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TPU
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Mr Daniell

THE FRAMEWORK DOCUMENT

1. When the number of similes, metaphors and other tropes multiply to the extent they have over the work going on in the Liaison Group I smell a rat.
2. The latest coinage was in the *Sunday Times* last weekend in a story by Liam Clarke which cited an Irish government source as saying that a 'we are working on structures and frameworks with a view to being able to give the parties a road map through the various difficulties ahead'. Roadmaps, envelopes, gardens... all of these descriptions are suggestive of the lack of a clear, coherent - and, perhaps most important, agreed - idea of the nature and intent of the work in progress. You asked me to give some thought to a presentation of some alternative approaches covering questions of
 - a. purpose
 - b. content
 - c. deployment
3. In fact, the *Sunday Times* article (assuming it gives an authoritative account) sets out the Irish understanding. It says that the 'roadmap document':

will suggest structures and frameworks to cover all three strands of the talks process... [it] will also propose frameworks for moving between one strand and the other, thus avoiding the problem that paralysed the last talks process.

Their Irish source also said that the document would be unveiled when events had 'cooled down' after the June elections. In other words, we are working on an amalgam of the 'Notions' paper/Heads of Agreement, the Envelope (or something like it), and a new 26 March statement. This would represent both Governments' view of the shape of an eventual agreement, and it would be published - whether to talks participants only or more generally is left vague.

4. The Secretary of State is quoted in the same article giving implicit support to this view of the work in progress:

The two governments are working on a joint structure scheme that will represent, in their view, the best means by which a satisfactory package could get broad support.

It is not a case of the two governments saying this is what we want and that everything the parties do or discuss must comply with this blueprint. It is more a case of the two governments seeing if they can achieve a common position on what seems the best prospects of achieving overall agreement.

5. All this might be interpreted as pretty prescriptive. Though under careful scrutiny the Secretary of State's version sticks closely to the much more minimalist idea that the exercise is about the governments seeking only 'to secure a common position'. Assuming that this reading is correct, our ministers have yet to arrive at a view on the other issues involved. Either way, this work is the property of the IGC and joint agreement on its eventual scope and use will come from there. With all this in mind it is worth setting out a reasonably full range of options.

Purpose

6. Why are we doing this? The genesis of the exercise was in circumstances where it remained unclear whether the work (at the time unknown to all except a very small group) which eventually led to the Joint Declaration would be successful, and where the lack of progress on Talks was leading to discussion of various routes to reinvigorating the process. Its initial purpose was, therefore, a combination of cover and displacement activity, and a genuine attempt to re-enlist unenthusiastic Irish partners in a strategy for getting the Talks up and running again in a meaningful way, and ensuring that they would make progress once started. The latter purpose remains, and is now enriched by the experience of the JD and its principles (less facetiously, it is aided by the reintegration of the separated threads of political development which ran through 1993). Moreover, it can - and should - be seen as the next step in a process including the JD.

7. The other main purpose of this exercise is to demonstrate our willingness to carry things forward as co-sponsors of the process with the Irish. If having done so we find that they cannot, or will not, engage, we are free to look at unilateral initiatives, for example publishing a White Paper.

Content

8. The primary objective can be fulfilled equally well with an aide-mémoire of key principles and points of convergence between us as it can by something like the Envelope, or the all-singing, all dancing version envisaged in the *Sunday Times*. There is advantage though in seeking agreement on something more rather than less extensive; the more common ground between the Governments, the fewer are the traps once we are back into talks. Probably. Another factor is the expectation the parties have of substantive propositions coming forward from the Government(s) - we cannot choose an entirely private understanding between the governments, and that inevitably will mean exposure to the parties of whatever is agreed, if not full publication (and the former would result in the latter anyway). My conclusion would be that we ought to aim for something which is ready for public consumption (whether it should be published or not I

will turn to in a moment), and which looks as much like a prospectus for progress towards the kind of inclusive agreement imagined in the JD as possible.

9. One might aim for such a paper to be seen as a public statement of intent by the Governments and have it backed by something like the 'business' section of the draft White Paper setting out in reasonable detail the precise shape of the convergent agreement we think possible. The latter documentation would be tabled for talks participants only.

Deployment

10. To some extent I have already answered this question. The essential debate is between public and private, and also whether private between the Governments or between them and other Talks participants. One you have decided whether this is really 'unveiled', i.e. published, the only question is when. Room for manoeuvre is frankly quite limited. No-one will argue now for deploying whatever is agreed before June (nothing could be agreed in time anyway). There would then be a relatively brief opportunity in June itself to avoid a summer vacuum. There would also be the advantage of demonstrating that while everyone else was busy with the Euro elections the Governments were getting on with the real business. If it is not deployed then there is not much chance of doing more until the autumn, and I would suggest that if a June target couldn't be met an autumn White Paper would be the more likely result.

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