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June 1996

Government's Commitments

OPENING PLENARY SESSION

I attach a briefing pack for the opening plenary session. This includes the agenda, a steering brief guiding Ministers through various items that are likely to be reached on Monday, and the necessary supporting papers.

I also attach a note offering advice on how to handle a possible last minute ceasefire. [On the other side of the equation, I also attach a note summarising our arrangements for handling Sinn Fein in the event there is no ceasefire and they remain excluded from the negotiations.]

5. We are also bound by the terms of the Act establishing the elections. The Secretary of State is only empowered from refraining to issue an invitation to Sinn Fein "for as long as" he considers that the requirement for an unequivocal restoration of the ceasefire has not been met.

A Ceasefire Announcement

C D KYLE

6. We may be faced with a ceasefire announcement at very short notice. Our immediate reaction should be:

HANDLING A LAST MINUTE CEASEFIRE

This note briefly considers how the Government should handle a last minute ceasefire.

2. The possibility of a last minute ceasefire cannot be discounted. Friday's reported remarks, by an IRA spokesman, that they are considering the documents agreed by the two Governments yesterday "very carefully" suggests that the IRA want to create the impression that there is at least a possibility of a ceasefire.

Government's Commitments

3. The Government's position is clear, and agreed with the Irish Government: "of the ceasefire of August 1994". That declared a "total cessation of military operations", but did not use the word "per". Both Governments are agreed that the resumption of Ministerial dialogue with Sinn Fein, and their participation in negotiations, requires the restoration of the ceasefire of August 1994" [communique of 28 February]. is perfectly possible that some other terms may be used, and the question may then be

4. We can reasonably expect to hold the Irish Government, and the US Government, to this position if there is no ceasefire. By the same token, they will both expect to hold us to admitting Sinn Fein if there is a satisfactory ceasefire.

5. We are also bound by the terms of the Act establishing the elections. The Secretary of State is only empowered from refraining to issue an invitation to Sinn Fein "for as long as" he considers that the requirement for an unequivocal restoration of the ceasefire has not been met.

A Ceasefire Announcement

6. We may be faced with a ceasefire announcement at very short notice. Our immediate reaction should be:

- issue a holding line repeating the requirements established by both Governments and saying that HMG will be considering any statement in the light of this requirement and against the background of events on the ground;
 - to avoid premature conclusions before some consideration and consultation has taken place;
10. - to consult with the Irish Government (and US Government) to agree a common line (although this may be difficult: any half-way decent ceasefire will attract immediate Irish Government support).
7. The requirement of the two Governments is for "an unequivocal restoration of the ceasefire of August 1994". That declared a "total cessation of military operations", but did not use the word "permanent". It was, however, open-ended.
8. A statement in identical terms would obviously meet the requirements of the two Governments. But it is perfectly possible that some other terms may be used, and the question may then be raised as to whether this amounts to an "unequivocal" restoration.
9. The key points to bear in mind in assessing a ceasefire are:
- in the eyes of the world, we have a commitment to let Sinn Fein in to the talks if there is a restoration of the ceasefire. If we are thought to fail to meet that commitment, or to stall in meeting it, we will be blamed;
 - we have secured the support of the Irish Government and US Government for this position, which has greatly strengthened our hand. But a split between the British and Irish Governments as to whether a ceasefire is satisfactory or not will undermine our position and is most unlikely to result in the US Government supporting HMG against the Irish Government:

- a ceasefire which secures Irish Government support but leaves the British Government opposing Sinn Fein's entry achieves a "a hole in one" for Sinn Fein: they split the two Governments, reinforce the "pan-nationalist consensus" and blame the British Government in the eyes of world opinion.

10. Against these considerations, the Government will also have to take into account what may well be Unionist scepticism about any last minute ceasefire, or the conditions under which it is made. Nevertheless, such scepticism can be answered:

- whatever the terms of the ceasefire, once Sinn Fein get into the negotiations there are certain things they must do. Sinn Fein must sign up to the Mitchell Principles. They must address the Mitchell proposals. They must show good intent to work constructively and in good faith to secure the implementation of parallel decommissioning;
- HMG will not have the chance to put Sinn Fein to the test on any of these points unless Sinn Fein get into the negotiations;
- moreover, once Sinn Fein get into the negotiations, it is not only HMG but Senator Mitchell and all other participants who will be waiting to put Sinn Fein to the test; but once in, they will be trapped into commitments to peaceful methods and working to implement the Mitchell Report. In short - however equivocal the ceasefire, once Sinn Fein have signed the Mitchell Principles they are committed to oppose any future act of force by the IRA - a position they have previously never accepted;
- once in the negotiations, there will be enormous pressure for the IRA to maintain the ceasefire and to take the steps necessary to make progress in the negotiations possible;

- but if we attempt to exclude Sinn Fein from the negotiations despite some ceasefire, that will only give the IRA the excuse it seeks to return to full violence.

11. A delayed decision might look attractive. Some might think Sinn Fein should be kept kicking their heels for a few days while the negotiations proceed and the Government decides whether it is satisfied with the ceasefire.

12. But, again, in propaganda terms this plays to Sinn Fein's agenda:

- they win both ways: both getting the propaganda benefit of exclusion and then eventual inclusion;
- it would appear to confirm their claim that HMG is only intent on stalling the process and finding excuses to exclude Sinn Fein;
- a decision subsequently to admit them could appear a climbdown;
- the Irish Government would almost certainly not support such an approach.

13. The image to have in mind is the lobster pot: it should be relatively easy for the Republican movement to climb into the negotiations; but once in, they will be trapped into commitments to peaceful methods and working to implement the Mitchell Report. In short, it is not in our interest to set an unreasonably high hurdle, however last minute any ceasefire may appear.