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cc: RB
 Lord
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Prime Minister

HUME'S QUESTIONS AND POSSIBLE ANSWERS

1. Michael Ancram will be seeing John Hume on Thursday to discuss with him the possible questions Hume drew up with Adams and put to us at the end of last month. Robert Cranborne may at Hume's request also be seeing him on Thursday. ~~We~~ we need now to consider the best approach to take.

2. I am sceptical about Adams' intentions and seriousness. But we cannot afford not to treat these questions seriously. So when Michael Ancram meets Hume on Thursday, we need to put to him straightforward answers based on existing statements of policy - particularly the statement of 28 November - and, in turn, put some hard hitting questions back about the intentions of Sinn Féin and the IRA. I seek your agreement to the attached drafts.

? 3. The case for responding in this way is reinforced by Adams' series of weekend interviews which blamed HMG for giving up on any prospect of progress in the peace process this side of the election.

Hume's approach

4. Hume originally came to us with some amendments he had agreed with Adams to their joint paper of 10 October. Both we and the Irish Government made clear to Hume that returning to the statement of 10 October, which had been overtaken by our own public statement of 28 November, was a dead end. We told Hume that we could not move from the position set out on 28 November.

5. Hume then asked if we were prepared to make clear, for example, that the statement was not intended to mean that Sinn Féin would have to wait 18 months after a ceasefire was declared until entering the negotiations. We said that obviously we could not be seen to

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renegotiate that statement but if there were genuine questions which needed answers then we would look at them - in the same way that we successfully neutralised Sinn Féin's campaign for "clarification" after the Downing Street Declaration by getting them to write down specific questions and giving straightforward answers repeating existing policy.

6. Hume has now come forward with five "possible questions". We know that the Irish Government, whom we have kept in touch, have played a helpful hand in drafting these. Hume says he still wants to discuss the questions further with Adams, particularly in the light of whatever possible answers we might be able to offer.

7. Officials have discussed the questions with Irish officials. They have been careful to emphasise that, with their own contacts with Sinn Féin broken off, they find it difficult to assess Sinn Féin's intentions. Nevertheless, their assessment is that if a ceasefire is to be delivered then Sinn Féin need:

- some signal that we are serious about seeing them involved in genuine and proper negotiations;
- more certainty on the sort of timescale involved between a ceasefire and Sinn Féin's entry.

Adams' weekend comments

8. All of this comes against the background of continuing IRA violence, coupled with statements from Sinn Féin leaders about how the peace process can be restored.

9. Adams gave a series of media interviews over the last weekend which conveyed two essential messages. First, he continued to say that it was the British Government which was failing to move the peace process on, claiming that the elections were being used as an excuse for delay. (He has particularly seized upon the your remark recently to Belfast businessmen that you have some ideas on how to

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carry the process forward after the elections, asking why these must wait until after the elections.) Second, he appeared to signal some shifts in Sinn Féin's position which could be seen as moving in the direction of our 28 November statement, saying in particular on the issue of the timeframe for Sinn Féin's entry:

"I think if the British Government want to negotiate on that, then of course we can work out some formula or some very limited timeframe, which is sensitive to everybody's needs in this situation."

10. In presentational terms, this line is likely to prove quite effective among the nationalist electorate Adams is seeking to woo.

7. Adams is succeeding in portraying us as blocking the way to a ceasefire - both through inactivity because of the election and through uncertainty over our position.

11. Adams is now also pressing in public for a meeting with Government officials - we are offering advice on his latest letter in parallel with this minute.

Our response in principle

12. Infuriatingly, Adams is able to get this line across despite continuing serious and determined IRA attacks. The contrast between Adams' words and the massive bomb found outside Strabane on Sunday night is obvious. But, with rising sectarian tensions as the marching season approaches and the Harryville protests outside a Catholic church carry on, Sinn Féin is not under the sort of pressure it ought to be among nationalists. We have to be careful not to fall into the traps set for us.

13. It remains very difficult to see what Adams and McGuinness are up to. Clearly they continue to work for maximum tactical advantage - and that may be all they are interested in, without any intention of working towards a genuine and lasting ceasefire. On the other hand, it continues to be our assessment that republicans' key

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objective is to secure Sinn Féin's participation in genuine and inclusive negotiations, following on the necessary ceasefire, provided it is on terms which can be sold to the rest of the movement.

14. Although slim, we cannot ignore the possibility that there is a prospect of securing a genuine IRA ceasefire on terms consistent with the statement of 28 November. Equally, even if that hope appears slim to the point of vanishing, we cannot afford to be seen to be ignoring what many - primarily nationalists, but a number of well informed observers outside Northern Ireland as well - will see as potentially a genuine approach. If we are not careful, Hume's questions and the line Adams has taken in public have the potential to wrong foot us - if we ignore them or are thought to treat them curtly, we relieve the IRA and Sinn Féin from the pressure to explain why IRA violence continues.

15. But there can also be no question of departing from the position we set out on 28 November - nor of giving any impression that we are negotiating a ceasefire with Sinn Féin. The UUP, for their part, make no secret that they now regard Sinn Féin as "irredeemable" - but, as I have made clear to them, permanently excluding Sinn Féin from the talks process whatever they do would mean changing the statutory basis of the negotiations and - at least at present - would lose the support of the SDLP and the Irish Government.

Our response in detail

16. The attached set of possible answers to Mr Hume's questions therefore repeat the requirements in paragraphs 8 and 9 of the Ground Rules, which are the statutory criteria for issuing an invitation to Sinn Féin to participate in the negotiations. They also point back to the statement of 28 November as setting out the process that would have to be followed after an IRA ceasefire declaration, and the assurances that would be required about words, deeds and circumstances.

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17. The draft answers do not offer Sinn Féin the certain date for entry which they have consistently sought. We cannot offer that because we must be free to judge, in the light of events on the ground after a ceasefire and over a sufficient period of time, whether our criteria have been met.

18. But the answers do hold out the prospect of a possible three month gap in the negotiations over the elections. A ceasefire now which met our requirements and was reflected in consistent words, actions and circumstances over that period, so that before the talks resume after the elections we will be able to judge that the criterion were met, would mean I would issue an invitation to Sinn Féin to participate when the talks resumed. This merely sets out the position established by the Northern Ireland (Entry to Negotiations, Etc) Act 1996.

19. The obligation remains upon Sinn Féin to meet the requirements we have set out and it is only if those requirements are met that they would enter the negotiations. That is a position which is consistent with what we have said before. Setting it out will also put maximum pressure upon Sinn Féin to secure a ceasefire (while leaving the decision on whether it is a genuine one until after the elections).

20. While sticking to existing policy, we have chosen to avoid curt responses. Treating the questions seriously helps to keep Hume in play and shows that we have not simply spurned the approach. But, in order to show that the traffic is not all one way, we have also prepared some hard questions for Hume to put back to the IRA and Sinn Féin - about whether any ceasefire will be genuine, whether they will abide by a political agreement which falls short of their objectives and whether they are prepared to endorse the Mitchell compromise on decommissioning.

21. The covering speaking note for Michael Ancram to deploy (and give to Hume) also draws out the links between greater certainty over Sinn Féin's entry, when decommissioning will start, and an

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overall timeframe for the talks. If it were possible to link two-way reassurances on these key timing points, that could advance both the peace and talks process.

Conclusion

22. We have successfully pushed Hume away from the dead end approach of reviving the 10 October paper, by encouraging this alternative approach. We must be seen to treat with appropriate seriousness the questions he has now come up with. Adams' intentions may be merely tactical - but we shall fall into a trap if we simply dismiss the questions without being seen to deal with them seriously.

23. The key to our response is to remain consistent with our statement of 28 November, while making it clear that continuing IRA violence is not the result of any unwillingness on our part to engage seriously or to make our position plain.

24. Of course, if anything were to come of this the questions and answers would have to be made public - but our position remains readily defensible, because we are replying to questions put to us by Mr Hume and replying in terms consistent with our publicly declared policy.

Not
quite.

A copy goes to Robert Cranborne and Sir Robin Butler.

AM
11 Feb '97