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FROM KEN MAGINNIS MP.

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ULSTER UNIONIST PARTY

DEALING WITH TERRORISM II

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DISBANDMENT, AND DE-COMMISSIONING OF WEAPONS

## REVIEW

Reference the first paper on "Disbandment, & De-commissioning of Weapons" dated 15 January, 1995 (copy attached).

I draw attention to, "Time has never been a significant factor in IRA strategy and it can, and will, resume violence the moment it considers it most appropriate to do so".

Subsequent events vindicated what was, at the time of writing in January, '95, an unpopular and generally unsupported assessment. Wishful thinking was still the order of the day and objectivity was considered to be negative.

Likewise the recommendation, "The IRA has to be challenged NOW! Government must use every means at its disposal. It must now play the international card! Up till now the IRA is being allowed home advantage at every game and it is, effectively, being allowed to write the rules".

The effect and importance of the Mitchell Commission Report was diminished only by the length of time taken to initiate the exercise and the excess of public debate which that permitted to occur. Hence the IRA had too much time to prepare and organise its initially effective counter-measures. Internationally, many people thought that Government had, indeed, "binned the report".

The future development of a Disarmament and Verification Process must be planned and implemented in a much more expeditious and cohesive manner and combined with a complementary public information policy designed to pre-empt the IRA's propaganda machine both at home and abroad.

## IRA/SINN FEIN - AN UPDATED ASSESSMENT

The current Sinn Fein/IRA position needs to be clearly analysed and understood before the commencement of the Inter-Party Talks on 10 June. The manner in which things add up has changed during the 16 months since an International Disarmament Commission was first proposed. "Military", local political and international factors contribute to this.

IRA violence has, for 75 years, been based on an assumption that the people of Northern Ireland or their fellow citizens in Great Britain will ultimately succumb to a sustained campaign of murder and economic destruction. 26 years of stoic resistance from both quarters has shown that this is a false premise.

The fact that for years the leadership of Fianna Fail and of the SDLP were at best ambivalent to and probably even tolerant of the IRA campaign should not be ignored. These parties were content



to make political capital from the violence but the significance of that effectively changed with the Downing Street Declaration.

Whatever may have motivated Dublin to sign up to the assertion that society in Northern Ireland has an inviolate right to consent to how it will be governed is hard to explain. It most certainly contravened the Republic's Supreme Court judgment that there was a "constitutional imperative" on Irish citizens to achieve Irish unity. But it was a devastating blow to the IRA, effectively removing its ideological justification for terrorism.

British resistance together with this apparent Irish desertion exacerbated a dilemma that Sinn Fein/IRA had faced since 1990. Then, it had sought to celebrate "20 years and not defeated" but, instead, had had to confront the reciprocal fact of "20 (now 26) years and not winning". Militarily, its objectives could not be attained...defeat No 1!

Following Downing Street, Sinn Fein/IRA was forced to attempt to open a window of political opportunity. Hence, its treacherous and cynical ceasefire ploy...one which was correctly forecast by Ulster Unionists and also correctly assessed by them for what it really was.

Sinn Fein's exploits within the field of politics have been no more successful. Able to attract a vote of only 4.8% of the total electorate (1994 Euro election), it has become apparent that a agenda limited to "Brits Out and A United Ireland" has little popular appeal and no political relevance in 1996. That is why, despite its rhetoric, Sinn Fein/IRA baulks at the challenge of all-party talks.

Two failures! Sinn Fein/IRA's last gamble had to be to play the international card and to try to build on the mystique which attached to the Provisional IRA in places like the United States.

But the international exposure that Gerry Adams achieved has only succeeded in attracting much closer scrutiny of the IRA by the international community and the sentimental mystique has given way to the stark reality of 4.8% seeking to dominate the greater number by force of arms.

Senator Mitchell's report on disarmament and verification, and his definition of 6 core principles to be honoured, has placed an international stigma on IRA terrorism. The obvious hypocrisy associated with the ceasefire and Canary Wharf emphasised that.

With military, political and international failure it can now be justifiably claimed that **the IRA IS DEFEATED**. It has clearly lost its intellectual and ideological argument and killing for the sake of killing may be its punitive response. But that will not be able to be sustained indefinitely.



This situation now necessitates a further modification of the Government's approach to all-party talks and to the manner in which disarmament and verification is dealt with.

#### LIKELY IRA/SINN FEIN OPTIONS

There are several possibilities which offer themselves to the IRA/Sinn Fein over the next 4 weeks.

Obviously there is considerable pressure from the United States in particular, and also from the Irish Republic, for a resumption of the ceasefire. This would and should allow Sinn Fein to gain initial entry to negotiations but nothing more. It would then have to grapple with its attitude to the Mitchell Commission Report.

It is here we have to be sure that Government remains resolute on the "window of political/propaganda opportunity" approach being inadequate and that there must be a signing-up to the 6 Mitchell principles by everyone who attends. It has to be explicit, of course, that this necessitates the practical honouring of the principles, and not just another tongue-in-cheek commitment to something comparable to the Local Government peace pledge.

The two elements must be clearly and immediately articulated as indivisible. not as a pre-condition but as the fundamental basis for entry to democratic discussions....no one can be exempt.

Despite strong rumours, I believe that Sinn Fein/IRA will not pursue this course. Its rank and file would be suspicious and probably unwilling to run the risk of provoking, yet further, the international opprobrium which would inevitably ensue from another breakdown at some later stage.

X The likelihood of the IRA stepping up the current low level of activity also exists. Another bomb in London and a single high-profile assassination in Northern Ireland are probably the best means of manifesting its defiance. It would certainly impress those who support Republican Sinn Fein/IRA and who are likely, otherwise, to boycott the election.

Tangible evidence that the IRA hasn't gone away would help Sinn Fein at the polls in places like Fermanagh & South Tyrone, South Armagh and South Down.

I believe that this, or a variation on the theme, is the most likely scenario.

Incidentally, there is a distinct possibility that, under the pressure such an attack would create, the Loyalist paramilitaries would respond with a strike in the Republic. That would evoke



considerable latent respect and support for the perpetrators, especially, I hear, if it was to impinge on Ahern or Spring territory.

The third possibility is for Sinn Fein to persuade its activists to do nothing until the election is over and then to react to a situation which debars it from substantive negotiations because it cannot meet the signing-on criterion of honouring the Mitchell principles.

This would actually produce the greatest problem for everyone else if there had previously been any ambivalence by Government on that specific issue. There must be no room left for Sinn Fein/IRA to be able to allege that new post-election conditions are being imposed.

#### GOVERNMENT PLANNING AND PREPARATION

It appears that Government may be contemplating an invitation to Senator George Mitchell to chair the opening, signing-up session or sessions of the All-party negotiations. This would make a great deal of sense and would provide a degree of continuity in terms of the necessary transition from the original "assessment of the decommissioning" exercise, to one of implementation.

It would especially limit the scope for blame to be leveled by Sinn Fein/IRA against "intransigent Brits and Unionists" if it could be an international figure of Mitchell's stature and perceived integrity who was imposing the ground rules.

Of course, we would need to be reassured that Mitchell was still committed to Mitchell, as it is and as we understand it!

Whether Mitchell would accept the limited role which I envisage or would see himself as becoming the permanent chairman does, I am aware, present difficulties in some quarters. There are good, rather than the implied bad, reasons why this may be a legitimate concern. His natural inclination, disarmament apart, may indeed be one which favours the SDLP aspiration.

That particular impediment could be overcome by developing the argument that disarmament is a clearcut and indisputable issue which, while crucial to the interests of Northern Ireland and a primary factor in achieving solutions, cannot be allowed to influence the political agenda. In other words, we cannot allow guns at the table, under the table or outside the door...they cannot be a bargaining factor.

Hence, anyone handling that specific arms issue should not, logically, be made responsible for the purely political and quite separate agenda. I am not hung-up on this matter but think it



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may be difficult for others.

If this reasoning is to be employed then it may be circumspect not to protest too vehemently against Spring's proposal that the disarmament question become a fourth strand of the negotiations. To some extent he has stolen our clothes insofar as our original proposal for a Disarmament Commission had not envisaged a two-tier approach, but we did envisage the process as a stand-alone operation. So we still need to have set up an Implementing and Verification Commission. It must not, however, be accepted as the equivalent of a "political" strand.

Our modification on the Spring suggestion has, again, got to be on the principle that the "strands" are political and negotiable while disarmament is already set in tablets of stone.

Ulster Unionists will require to be subtle in the manner in which they place invisible constraints at every stage of political negotiation until there is tangible evidence that those various pre-ordained bench marks, set by us, have been attained in the parallel disarmament process.

Hopefully Government will be as circumspect. A carefully defined and phased approach is the way forward but I doubt if the idiot "p" will understand the need for delicate and nimble footwork!

#### DISARMAMENT AND VERIFICATION

There is little new which I want to add to what was clearly outlined in the January 15, 1995 paper on Page 4. I don't pretend to have the detailed technical knowledge necessary to greatly expand on this. Nonetheless, I would suggest that there has got to be a great deal of expedition if Government is to have the Commission ready to roll on 10 June.

We must not contemplate embarking on negotiations before the size and membership of the Body is decided, and its mission statement and legislation for operation is confirmed and in place..

I believe that continuity should also be maintained in this area. John de Chastelain seems the obvious choice to head up the operation. He has demonstrated his commitment and indicated that he would be happy to be asked to continue.

However, there is a great deal more than this to be considered. There will be the need for the Commission to have access to high-grade intelligence from every agency within both jurisdictions.

It is time that we knew whether the Republic has made any headway on the necessary legislation to allow the Commission to function



FROM KEN MAGINNIS

effectively and without hindrance. I assume the Ancram assurance that our legislation will be in place still stands.

It is time that we had detailed information on this. It will be too late to ask on 10 June. Unless Ulster Unionists are able to judge the basis on which the operation is to be effected it will be impossible to schedule our expectations in respect of the time-scale for the Commission's activity. We will not be able nor, I hope, willing to conduct negotiations in a vacuum.

#### IRISH GOVERNMENT AND SDLP

Finally, we have to approach negotiations and disarmament in light of the 1992 experience when both the Irish Government and SDLP played a negative and devious role. They will still believe that it is best to try to string Ulster Unionists along, see what they can extract and then do a behind-backs deal with this or a subsequent Government.

I am not convinced that the IRA/Sinn Fein's "rescue brigade" will not emerge from this direction so there must be a constant demand by us, between now and 10 June, for clarification on every single conceivable issue which is likely to prove contentious.

We have, particularly, to tie down Bruton who is the only half-dependable being coming from that direction, and hope that the Government has the intuition and the inclination to do the same.

Ken Maginnis.