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From: D J R Hill
Constitutional and Political Division
29 April 1998



cc (see below)

PS/Mr Murphy (B&L)

MEETINGS WITH JOHN HUME AND DAVID TRIMBLE, 28 APRIL

Mr Murphy, Mr Semple and I had a 40 minute meeting with John Hume yesterday afternoon and an hour and a half with David Trimble yesterday evening to get their minds on a number of points connected with the implementation of the settlement and the handling of the referendum campaign.

Key Developments

2. Mr Trimble was keen to defer the formal appointment of Ministers until well into the autumn: the UUP did not want to be "embarrassed" by operating in proximity with Sinn Fein until it was clear they were "genuinely committed to peace", but equally they did not want to "bring about a crisis" [by refusing to participate alongside Sinn Fein in a shadow Executive]. Hence the case for temporising. The justification - actually quite a real point - might be the need for the Assembly to define how many Ministerial portfolios there should be and what they should cover before appointments could be made. In response to our mentioning likely SDLP/Irish Government concerns about this, he suggested that:

- a. the First Minister and Deputy First Minister could be elected immediately after the Assembly elections

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with an informal "steering group" (implicitly, one which reflected party strengths in the Assembly) being formed to help guide the Assembly's initial activities, including the definition of suitable portfolios;

- b. the First Minister and Deputy First Minister, supported by this steering group, could constitute "representatives of the Northern Ireland transitional administration" in any meeting of the shadow North/South Council.

3. He also argued, somewhat disengenuously, that paragraphs 8 and 9 of the Strand 2 part of the Agreement only required agreement by 31 October on a work programme and the areas to be covered in that work programme, not agreement (which would require an Executive Committee designate) on what areas of north/south co-operation were to be the subject of implementation bodies. I pointed out, and he accepted, that if the whole show was to go live in early 1999, legislative and other preparations would need to be made for the establishment of designated implementation bodies which would require firm decisions to be reached during the autumn.

4. His general approach seemed to reflect a judgement that for the UUP to sit down with Sinn Fein Ministers immediately after the elections without any evidence that they had really changed and while they still had a "private army" would be a step too far. He wanted "time for things to be sorted out" and reiterated the need for Sinn Fein to convince people of their good faith. He did not mention decommissioning as a test of that good faith, but it is clearly likely that he

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hopes to get much nearer to the review point mentioned in the Prime Minister's letter of 10 April before being committed to participate in even a shadow Executive Committee with Sinn Fein. He urged the Government to maintain the line that the settlement would not work unless people were genuinely committed to peace, and keep Sinn Fein under pressure on that point. His final words on the subject were to the effect that we had to finesse Ministerial appointments for as long as possible to avoid a collapse.

5. Apart from that, both he and John Hume made some interesting and constructive points about the referendum campaign (see below). Mr Trimble seemed positively to want Government Ministers, especially the Prime Minister, to promote a "yes" vote.

6. Both John Hume and David Trimble agreed it would be sensible for members of their negotiating teams (Farren and Empey) to get together with officials to tie up some of the loose ends of the Strand 1 proposals. [Action: CPL.]

7. David Trimble insisted on Parliament Buildings as the initial home of the Assembly: John Hume did not seem to have any strong views, although he acknowledged that Stormont was "an image factor" for nationalists.

8. John Hume supported substitution as the means for filling casual vacancies (because of the risk of by-elections upsetting the proportionality of the Assembly): David Trimble continued to argue for by-elections, though not strongly.

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9. Both party leaders agreed to nominate contacts to talk to Mr Semple about various practical administrative preparations (and took away checklists for initial consideration).

Detail: John Hume

10. John Hume seemed relaxed, confident and more animated than usual. He had helped launch the SDLP campaign at a press conference earlier and talked us through his statement, explaining how it was designed to cater for Unionist sensitivities. There was overwhelming support for the Agreement in the nationalist community: the battle was in the Unionist community and it was important that the nationalists should not "claim victory". He had asked for the SDLP's election leaflet to be re-written because the first draft failed that test. He had spoken to Ahern about his "stupid remarks" at the weekend, told Adams to play things quietly and "sent a message" to David Trimble asking him to let the SDLP know how they could help him. He hoped to follow that up with a private meeting. He would also aim to have a word with Paisley in Europe to get him to consider how much could be achieved by working together. The big Unionist arguments in his view were:

- the future of Northern Ireland is clearly in the hands of the people of Northern Ireland;
- the benefits of working together to transform the economy;
- the isolation factor if one million Unionists in Northern Ireland held out against the wishes of 60 million other people on these islands.

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11. The SDLP campaign would focus on the distribution of material to district councillors for local use and the leadership getting out and about. He would need to do a lot in the South too. [A burst on ending all possibility of Republican violence by replacing the all-Ireland mandate of 1918.]

12. He acknowledged the risk of President Clinton coming to Northern Ireland before 22 May and facing a DUP mob, but felt a visit might be possible if it stemmed from a joint invitation from him and David Trimble, which he would pursue.

David Trimble

13. Mr Trimble also seemed relaxed. The meeting was good-humoured and constructive throughout. Apart from the question of Ministerial appointments (and the other points mentioned above) it covered a wide range of issues connected with the referendum campaign and preparations for the Assembly. The key points were:

- a. the Settlement Bill could not possibly complete its Commons stages in the time envisaged. There had to be at least a week between introduction and Second Reading and between Second Reading and Committee stage, and there would need to be at least a month of double banked Committee sessions. He favoured using the carry-over procedure and said he would lend his weight to that when speaking to Murdo McLean and others. He looked forward to detailed consultation on the Bill as it was drafted.
[Action: Mr Whysall];

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b. he was interested in and grateful for, a sight of our poll findings and asked to see the output from our focus groups [Action: Mr Kelly]. The key to a good result was the Unionist middle class in the east of the Province. Anecdotally they seemed strongly inclined to turn out this time but everything should be done to encourage them. The Unionist vote generally was vulnerable to external shocks, especially violence in the form of large bombs. He noted Mr Murphy's points about Unionist women voters, and students;

c. he showed no qualms about the Government campaigning for a "yes" vote. He noted Mr Murphy's description of how NIO ministers intended to conduct themselves but said the Prime Minister had the biggest pull on the Unionist community. He suggested that the Prime Minister's programmes should include:

- a walkabout in Coleraine (an anti-Ross part of the east Londonderry constituency);
- a walkabout in Carrickfergus or Larne (again, the local party did not back Mr Beggs);
- possibly something in Bangor.

[Action: Mr Kelly to feed into No 10]

d. the UUP was planning a media campaign not a street campaign. The latter risked pitting factions in local parties against each other. The street campaign would be better saved until after the

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referendum when the emphasis would be on fighting the other parties. In any event, street campaigns in his view only increased turnout, which was going to be high anyway;

- e. he would be going head-to-head with Paisley on Thursday. He did not intend to dignify McCartney, but hoped someone could make him lose his temper on television;
- f. the UUP was concerned about UTV's approach. The BBC was balancing its coverage according to the vote but UTV seemed to give equal time to the "yes" and "no" campaigns, resulting in Paisley getting a free run and the "yes" campaign message being fragmented across several parties. He had a couple of anecdotes about the allegedly unhelpful attitude of the Head of the News at UTV [reported separately to Mr Kelly];
- g. the prisoner issue was not a "killer". People in Northern Ireland were more pragmatic than on the mainland (where Mr Mackay was under pressure from Conservative backbenchers). After all, as a border Councillor had said at the Ulster Unionist Council meeting, most of the killers in his area were already walking the streets and hadn't been in a position to benefit from accelerated release as they had never been charged, let alone imprisoned. The Government could do more to emphasise the safeguards and the fact that one-third would be released within two years in any event. He concluded cheerfully

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that the proposed sentence review arrangements were likely to constitute a breach of the ECHR;

- h. on policing the UUP had officially "welcomed" Mr Patton's appointment to the Policing Commission, but were privately unhappy because of the use Paisley could make of his responsibility for "changing Londonderry to Derry" and "giving Hong Kong away". A selection of "safe, establishment" Commission members would help to defuse people's concerns;
- i. parades still had the potential to be highly destabilising and "something" needed to be done quickly as the impression that the issue had been swept under the carpet was damaging. He queried whether the Commission was validly constituted (given the need for "balance") and warned that its members were at direct risk of physical attack;
- j. he confirmed that the UUP would be having no contact with the "yes" campaign organisation led by Quintin Oliver; and said they would be maintaining their distance from the loyalist parties too;
- k. he did not seem too bothered about the UUP dissidents although somewhat regretful about Jeffrey Donaldson's late-developing tender conscience. He mentioned that the Lagan Valley Unionist Constituency Association Management Committee had given Jeffrey Donaldson a hard time last week;

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1. finally, he mentioned his concern that the "anti's" would seek to secure UUP nominations to fight the Assembly elections and then join the DUP and UKUP to form the largest group in the Assembly. He suggested that that needed thinking about in the context of the Settlement Bill to ensure that the distribution of executive posts by reference to party strengths was not affected. I pointed out the difficulty of doing so in the absence of any definition of a party, or a party registration system, but he reiterated the need for us to think seriously about it. [Action: Mr Whysall/REL/CPL - though I fear the Settlement Bill may be too late to deal with this point.]

14. Mr Trimble and Mr Murphy agreed to meet at least weekly during the campaign.

Comment

15. Two useful meetings.

16. We will need to think very carefully about Mr Trimble's suggestion that the formal appointment of Ministers should be deferred for as long as possible. There are some reasonable practical arguments for delaying this until after the Summer break (the Northern Ireland holidays start in the second week of July; people will be tired and/or fraught by the referendum and election campaigns; there will be the distraction of the Settlement Bill being introduced; it is bound to take the Assembly some time to decide how executive responsibilities should be distributed among Ministerial portfolios; there is

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something to be said for allowing the Assembly to shake down before moving to appoint Ministers; there is plenty of briefing/familiarisation to get on with over the Summer/early Autumn; it might in principle be desirable to reduce the time elapsing between Ministerial appointments and the actual transfer of powers). On the other hand nationalists would see deferral as a breach of faith and/or evidence of a malign and devious intent to secure IRA decommissioning before the UUP agree to share power with Sinn Fein; and (pace Mr Trimble) paragraphs 8 and 9 on page 12 of the Agreement are quite explicit that the North/South Ministerial Council has to take decisions on the categories of co-operation by 31 October, so Ministerial appointments cannot be too long delayed (unless nationalists could be persuaded that the informal "steering group" was an adequate component of the shadow North/South Council).

17. The immediate question is whether we should:

- a. press Mr Trimble to stand by the strict terms of the Agreement;
- b. develop a proposed timetable of developments which goes at least some way to meeting his concerns and try it on him before briefing the Irish (and SDLP);
- c. give the Irish an unvarnished account of Mr Trimble's position, along with an analysis of the political pressures he faces, and invite their reactions; and/or

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- d. encourage Mr Trimble to expose his proposed approach directly to the Irish Government and SDLP.

18. Subject to any comments the Minister may have, I will try my hand at an annotated timetable of the kind described in (b) above.

Signed

D J R HILL

cc PS/Secretary of State (B&L)
PS/Mr Ingram (B&L)
PS/Mr Worthington (B&L)
PS/Lord Dubs (B&L)
PS/PUS (B&L)
PS/Mr Semple
Mr Steele
Mr Jeffrey
Mr Stephens
Mr Watkins
Mr Leach
Mr McCusker
Mr Kelly
Mr Bell
Mr Brooker
Mr Maccabe
Mr Ferguson
Mr Beeton
Mr Whysall
Mr Priestly
Mr Warner
Mr Johnston
Mr Holmes, No 10
Mr Sanderson, Cab Off
Mr Fergusson, RID
HMA Dublin

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