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FROM: J A STEPHENS
IPL DIVISION
14 OCTOBER 1996

DESK IMMEDIATE (FOR 5.30 VCR MEETING)

cc: .PS/Michael Ancram (L,B&T)
.PS/Sir John Wheeler (L,B&T)
.PS/PUS (L&B)
.PS/Sir David Fell
.Mr Steele
.Mr Thomas (L&B)
.Mr Bell
.Mr Ray
.Mr Watkins
.Mr Beeton
.Mr Hill (L&B)
.Mr Maccabe
.Mr Perry
Miss Bharucha
Ms Mapstone (L&B)
Mr Budd, Cabinet Office
HMA Dublin
Mr Lamont, RID

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.PS/SECRETARY OF STATE (L,B&T) - B/F

HUME/ADAMS: POSSIBLE NI PAPER

We shall need to put a paper to NI Committee on Thursday, dealing with how we respond now to the Hume/Adams initiative.

2. This afternoon's strategy meeting provides an opportunity for Ministers to review the possible options. With that in mind, I attach a first draft of what a possible NI paper might look like:

- we have been asked by No 10 for an analysis of the latest text. Paragraph 6-10 offer this;
- we need also to analyse the possible options. Paragraphs 11-20 seek to identify the advantages and disadvantages of each, covering the same range of options as suggested by No 10;

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DRAFT - the conclusions simply represent my own assessment of where the balance of advantage lies. But the analysis in much of the rest of the paper stands whatever conclusions Ministers come to.

3. I am not circulating Annexes with this draft paper, but Annex C would be a version of the text similar to that circulated with my submission of 11 October.

SIGNED

JONATHAN STEPHENS
International and Planning Division
OAB Ext 6587

2. As agreed by NI on 18 September, the Prime Minister sent back to NI on 27 September the text at Annex A. But publication, planned for the following week, was delayed because the UUP's rejection of our proposed approach on decommissioning made the climate awkward.

3. Since then:

the UK and Irish Governments have supported our response, with the Irish Government making some suggestions of their own on the text;

the Lisburn bomb on 7 October marked a resumption of violence by the IRA in Northern Ireland: whether intended as a "spectacular" before a possible ceasefire, as NI (36)8 warned might be their thinking, or as a definitive rejection of any possible ceasefire is unclear;

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NI(96)

14 October 1996

Copy No:

**CABINET
MINISTERIAL COMMITTEE ON NORTHERN IRELAND**

HUME/ADAMS INITIATIVE

Memorandum by the Secretary of State for Northern Ireland

1. In the wake of the Lisburn bomb, we must decide how to respond to the Hume/Adams initiative.

Recent developments

2. As agreed by NI on 19 September, the Prime Minister sent back to Hume on 27 September the text at Annex A. But publication, planned for the following week, was delayed because the UUP's rejection of our proposed approach on decommissioning made the climate awkward.
3. Since then:
 - the US and Irish Governments have supported our response, with the Irish Government making some suggestions of their own on the text;
 - the Lisburn bomb on 7 October marked a resumption of violence by the IRA in Northern Ireland: whether intended as a "spectacular" before a possible ceasefire, as NI (96)8 warned might be their thinking, or as a definitive rejection of any possible ceasefire is unclear;

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- three days later, on 10 October, Hume gave us Adams' response to the text sent on 27 September, in the form of a revised text as at Annex B. Hume continued to assert that Adams and the IRA guaranteed that a permanent cessation would follow publication of this text.

Implications of Lisburn

4. JIC (96)286 gives a full assessment. Essentially:

- the attack was sanctioned by the leadership as a demonstration of the IRA's potency against the background of failures in Great Britain and internal pressures within the IRA;
- further such attacks must be likely, as is a breakdown of the loyalist ceasefire in due course;
- it does not mark abandonment of the political strategy by the leadership. We cannot rule out the possibility that Adams' reported guarantee of a permanent cessation is genuine.

5. But, whatever the IRA's intentions, the Lisburn bomb has changed the political landscape. Unionists now say that Sinn Féin should be excluded, regardless of whether there is a ceasefire or not, from the talks process which should proceed without them. The Taoiseach has launched very strong attacks on Sinn Féin and the IRA, making it more likely that the Irish Government will support a process which does not include them. It redoubles the risks of any appearance of negotiations with Sinn Féin.

The latest text

6. The latest text, endorsed (Hume claims) by Adams and the IRA, is at Annex B. Compared to the previous text which he was said to have approved, Adams appears now to have accepted:

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- a reference to consent;
- the requirement for an unequivocal restoration of the ceasefire;
- the need to make a commitment to the Mitchell principles once in the negotiations;
- the need to make a commitment to work constructively during the negotiations to implement all aspects of the Mitchell report;
- the dropping of virtually all the republican "wish list" of confidence building measures;
- a reference to an end to punishment beatings and other paramilitary activities, including surveillance and targetting, as demonstrating real commitment to peaceful methods.

7. There is one area on which Adams continues to seek a change to Government policy: a commitment by the two Governments alone to an agreed timeframe. This, of course, is unacceptable. *Explain...*

8. There are a number of other areas in which there are changes or omissions to the text which do not, however, change or compromise Government policy. Of these the most significant are:

- ceasefire: the text drops the reference to the Government having to consider whether there was an unequivocal restoration of the ceasefire, although that of course remains the position under the legislation. The sentence requiring any restoration to be genuinely unequivocal is also removed but the unequivocal test still remains;

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- consensus: a sentence stating that the negotiations require consensus among parties representing a majority of both the unionist and nationalist communities is removed although, of course, Sinn Féin will know that this remains the position under both the Groundrules for the negotiations (Command Paper 3232) and the Rules of Procedure adopted by the participants;

- decommissioning: the latest text acknowledges that decommissioning "must be resolved" (the two Governments' position is to say decommissioning must be "addressed" without saying whether this means "resolved") but, it continues, "without blocking the negotiations". This is language taken from the Prime Minister's article of 16 May in the Irish Times when he said:

"Decommissioning will also need to be addressed at the beginning of the talks and agreement reached on how Mitchell's recommendations on decommissioning can be taken forward, without blocking the negotiations."

The latest text also omits further sentences which quote extensively from the Mitchell report itself (although one at least of these is a sentence which unionists dislike.) None of this, of course, changes our approach to decommissioning, which is based entirely on the Mitchell report.

9. Other changes are relatively minor and could not conceivably be a break point for Sinn Féin.

10. In short, the substantive differences between the text of 27 September and the response are small. However small they may be, however, we need to consider extremely carefully whether we can continue with the initiative at all now and, even if we can, whether we could justify taking on board even the most innocuous of suggested changes.

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The options

11. We have to respond to Hume in some fashion. There are four broad options:

- (i) tell Hume the initiative is at an end and we are not going to do anything further with it;
- (ii) delay, saying that the present climate makes any initiative impossible;
- (iii) tell Hume we shall publish the text of 27 September;
- (iv) give Hume a revised text, staying within existing policy.

Option one: end the initiative

12. Advantages:

- an entirely justifiable response to the Lisburn bomb;
- supported by unionists if they knew (but we would hope the initiative and its ending would all remain confidential).

13. Disadvantages:

- the risk of a leak remains. We lose the chance to use the initiative to expose Adams' hypocrisy, but he could still use it to challenge us;
- Hume would not go away, arguing (as he still does) that the chance for a ceasefire is there. Until he is convinced that this is false, he will not support a talks process from which Sinn Féin are firmly excluded;

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- if Hume is to be believed, a guarantee of a permanent cessation is on offer, on terms close to our own. We would risk losing that and, most likely, any prospect of holding back loyalist retaliation.

Option two: delay**14. Advantages:**

- allows us to wait to judge whether there might be a better time to take the initiative forward when there would be less risk of seeming to respond to the Lisburn bomb;
- avoids giving Hume or Adams the excuse to claim we have turned our backs on it.

15. Disadvantages:

- the situation may get worse rather than better with, for example, a resumption of loyalist attacks;
- the risk of a leak remains;
- in the meantime, Hume is unlikely to support decisive attempts to exclude Sinn Féin while he still thinks there might be a chance of a positive response from us to this initiative.

Option three: tell Hume we will publish the text of 27 September**16. Advantages:**

- gets the initiative out into the public;
- establishes a defensible position which would be widely understood;

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- enables us to challenge Adams' hypocrisy: the Lisburn attack went ahead when Adams had this text in his hands.

17. Disadvantages:

- Sinn Féin could be expected to publish their own latest text, narrowing the argument down to the textual differences between them which would not look great to neutral observers;
- Hume would be disappointed that we had made no attempt to take on board any of his suggestions, which might make him more inclined to continue pursuing the initiative rather than supporting the talks process which excluded Sinn Féin;
- there might be some disappointment in the Irish and US Governments that the text was unchanged, which might make it harder to secure their support for a process without Sinn Féin.

Option four: give Hume a revised text for publication

18. Advantages:

- we can say we have stayed within existing policy, while demonstrating that some account has been taken of suggested changes;
- we get to the point that either Adams delivers a promised cessation, or we have the perfect ammunition to expose him as a hypocrite who cannot deliver what he promises;
- we demonstrate to Hume that we have pursued his initiative to a conclusion, so enhancing our chances of getting his support if we try to construct a talks process which excludes Sinn Féin. The same goes for the Irish Government;

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if, against expectation, Adams does indeed deliver a ceasefire, then we will have secured it on our terms and avoided a return to full scale violence in Northern Ireland which may be the only alternative.

19. Disadvantages:

- we might look like we are negotiating with Sinn Féin (while we can say there are no negotiations because we have not changed our policy at all, it would be possible to misrepresent the exchange of texts as negotiations);
- Adams may come back with yet more changes, in which case we face the same dilemma again (although the closer the texts become, the more difficult it is to identify a break point);
- if there is, against expectations, a ceasefire then unionists face the prospect of sitting down with Sinn Féin. Even if they do that, it is very difficult to see how the negotiations could get over the current impasse over decommissioning given that we have not been able to resolve it even when Sinn Féin has not been there;
- the ceasefire could prove as uncertain as the last one, whatever words were used: would another 17 months of uncertain ceasefire be worth it?

20. As an example of the sort of text we could deploy with Hume under this option, I attach a draft at Annex C. It incorporates one or two new thoughts of our own (including a positive reference to the loyalists); takes on board most of the suggestions made by the Irish Government, but in language of our own; takes account of some of the changes in the latest Adams text by, where possible, using

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language of our own which is consistent with existing policy but denies Sinn Féin the opportunity to claim that we have ignored the various points.

Conclusion

21. This is not at all a straightforward choice. A delay (Option two) may be necessary in any case, simply to put some distance in time since the Lisburn bomb. But it does not offer a long term solution.
22. Telling Hume the initiative is at an end (Option one) risks giving us the worst of all worlds. We cannot use the initiative to demonstrate Adams' hypocrisy (for that we need to at least publish the 27 September text). If there is anything in Adams' apparent promises of a ceasefire, we lose the prospect of that and face the likely resumption of loyalist violence as well. Nor can we expect much help from Hume (or, possibly, the Irish Government) in carrying on with the talks process with Sinn Féin firmly excluded. In short, this is likely to lead to: the resumption of full scale violence; stalled talks; and a weak presentation strategy.
23. There are attractions in telling Hume we will publish the text of 27 September (Option three). No one can then accuse us of negotiating in the wake of Lisburn bomb.
24. But the best chance of exposing Adams' hypocrisy if he does not deliver a ceasefire is Option four: putting back to Hume, with a view to publication on a firm date, a revised text. This denies Sinn Féin the opportunity to say we have ignored the latest Adams text but keeps strictly within existing policy commitments, so that we can say we have not negotiated any change to Government policy. It also builds effective support among nationalists (as well as unionists), the Irish and US Governments on proceeding without Sinn Féin if there is no ceasefire.