble that his exclusion motion was likely to be considered by the Assembly Business Committee next Tuesday, in which case the chances were that it would be debated at some point during the following week. Adams said that this time-frame was not going to work. He did not know how quickly the IRA would act, but he thought it would need weeks. He himself had an Ard Fheis at the weekend, and was then out of the country until the following Saturday (although he hastily added that there was nothing to prevent them acting in his absence). He would try to have a word with Trimble himself. With his own impending departure, Martin McGuinness would end up handling things.

[Signed]

BILL JEFFREY
11 Millbank 6447

BRITISH GOVERNMENT LINES

- The Government warmly welcomes today's report from the IICD verifying that the IRA has carried out a substantial act of decommissioning by making a significant quantity of arms permanently inaccessible or permanently unusable.
- This is an unprecedented and genuinely historic move, which greatly
 enhances the prospects for peace in Northern Ireland and for the full
 implementation of the Good Friday Agreement. In particular, it has
 created a context in which we believe the full and stable operation of
 the political institutions which are the democratic core of the
 Agreement, can now be secured.
- All participants in the Good Friday Agreement committed themselves to the total disarmament of all paramilitary organisations. The IRA's move is by far the most significant step so far in that process. All paramilitary groups need now to play their part to build on these moves in carrying that process forward to completion and making an unambiguous commitment to democracy and exclusively peaceful means.
- Together with the Irish Government, we will continue to advance with the proposals, which the Prime Minister and the Taoiseach made after the Weston Park discussions, to bring about the full implementation of the Agreement. In particular, the Chief Constable has confirmed that the IRA's action as reported today has reduced the security threat to the extent that he will now proceed, as soon as logistically possible, with the demolition of the four installations mentioned in these proposals.

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BJ/MR/73(a)-27.9.2001-3.30pm

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 We are grateful to the IICD for their patient work to discharge their important responsibilities under the Agreement to secure the putting of all paramilitary arms beyond use.

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FROM:

WILLIAM FITTALL
Associate Political Director (L)
27 September 2001

JPO JE: DM MT TK

PS/Secretary of State (L&B)

cc See Copy Distribution Below

MEETING WITH DAVID TRIMBLE

David Trimble and David Campbell called on Bill Jeffrey and me earlier this afternoon for about three planters of an hour. David Trimble was in relaxed and cheerful mood.

He led off on the subject of **decommissioning** and asked what our assessment was. Bill said that we simply did not know. The Irish were still, privately, quite optimistic. Adams had told the decretary of State at the end of last week that he was doing his best, but was at pains to point up the difficulties. His departure to South Africa at the weekend came at an intriguing moment, but the idea of a trip to South Africa had been around for a while. Trimble asked whether we thought that Adams was possibly cooking something up with Ramaphosa. Bill said that we were clear that the IICD had ansisted on being present themselves at any act of decommissioning.

On the exclusion motion, Trimble said that the UUP were now tabling their motion. It remained to be seen whether it could attract the necessary 30 signatures. There was still games-playing going on vinithe DUP. He would prefer not to have to have a joint motion with them but might have to go along with this if all else failed. But the bottom line was that he now expected the Business committee on 2 October to set a date for a debate, probably on Monday 8 October (though I have subsequently heard from OFM/DFM that the UUP are still manoeuvring to try and fend it off until the 15th). One difficulty in securing further delay was that there was so little Assembly business coming forward now from the Northern Ireland Administration.

Bill asked what significance we should attach to the somewhat imprecise words which Trimble had used publicly about withdrawal or resignation in the event of the motion failing, as it seemed found to do. Trimble said that he was deliberately creating some vagueness in order to avoid opening timself up to difficult supplementaries over timescale. But the reality was that his room for

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manoeuvre would be extremely limited. After the exclusion motion there would be no more than a week to play with before we were into indefinite suspension.

The other points covered were:

- following the visit of a UUP delegation to Dublin today Trimble himself is going there on Tuesday;
- Bill reported that the Policing Board chairmanship and vice chairmanship might be resolved quite quickly now in order to prevent positions becoming even more entrenched. Trimble confirmed that Lord Kilchoney was the only UUP applicant from among the political nominees. He noted, without pressing the point that since the end of last week he had heard some negative comments from Jim McDonald about Des Rea's chairmanship of some education councils. But he did not know how much weight to attach to that. He reported that his adverse comments about Denis Bradley reflected a conversation he had had with Jack Allen who had said that Bradley had been very close to "Eamon McCann, who more than anyone else had been responsible for starting the troubles". The Secretary of State needed to understand that Bradley would be seen by unionists as a republican. Bill said that the unionist view was well understood by the Secretary of State but not shared;
- on **criminal justice**, David Trimble said that he would be relaxed about immediate publication were it not for the symbolic issues. These were the only ones which could play into the immediate broader politics. He regretted that he would be unable to leave Sam Foster in post as Minister for the Environment in order to refuse the listed building consents which would be required to remove coats of arms from within listed courtrooms!;
- Trimble returned to his familiar theme of the need to strengthen the centre of the devolved administration. As a minimum there needed to be Assembly legislation to amend the Departments Order in order to prevent Ministers giving instructions to officials which were

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contrary to Executive policy. He also wanted to break up DFP in order to place more power within FM/DFM. It would be intriguing to see how Durkan chose to play this assuming he became Deputy First Minister.

illiam Fittall

Distribution List

PS/Sir Joseph Pilling (L&B)
Ar Jeffrey
Ar Watkins
At Maccabe
Ar Powell, No 10

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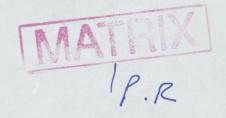
PTH /643

CONFIDENTIAL AND PERSONAL

FROM:

BILL JEFFREY
Political Director

26 September 2001



PS/SECRETARY OF STATE (L&B) - O cc:

PS/Sir Joseph Pilling - O

Mr Watkins - O

Mr Fittall - O

Mr Powell, No.10 (Fax) (M7

TEXT IF DECOMMISSIONING HAPPENS

As discussed, I attach the lines we might use in the event that decommissioning happens. I explained the context in which this work was being done when I met the Secretary of State this afternoon. I would be grateful to have any overnight reactions from him or Jonathan Powell.

[Bill Geffrey]

BILL JEFFREY
11 Millbank 26447

BRITISH GOVERNMENT LINES

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 in Northern Ireland and for the full implementation of the Good Friday
 Agreement. In particular, it has created a context in which we believe the full and
 stable operation of the political institutions which are the democratic core of the
 Agreement, can now be secured.
- All participants in the Good Friday Agreement committed themselves to the total
 disarmament of all paramilitary organisations. The IRA's move is the most
 significant step so far in that process. All paramilitary groups and their political
 partners need now to play their part in carrying that process forward to completion
 and making an unambiguous choice between democracy and terror.
- Together with the Irish Government, we will continue to pursue the proposals,
 which the Prime Minister and the Taoiseach made after the Weston Park
 discussions, for the full implementation of the Agreement. In particular, the Chief
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- We are grateful to the IICD for their patient work to discharge their important responsibilities under the Agreement to secure the putting of all paramilitary arms beyond use.

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Department of Enterprise, Trade and Investment for Northern Ireland From the Minister Rt Hon Tony Blair MP Prime Minister and First Lord of the Treasury and Minister for the Civil Service 10 Downing Street LONDON SW1A 2AA As part of its worldwide response to the downturn in the airline sector together with the recent events in the United States, Bombardier/Shorts today announced a major contraction in its business operation. The effect in Northern Ireland is a loss of 2092 jobs in Bombardier/Shorts with many more to come in the sub-contracting network. Bombardier Aerospace (Shorts) is the largest industrial employer in. Northern Ireland, employing 7800 in the design and manufacture of aerospace components. The main product lines are fuselages, nacelles and flight components for regional jet programmes. Salary levels are among the highest in the Province and the company over the last few. years has expanded rapidly and put a considerable effort into training new recruits many of whom have come through the Bridge to Employment Just last year Bombardier announced a multi-million pound investment involving work on new aircraft, including the Continental business jet and the regional jet as well as additional workshare on existing programmes. The company's success has had major benefits for the Northern Ireland

DETI PRIVATE OFFICE

local economy, the investment programme has enabled high value-added work previously done by subcontractors outside Northern Ireland to be repatriated. The company's local supplier development programme is worth £30m per year.

Today's announcement will impact severely not only on those directly affected in the Bombardier plants in the Greater Belfast area but also on those engineering companies across Northern Ireland who are suppliers to Bombardier. A number of these suppliers are located in areas of high unemployment and the loss of business from Bombardier will have serious consequences for the local areas. As well as the direct job losses it is estimated that there could be a further 800-1200 jobs lost in the economy because of the downward multiplier effects.

Clearly developments of this scale and nature will have a devastating effect on the people of Northern Ireland, both those directly affected by the loss of livelihood and those in the wider community. Having endured the pain and adverse economic consequences of local terrorism for more than 30 years it will be a real blow to sustain such a dire effect from global terrorism – perhaps the GB equivalent of up to 70,000 jobs lost. All the more so since it comes at a time when we have been working hard to build a platform which will provide political, social and economic stability.

I and my colleagues in the Executive will be working together to do all we can within our devolved responsibilities to mitigate the effects of this announcement. However, there are limits to what we can accomplish in isolation and I would urge Her Majesty's Government, perhaps necessarily working in conjunction with national leaders in other affected countries, to broaden the scope of your considerations of special interventions to include the aerospace industry in general. My officials have already been in touch with DTI colleagues to highlight this problem, but I am sure political input will be necessary if an appropriate response is to be found. It would be sad indeed if we were to allow the actions of terrorists to destroy one of the UK's most promising areas of industrial growth.

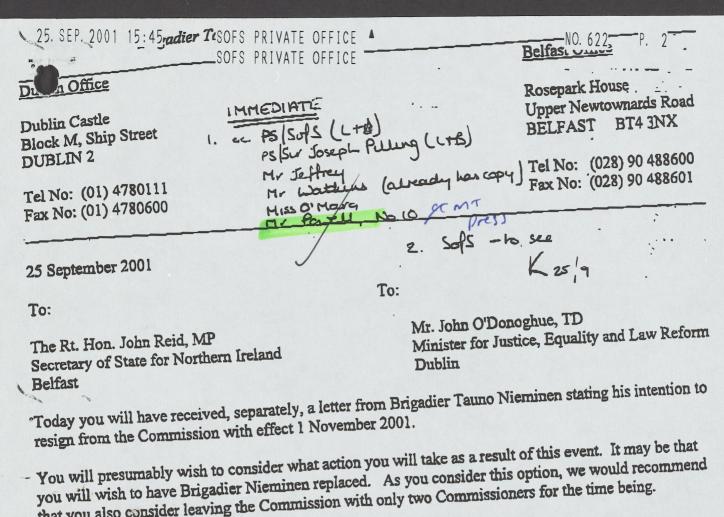
I readily acknowledge the very heavy burden you are carrying personally at this time of national crisis and the leadership you are showing and can assure you that I and my colleagues stand ready to work with you in the battle against-terrorism.

I am meeting with representatives of the media later today and whilst I intend to refer to this letter I will not disclose its detailed content.

I am copying this letter to Ms Patricia Hewitt MP, Rt Hon Dr John Reid MP, Henry McLeish MSP and Rt Hon Rhodri Morgan MP.

SIR REG EMPEY, MLA

Minister for Enterprise, Trade & Investment



that you also consider leaving the Commission with only two Commissioners for the time being.

We make this recommendation, partly in light of the terms of Article 5 of your 26 August 1997 Agreement which stipulates that: "The Commission shall consist of not less than two members." We make it also in the belief that Brigadier Nieminen might agree to return as a Commissioner on a temporary basis once actual decommissioning has begun, and until its completion. During the past four years he has gained the respect of the paramilitary group representatives and others involved in the decommissioning process, and we believe it would be preferable for him to be recalled on a temporary basis, when appropriate, than for a new Commissioner to be named at this late stage.

At the same time we would recommend that Mr. Aaro Suonio -- the assistant to Brigadier Nieminen, whom you requested Finland to provide - remain as part of the Commission, once Brigadier Nieminen leaves. We see three advantages to this course of action. The first is that his retention would maintain the "three-nation" representation of the Commission. Second, he has been the public relations officer for the Commission from the start, and is known and respected by the national and international media communities. Finally, should Brigadier Nieminen return on a temporary basis when actual decommissioning starts, Mr. Suonio would be in a position to resume his role as his assistant.

We make these recommendations in the belief that they provide, from our perspective, an appropriate and workable solution for the immediate future.

hn de Chastelain

Andrew D. Sens

25. SEP. 2001 15:45 TINTSOFS PRIVATE OFFICE AND SOFS PRIVATE OFFICE NO. 622 SOFS PRIVATE OFFICE General Jonn de Chastelain Andrew D. Sens Brigadier Tauno Nieminen Address in Belfast Address in Dublin Rosepark House Upper Newtownards Road Dublin Castle BELFAST BT4 3NX Block M, Ship Street DUBLIN 2 Tel No: (028) 90488600 Fax No: (028) 90488601 Tel No: (01) 4780111 Fax No: (01) 4780600

To:

The Rt. Hon. John Reid, MP Secretary of State for Northern Ireland Belfast To:

Mr. John O'Donoghue, TD
Minister for Justice, Equality and Law Reform
Dublin

I hereby tender my resignation from the office of Commissioner in the Independent International Commission on Decommissioning with effect on 1 November 2001.

Belfast, 25 September 2001

Tauno Nieminen Brigadier-General

ТО

CC

FROM:

11:37

5-SEP-2001

BILL JEFFREY
Political Director
25 September 2001
BJ/MR/67

THE STATE OF THE S

PS/SECRETARY OF STATE(L&B)

PS/Ms Kennedy(L&B)
PS/Mr Browne(L&B)
Sir Joseph Pilling
Mr Watkins
Mr Fittall
Ms O'Mara o.r.
Ms Bharucha
Mrs Madden

Mr Powell No.10-Fax

MEMBERSHIP OF THE DECOMMISSIONING COMMISSION

AC Tu/as

Summary

- · Brigadier Nieminen to resign at the end of October.
- General de Chastelain and Ambassador Sens contemplating doing so at the end of the year, if there has been no movement on decommissioning by early November.
- De Chastelain ready to consider, as an alternative, a different method
 of working in which the Commissioners would be on a retainer but
 based in their home countries.

Detail

Brigadier Nieminen rang me yesterday morning to alert me to the fact that he had decided to resign from the Commission, with effect from the end of October. A letter would be coming, and General de Chastelain would probably want to speak to me as well. He had decided that, as things currently stood, his military expertise was unlikely to be required, but if decommissioning got underway at some point in the future, he would be

CONFIDENTIAL

- willing, if invited, to be reappointed. He was not going to seek any publicity for his resignation. I thanked him warmly.
- 2. I spoke to de Chastelain later in the day. His recommendation would be <u>against</u> appointing a successor to Nieminen at this stage. The learning curve would be steep; the agreement between the two Governments was such that the Commission could operate with only two members; and Nieminen's willingness to be reappointed if business got brisker could be exploited if necessary. He would leave Nieminen's assistant in post for the time being to maintain the Finnish representation, and because he handled their PR.
- 3. De Chastelain added that, although he was saying nothing to us yet formally, he and Sens were thinking of resigning at the end of the year. He would want to give us two month's notice, so his current idea was that if there was no movement by the IRA when we came to the end of the current six week period, i.e. at the beginning of November, he would do so then. He might at a pinch be willing to stay on until the new legislation came into effect in February. All three Commissioners felt that things had reached the point where the IRA either did something or not at all. They were already "courting grave scepticism" over their ability, as a Commission, to achieve decommissioning.
- 4. I did not, at this stage anyway, try to dissuade de Chastelain. I said he had made a great contribution, and I could understand why he might feel he had had enough. I would report what he had told me to the Secretary of State, who would be disappointed. One possibility that had occurred to me was the Commission might change its style of operation completely. If the prospects for decommissioning became really poor, we still had to have a legislative framework and a group of people with the necessary powers. But it was not self-evident that these people should have fully functioning offices in Belfast and Dublin, and spend as much

CONFIDENTIAL



time in Ireland as the current Commission did. I could imagine a set-up in which the Commissioners were on a retainer but lived in their own countries, on the understanding that if any paramilitary organisations were ready to decommission, they would drop everything and re-engage more actively. De Chastelain said he would certainly be open to that sort of model. I emphasised that I had not discussed it with Ministers or others here, nor with the Irish. There was an obvious political dimension.

- 5. If Ministers agree, David Watkins and SPOB will give some further thought to the idea of a lower key Commission on the lines I have described here. If it was presentationally manageable, it would have the distinct advantage that we might not have to search quite so hard for replacement Commissioners, which would I guess be a pretty thankless task.
- 6. Although David Watkins has now received Nieminen's letter of resignation, we might try to hold back on announcing it until nearer his actual departure date. In the next few weeks the story that one of the Commissioners had resigned because he had given up on decommissioning ever happening could be quite damaging. If the Secretary of State agrees, I'll mention this to Tim Dalton.

[Signed]

BILL JEFFREY
11 Millbank 2 6447

Dunne



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FRONT: Sources say Real IRA are close to ceasefire

EDITORIAL: Picture

avoid decision on arms

Reid urges IRA to move on arms

UUP in new move

Workers escape injury as device explodes

Sinn Fein says no threat in Adams's comments

IRELAND

Monday, September 24, 2001

New reality may persuade IRA to decommission

Garda intelligence reported that the IRA reengaged with the North's decommissioning body sometime last month over how it could verifiably dispose of a large amount of weapons, writes Jim

Cusack, Security Editor

Further pressure on the IRA to carry out an act of decommissioning may come within days if, as is expected, the "Real IRA" calls an end to its terrorist campaign. The "Real IRA", the group responsible for the worst single atrocity of the Troubles in the Omagh bombing, has been holding a series of meetings in the Missing The Bigger wake of the Islamic attacks in the United States.

Members of the "Real IRA's" political wing, the 32-Republicans cannot County Sovereignty Committee, met in Dundalk yesterday to discuss its stance on the calling of a military cessation in the aftermath of the attacks on the US. The group is already included in the US list of proscribed organisations and fund-raising for either the political or military wings is banned there.

One of the practical difficulties the IRA would encounter to exclude Sinn Fein if it chose to hand over weapons was that it would face angry opposition from dissidents such as the "Real IRA". There is very considerable tension between the two groups in south Armagh. Local sources report that fistfighting has been breaking out regularly in local bars at weekends. The fighting has even created bitter divisions within some republican families.

There were concerns locally among IRA figures that if

GET YOUR HANDS ON A COPY OF

Monday, September 24,





there was decommissioning this could then be used by their opponents in the "Real IRA" as a further excuse to attack it. Dissident purists have, until now, believed that it would be an offence against the spirit of Irish republicanism to "surrender" weapons while there is still British occupation of the North.

So if the "Real IRA" chooses to call a ceasefire, prompted by the current anti-terrorist climate, this will remove one of the fears that the IRA might have about decommissioning.

Republican sources in the North and Garda sources had reported no movement within the IRA towards decommissioning - despite its August 8th statement that it was engaging with Gen de Chastelain's Independent International Commission on Decommissioning.

Under the terms of the Easter 1998 Belfast Agreement, decommissioning of all terrorist weapons was to have been completed by June this year. Only days after making its announcement about re-engagement with Gen de Chasterlain, the IRA withdrew its offer, citing a negative response from the Ulster Unionist leadership.

However, the attitude of the IRA leadership changed again in the aftermath of the arrests of the three republicans in Colombia in mid-August.

Although the actual mechanism to be used to bring about IRA decommissioning is not widely known, it is believed its primary choice is to destroy its weapons itself. The notion of pouring concrete into arms bunkers is one that has been suggested. It is believed the IRA would then prefer that this was verified by the two inspectors it has previously chosen to inspect three of its dumps.

However, senior security sources point out that pouring concrete into bunkers is something even the IRA would find difficult to keep secret.

It is now thought possible that the IRA will carry out an act of decommissioning in the coming weeks. It knows that if it fails to do so it may be put back on the list international terrorist organisations proscribed in the United States. If that occurs, it may follow that Sinn Féin may be banned from raising funds or organising in the US.

Sinn Féin supporters in the United States have donated millions of dollars to the organisation since it was permitted to openly raise money there in the aftermath of the first ceasefire. One of the first acts of Sinn Féin at the time of the August 1994 ceasefire was to seek visas for some of its leading members, mostly notably Mr Joe Cahill, the veteran republican and Sinn Féin national treasurer.

Exclusion from the United States could seriously deter the progress Sinn Féin has been making. The party has, in the past few years, opened more than 30 constituency offices in the Republic and at least that number in the North. Its political machine is regarded as the richest of any political party on the island and is believed to have hundreds of full-time employees.

If, at this stage in the peace process in Northern Ireland, the IRA chooses to hold on to its weapons, it could be seen, particularly in the United States, to be bringing the "peace process" to an end.

This would also raise questions about the IRA's future intentions. Since first calling its "cessation" between August 1994 and February 1996, when it started its campaign again with the bombing of Canary Wharf in London, and the resumption of its cessation in August 1997, the organisation has been on effective ceasefire for five years and seven months.

With any return to "war" it would find itself engaging in attacks on the British army and possibly the new Police Service of Northern Ireland (PSNI).

No Garda or republican source believes that even the most hawkish figures in the IRA would consider launching such a campaign at a time when Britain is standing sideby-side with the United States in its declared war against "international terrorism".

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25. SEP. 2001 10:18

POLITICAL DIRECTORATL⁴ POLITICAL DIRECTORAT

NO. 057 P. 2

FROM:

BILL JEFFREY
Political Director
24 September 2001
BJ/MR/66

PS/SECRETARY OF STATE(L&B)

cc

PS/Ms Kennedy(L&B)
PS/Mr Browne(L&B)
Sir Joseph Pilling
Mr Watkins
Mr Fittall
Mr Maccabe
Mr Hannigan
Mr Stephens
Mr Crawford
Mr Waterworth
Mr Powell No.10-Fax
Sir Ivor Roberts HMA(D)

TIMING OF UNIONIST EXCLUSION MOTION

David Campbell told me this morning that David Trimble did not want the UUP exclusion motion debated in the Assembly next week. It had not yet been tabled, and would not be until it was clear that there would be a couple of weeks' gap until the debate. Trimble had met Alderdice this morning. There was, in any event, an aspect about which Alderdice wanted to consult, so there was no question of the motion reaching the Assembly Business Committee at its meeting tomorrow. The most likely scenario was that it would be taken at next Tuesday's meeting with a debate the following week, but even this timetable could slip if it took a while to resolve the wrangle with the DUP over which motion should take precedence.

[Signed]

BILL JEFFREY
11 Millbank 26447

Dans Ceally we tody. Earhorst

Motron: would be voted was 8/9 ortober.

DT would have one west lefter

Mando resigned - a 64 15 october.

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You are in: UK: Northern Ireland Front Page Monday, 24 September, 2001, 14:01 GMT 15:01 UK

Leading Irish American England urges IRA to disarm



Decommissioning remains a stumbling block

ATTACK ON AMERICA

AudioVideo

A leading Irish American businessman has called on the IRA to start decommissioning its weapons.

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The chairman of the National Committee on American Foreign Policy, Bill Flynn, said for the first time Americans knew what it was like to be attacked by terrorist bombers.

The committee meets on Monday to discuss the US response to the attack on the World Trade Center and the Pentagon.

The Northern Ireland peace process is also on the agenda.

Mr Flynn said it was time to bring the peace process to a conclusion and that meant resolving the decommissioning issue.

"I encourage the Irish Republican Army now to move ahead to accelerate the process to put the proposal that I have seen in the was put through General John de Chastelain back on the table and to take further steps to assure the people of Northern Ireland that this is a genuine proposal, which I believe it is," he

said.

66 The Colombia situation is the greatest puzzle that entire 10 or 15 years that I have been involved in the north of Ireland

Bill Flynn

He said that a resolution to the arms issue

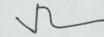
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Purportarb.

Quik Southers one of The war fundes of SP.



could bring progress on other elements of the peace process.

"There are a number of key issues in the north of Ireland, decommissioning is at the top of the list, so is policing," he said.

"Demilitarisation follows. Structuring the institutions so that they cannot be brought down with the so-called 'unionist veto', a new criminal justice system. All of these are in the works but decommissioning is at the heart of it."

Puzzle

The leading businessman said that although the IRA should take the lead on the arms issue, loyalist paramilitaries had commitments to honour also.

"We must now look at the leaders of the loyalist political apparatus to come together with a proposal for decommissioning and an agreement on policing."

Mr Flynn said the situation regarding the suspected IRA members, currently held in a prison in Colombia on charges of training rebel guerillas, was worrying.

"The Colombia situation is the greatest puzzle that I have seen in the entire 10 or 15 years that I have been involved in the north of Ireland.

"I don't understand it. I disassociate myself from it. It frightens Americans of Irish heritage that there should be any connection."

'Devastating effect'

He added: "We resist it and we hope that the statement by the IRA that they have nothing whatever to do with it is correct. If otherwise were found, it would have a devastating effect on Irish Americans.

Commenting on the repercussions of the World Trade Center attack on the IRA, Mr Flynn said Irish Americans would not support terrorism in any form.

"I think that what happened on 11 September changed the world," he said.

"It brought home to us in a special way what the people of Northern Ireland and the people of Britain have been undergoing.

"There is no room in the world, if there ever was room, for terrorism. We can't support it, we fight it.

"The World Trade Center attack and the tragedy that has unfolded brings it home in a way that nothing else has brought it home to American people and it is particularly true for Americans of Irish heritage."

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CONFIDENTIAL & PERSONAL

CC

FROM: BILL JEFFREY

Political Director 21 September 2001 MT cc:Jo DM TK

PS/SECRETARY OF STATE(L&B) - O

Sir Joseph Pilling - O Mr Watkins - O Mr Alston - O Mr Fittall - O Mr Stephens - O Mr Powell, No.10 - E

MEETING WITH GERRY ADAMS

The Secretary of State met Gerry Adams for just over an hour at Hillsborough Castle this morning. The main headlines are that Adams gave the impression that he was running into more resistance on decommissioning that he had expected, and that he advised the Secretary of State strongly against implying when he announced the one day suspension that he now expected decommissioning to happen.

- Adams said that the public impression of the IRA being under pressure was having a hugely negative impact. People were saying that it would be a mistake to decommission quickly, and be carried away by a tide of media pressure, some of which was orchestrated. In particular, the State Department was being unhelpful, and we should tell them so. We should also know that he would come out hard against policing proposals and the SDLP's decision to join the Board. In his view, we should now go for a review without suspension. Suspension was a Unionist demand. Although the Secretary of State had presented it skillfully last time, it sapped confidence. He was still working on the IRA. Getting them to do what was necessary would be testing. He had had a decent meeting with Trimble, and had told him that if he succeeded in getting the IRA to move, he would want to discuss the handling of it with him in advance.
- 3. The Secretary of State said that, in his view, Trimble had even worse management problems than Adams. He had been deserted even by some of his own loyalists, but still wanted decommissioning to happen and the institutions to succeed. He was, however, under such pressure internally that there was a risk that he would take steps which would be counterproductive to Adams' efforts. The Secretary of State was trying to put himself in a position to relieve some of the pressure on Trimble, in particularly by making it clear



P03

and he did not intend at the end of the next six week period to have a further short term suspension. Everyone needed more time. The Secretary of State outlined briefly the kind of statement he had in mind, including the judgement (which he emphasised would entirely personal) that there were grounds for being hopeful of movement on the issue of arms in the coming weeks. This would, to an extent, put him in the firing line, but it might make it easier for Trimble to withstand pressure to withdraw his Ministers.

- Adams said that he had told the Prime Minister that he believed the IRA should follow through on their proposal to the IICD; that he was not going to negotiate about this; and that he feared that the process was going down the tubes anyway. The earlier deal had created problems, and it would therefore be better if the IRA acted unilaterally on political affairs. Even if they did so, the process would still be sunk unless the British Government and the Unionists responded positively. The lesson to be drawn from the events in the USA was about the utility of war and the importance of making the process work. It was possible that his expressing himself in that way had given the Prime Minister an unduly optimistic view of the prospects.
- for them to take. They had been on the cusp of doing so in August. It had been a mistake to withdraw their offer. But there was no certainty that they would put the offer back on the table, far less deliver on it. He felt morally obliged to see things through, but when he ran at people as hard as he could, it could affect relationships. McGuinness was on board, as were others who had always favoured helping the political process by moving on arms. But there were some who were much more cautious. Although last Friday he had been clear in his own mind about a way forward, he had been surprised by their reactions. Against that background, it would be a great mistake for the Secretary of State to say that he believed that decommissioning was possible or likely in the coming weeks. If he did, Adams would feel bound to say publicly that he had advised him not to.
- 6. The Secretary of State described at some length his own approach to Republicanism. He did not underestimate the significance of the steps which had been taken, or of any move which now may occur to put arms beyond use. Adams said that it would help if these sentiments were expressed more frequently in public. Instead, the Secretary of State's attitude towards the activities of the UDA, and his failure to say unequivocally that the Holy Cross protest should cease were examples of issues which affected Republican perceptions.

CONFIDENTIAL & PERSONAL

- 7. The Secretary of State said that he had, in fact, made clear his attitude towards the Ardoyne protests. One of the reasons for his cautious approach towards declaring the UDA ceasefire over was that attention would immediately shift to the activities of the Provisional IRA. If he was asked whether PIRA was engaged on targeting, training, acquisition of weapons, recruitment, murder and other acts of violence, it would be hard for him to respond in the negative. Adams did not respond directly to this but said that acting against the UDA was the right thing to do on the merits.
- 8. Towards the end of the meeting, I said that the underlying political reality was as it had been when Adams and I spoke last week. For whatever reasons, the Unionists' willingness to continue with Sinn Fein as partners and the IRA as active as they were was almost exhausted. Decommissioning was an essentially symbolic business, but without it the whole process would be lost within weeks. Adams said he could see that. That was why he was making the efforts he was. He had almost lost McGuinness over Colombia. His own service to the process was to bring Republicans along. It would be easy enough for him to break off and form a new Party with no connections with terrorism, as De Valera had done. The reason he did not do so was because he had a genuine interest in bringing physical force Republicanism to an end. He also believed that the political project could work.
- 9. Adams observed that the Secretary of State had had "a considerable coup" on policing, but he did not think that ultimately it would be successful. On decommissioning, his impression was that we tended to assume that every change in his message was tactically judged. In fact it was often much simpler than that. He had thought at the end of last week that he could make more progress more quickly than he had. We should not take this as a negative signal. It was simply the way things were at the moment.

Signed

BILL JEFFREY 11 Millbank @ 6447 CONFIDENTIAL

FROM:

BILL JEFFREY Political Director 24 September 2001

BJ/MR/65

PS/SECRETARY OF STATE(L&B)

he nur a i the botheco

I will speak to him

Sir Joseph Pilling

Mr Watkins Mr Alston

Mr Fittall

Mr Stephens
Mr Powell No. 10-FAX

AC | GS | TX

CONVERSATION WITH GERRY ADAMS

Gerry Adams rang me this morning to touch base. David Trimble's action on Saturday had been "most unhelpful", as had the Secretary of State's remarks on "Inside Politics" which had concentrated unduly on IRA weapons. (I interjected that the Secretary of State was not trying to hype things up, but had to answer the questions he was asked). Nevertheless, Adams wanted to reassure me that he was continuing his efforts to sort things out. The North Belfast situation was another aggravating factor. He was not closely in touch with this, but believed that ten or eleven pipe bombs had been thrown over the weekend. Gerry Kelly thought it was a deliberate spoiling tactic by loyalists.

- I said that I was glad that Sinn Fein had not overreacted publicly to Trimble's demarche. We had tried, without success, to discourage him, but it had become obvious that he had no room for manoeuvre within his party.
- I asked Adams whether, as I had heard from Irish officials, he was off to South Africa. He said he had a Sinn Féin conference this week, but would be heading off next Sunday.

[Signed]

BILL JEFFREY 11 Millbank @ 6447

Michael Tatham No 10

For onward transmission to Jonathan Powell in Brussels

MT GUIJRO DM AC TC

Attached is the latest version of the statement as cleared by John Reid. The Irish have suggested two changes which we shall put to him once he has finished his meeting with Gerry Adams. They are:

- amend the first sentence of paragraph 6 to read "Thirdly, I am persuaded that there is now a real possibility of early progress in resolving the issue..."
- penultimate paragraph final sentence delete "in a few weeks' time".

S. M. JULE

P.William Fittall

21 September 2001

APDL/

DRAFT STATEMENT ON SUSPENSION FOR 21 SEPTEMBER

I have this afternoon signed an order suspending devolved government in Northern Ireland from midnight tonight.

This is the second occasion in six weeks when devolution has been suspended. When I restored the institutions on 11 August my hope was that early progress would be possible to secure the full implementation of all the outstanding issues under the Good Friday Agreement.

I did not at that point believe that it would be right to contemplate a further short suspension now if those issues remained unresolved. In the past 6 weeks, however, circumstances have changed in three material respects.

First, in breaking the deadlock on policing we have demonstrated that, with time and political will, it is possible to resolve seemingly intractable problems. The publication of the implementation plan and the subsequent decision of the SDLP, UUP and DUP to nominate to the Policing Board have cleared the way to create a police service which for the first time ever in Northern Ireland will command cross-community support. This is a major step forward in implementing the Agreement.

Secondly, the tragic events in the United States have inevitably overshadowed everything over the past two weeks. They have brought into starker focus than ever before the choice that has to be made between democracy and terror – a choice which leaves no room for ambiguity. They have also reminded us unbearably of the consequences of wrong choices.

Thirdly, I am now persuaded that there is a real possibility, within weeks, of beginning to resolve the issue of paramilitary weapons once and for all. It is a hope rather than a

certainty. In view of past discouragements, including some over recent weeks, I can understand all too well why many will remain sceptical until decommissioning actually starts. My message to the sceptics and to the paramilitaries themselves, is that the door is open, there is now an opportunity to those with arms and explosives to take the step which will enable the issue to be resolved once and for all.

I must emphasise that I would not be taking this step if I did not believe that there was a chance of success. It is not one that I believe I could credibly repeat in a few weeks' time, and I do not intend to do so.

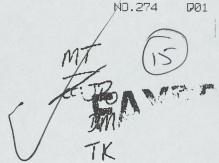
I am now going to Brussels where I shall be meeting the Irish Foreign Minister, Brian Cowen, to consider the next steps. In the light of that and other consultations I hope to be able to complete the review which is required under the Northern Ireland Act 2000 so that the operation of the devolved institutions can be restored very quickly.

CONFIDENTIAL & PERSONAL

CC

FROM:

BILL JEFFREY Political Director 21 September 2001



PS/SECRETARY OF STATE(L&B) - O

Sir Joseph Pilling - O

Mr Watkins - O

Mr Fittall - O

Mr Maccabe - O

Mr Stephens - O

Mr Crawford - O

Mr Waterworth - O

Mr Tatham, No.10 - E

Sir Ivor Roberts, HMA Dublin - O

MEETING WITH DAVID TRIMBLE AND DAVID CAMPBELL

The Secretary of State met David Trimble late yesterday evening following the meeting about policing with the DUP. David Campbell and I were also there.

- Trimble said that his meeting with Adams earlier in the day had been 2. unsatisfactory. The most Adams had been willing to say was that on balance, he thought the IRA would decommission, but he had followed up with quickly with questions about how the Government and Unionists would react. Trimble had drawn attention to the IRA's lack of credibility. What they said to explain any decommissioning gesture would also be important. He now thought it unlikely that the IRA would decommission. If they had not been able to agree to do so in August, they were hardly going to do so now. He was being told that there was no sign from intelligence that they were about to move.
- The Secretary of State said that he hadn't been with the Prime Minister when he 3. met Adams, but his sense was that, in the new situation following the Colombian incident and the terrorist attacks on the USA, the IRA were now under great pressure and were ready to move. Like Trimble, Adams had internal management problems. He understood that Trimble was under threat of an Ulster Unionist Council within weeks if there was another one day suspension. The problem was that, if Trimble said something to manage his Party over the coming days which looked like a deadline, Republicans would back off. He wondered whether there was some way in which he himself could take the strain. If Trimble asked him to do so, he could make it clear that this was the last chance and that he was not intending to use the one day suspension device again. This would not create the

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kind of explicit deadline to which Adams could object, but it would have much the same effect.

- Trimble repeated that his sense was that the IRA did not intend to do anything. He 4. knew Adams had given the Prime Minister reason to believe that they would, but he had done that before. They were probably buying time, in the hope that in a couple of weeks the international dynamic would have changed. The Government should, in effect, give them an ultimatum, and make it clear that if it wasn't complied with, steps would be taken to exclude Sinn Fein from Government. If not, he intended to give the Government an ultimatum. If there was a one day suspension with no good reason, there would be an immediate requisition for a UUC meeting to agree the withdrawal of UUP Ministers, which would have to take place in the next two or three weeks. His opponents within the Party had the necessary signatures. Having resigned as First Minister himself, there was no way he could try to resist that. He was unwilling to put his leadership at risk by allowing his own dissidents to set the pace. What was therefore in his mind at the moment was that on Monday morning he would table a motion in the Assembly for the exclusion of Sinn Fein from the Executive, for debate in a fortnight's time, say two weeks on Tuesday. If that motion was not carried, his Ministers would be unable to remain in office.
- I asked whether Trimble really thought it necessary to put a date on the exclusion 5. motion. This would turn it into a deadline, which would give Sinn Fein the perfect excuse for not moving. Would it not be better to be unspecific about timing, and let the current political pressure on Sinn Fein operate in his favour? Trimble was asking of us, in effect, that we make clear what the further six week period was for, and that we threaten Sinn Fein with exclusion if nothing happened during it. The first of these was easier than the second, and would be met by the kind of explanation/rationale that the Secretary of State had described. The second was much more difficult, because we could be confident that Republicans would not move under that kind of explicit threat.
- The Secretary of State then sketched out the kind of statement he could make. He 6. could point to progress on policing during the previous six week period and to the extent to which attention had been distracted by events such as the disorder in the Ardoyne and the US terrorist attacks. As a result of the tragedy in the US, he could say that, in his

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judgement, there was now a real desire to ensure that arms were put beyond use. In these circumstances, there were grounds for believing that there would be advantage in another six weeks, but he would not intend to use that device again.

- 7. <u>Trimble</u> said that he did not think any of this would work. The political reality was that he would not last six weeks. Three weeks was the absolute maximum. He had spoken to his senior Ministerial colleagues, who were all of the same mind.
- 8. We went round much the same course again, but without any change in Trimble's position, save that he agreed to reflect on the matter in the light of what the Secretary of State had said. The Secretary of State said that, if he did feel he had to table an exclusion motion, it would be better for it to be three weeks' ahead rather than two. He could then say to Adams that if the IRA had not delivered by half way through the six week period, the whole thing would be lost. Campbell said that it would possible to table a motion for debate in three weeks' time, but Trimble would have to announce on Monday that he was doing this.

Signed

BILL JEFFREY
11 Millbank **2** 6447

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FROM: E

BILL JEFFREY
Political Director
21 September 2001



PS/SECRETARY OF STATE(L&B) - O

Sir Joseph Pilling - O
Mr Watkins - O
Mr Fittall - O
Mr Maccabe - O
Mr Hannigan - O
Mr Stephens - O
Mr Crawford - O
Mr Waterworth - O

Mr Powell, No.10 - E Sir Ivor Roberts, HMA Dublin - O

CONVERSATION WITH DAVID CAMPBELL

I spoke to David Campbell earlier this morning. I said that the Secretary of State was likely to make a statement later today announcing the suspension of the institutions for a short period, as we had discussed yesterday evening. He would do his best to find language which provided a rationale for the suspension in terms of the requirement for decommissioning, and that he did not intend to repeat it. Had David Trimble been able to think over his own position in the light of yesterday evening's discussion?

- 2. <u>Campbell</u> said that Trimble had appreciated the frankness of yesterday evening's conversation, but his essential position remained unchanged. He had talked to senior colleagues again this morning, and his mind was made up. He had been told before that decommissioning was imminent, and did not believe it.
- I said that we were very concerned at the prospect of Trimble tabling an exclusion motion against Sinn Fein, with a date on which it would be debated. The date would inevitably be seen by Republicans as a deadline. Of course we were not certain that the IRA would decommission in the next few weeks, but the pressure of events was undoubtedly telling on them, and we and the Irish had a strong sense that movement was possible. Trimble risked giving them a pretext for doing nothing. When was he likely to make his intentions known?

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4. <u>Campbell</u> said that he would probably call his Party officers and others together for a meeting tomorrow to discuss the implications of the Secretary of State's announcement. To forestall the calling of a Council meeting, he would probably need to make an announcement tomorrow. I said that the Prime Minister might well want a word with Trimble, and I hoped he would not anything to precipitate until that had been arranged. Campbell noted this.

Signed

BILL JEFFREY
11 Millbank **26** 6447

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10 DOWNING STREET LONDON SW1A 2AA

From the Private Secretary

21 September 2001

Dear Paul

TELEPHONE CONVERSATION WITH DAVID TRIMBLE

The Prime Minister (ringing from the margins of the Special European Council) had a very brief telephone conversation with David Trimble this evening.

The Prime Minister said he had been briefed on Trimble's plan to table a motion seeking to exclude Sinn Fein. He was very concerned that, if a deadline was attached to this plan, it would let Sinn Fein off the hook. Trimble said that, whether there was an explicit deadline or not, the nature of the process meant that a 2-3 week timescale would be apparent. He added that he did not believe the IRA were doing anything other than playing for time. The Prime Minister said if this was the case, the smartest thing to do was to expose the IRA's tactics. If they then failed to deliver, we were in the strongest possible position to condemn them (and to get the Irish to do so as well). Trimble replied that if he did not act, the requisition from his party would follow and he would be faced with a hostile UUC.

The Prime Minister said even if he could not persuade Trimble to change his plan, he strongly urged him not to attach a specific deadline to it. Trimble said he would see what he could do about finessing the date. He would hold a party meeting tomorrow after which he would have to say what he was doing. The proposal for a motion would then go to the business committee. It might be possible to kick the debate as far forward as 15 October (although there would be pressure for it to take place the previous week). He would avoid specifying a date if he could, but the nature of the process meant that most people would be able to work out the timescale. The Prime Minister said that nevertheless it would be much better to leave any date unsaid.

Trimble repeated that all his information (including from those "on the inside") confirmed his view that the IRA were not serious. The Prime Minister

CONFIDENTIAL - PERSONAL -2said this may be so but if we were to condemn Sinn Fein we needed to be in the strongest possible position to do so and with the Irish onside. The Taoiseach had indicated to the Prime Minister tonight that he would be prepared to use strong language if Sinn Fein failed to deliver. This highlighted the importance of keeping the responsibility for failure firmly on Sinn Fein. Trimble said that what was desirable for the Prime Minister and Taoiseach might not be possible for him. He was extremely exposed. It was hard for outsiders to understand the extent to which moderate unionist opinion had hardened. The Prime Minister said that he and Bush had not taken any questions during their joint press appearance yesterday (Bush's advisers had not wanted him to say anything that might distract from his speech to Congress). But Bush had been strongly supportive. Trimble said he had taken a call from Haass earlier today and had briefed him on what he would be announcing tomorrow. Yours ever Michael Rollan MICHAEL TATHAM Paul Priestly NIO



Michael Tatham No 10

For onward transmission to Jonathan Powell in Brussels

Attached is the latest version of the statement as cleared by John Reid. The Irish have suggested two changes which we shall put to him once he has finished his meeting with Gerry Adams. They are:

- amend the first sentence of paragraph 6 to read "Thirdly, I am persuaded that there is now a real possibility of early progress in resolving the issue..."
- penultimate paragraph final sentence delete "in a few weeks' time".

S. M. JULE

P. William Fittall

NIO

21 September 2001

DRAFT STATEMENT ON SUSPENSION FOR 21 SEPTEMBER

I have this afternoon signed an order suspending devolved government in Northern Ireland from midnight tonight.

This is the second occasion in six weeks when devolution has been suspended. When I restored the institutions on 11 August my hope was that early progress would be possible to secure the full implementation of all the outstanding issues under the Good Friday Agreement.

I did not at that point believe that it would be right to contemplate a further short suspension now if those issues remained unresolved. In the past 6 weeks, however, circumstances have changed in three material respects.

First, in breaking the deadlock on policing we have demonstrated that, with time and political will, it is possible to resolve seemingly intractable problems. The publication of the implementation plan and the subsequent decision of the SDLP, UUP and DUP to nominate to the Policing Board have cleared the way to create a police service which for the first time ever in Northern Ireland will command cross-community support. This is a major step forward in implementing the Agreement.

Secondly, the tragic events in the United States have inevitably overshadowed everything over the past two weeks. They have brought into starker focus than ever before the choice that has to be made between democracy and terror – a choice which leaves no room for ambiguity. They have also reminded us unbearably of the consequences of wrong choices.

Thirdly, I am now persuaded that there is a real possibility, within weeks, of beginning to resolve the issue of paramilitary weapons once and for all. It is a hope rather than a

certainty. In view of past discouragements, including some over recent weeks, I can understand all too well why many will remain sceptical until decommissioning actually starts. My message to the sceptics and to the paramilitaries themselves, is that the door is open, there is now an opportunity to those with arms and explosives to take the step which will enable the issue to be resolved once and for all.

I must emphasise that I would not be taking this step if I did not believe that there was a chance of success. It is not one that I believe I could credibly repeat in a few weeks' time, and I do not intend to do so.

I am now going to Brussels where I shall be meeting the Irish Foreign Minister, Brian Cowen, to consider the next steps. In the light of that and other consultations I hope to be able to complete the review which is required under the Northern Ireland Act 2000 so that the operation of the devolved institutions can be restored very quickly.

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