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✓ Eo

John Holmes Esq
Private Secretary to the
Prime Minister
10 Downing Street
LONDON
SW1A 2AA

6 January 1996

Dear John

THE FUTURE OF THE TALKS PROCESS

You asked, following the Prime Minister's meeting with David Trimble and John Taylor, for considered advice on our approach to the Talks process in the light of the UUP leadership's proposal that the Talks should be suspended in late January. The Secretary of State believes it may be helpful to consider the UUP's suggestion in a wider context.

HMG's position

The Talks process, though a means as well^{as} an end, is of course the product of a longstanding and well considered policy to promote political development. Its primary objective is to foster an accommodation in the divided community of Northern Ireland by bringing political representatives together to establish, and then work, agreed political institutions, reflecting the wider relationships on these islands and therefore involving the Irish Government also. Accordingly, the main players are the constitutional parties, and the main motor must be an SDLP/UUP understanding. But it has always also been an important objective that it should bear down, positively and negatively, on the terrorists. Specifically its

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continuation is needed to sustain the Loyalist ceasefire, which is itself in question, and to provide continuing pressure for an IRA ceasefire.

Without the Talks process, particularly if its ending is seen as a demonstration that Northern Ireland's politicians simply cannot achieve agreement, a dangerous vacuum will emerge, HMG's policies will seem threadbare, and Northern Ireland's prospects bleak. Last year Drumcree dramatically exposed the continued rawness of intercommunal antagonism. Without even the prospect of forward political movement, and perhaps against the background of a fullscale resumption of terrorism on both sides, we should, in my Secretary of State's view, face a highly dangerous period.

HMG's interest, therefore, is to sustain the Talks process until,

- (i) either, because of the perceived proximity of the General Election, it can be mothballed by agreement amongst its participants on the basis that it will be resumed after the Election; or
- (ii) it became so demonstrably sterile as to discredit the process itself, thereby damaging the future prospects of political progress.

HMG's aim is to reach (i) before (ii); but this may prove difficult.

The position in the Talks

The Talks are, of course, the collective possession of its participants, under Independent Chairmanship. Although the

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British and Irish Governments together have a special position, it is not, as the UUP perhaps believe, in HMG's gift to suspend the Talks unilaterally. (The Secretary of State does have a duty to order that provisions for the Forum cease to have effect if it appears to him that the negotiations are concluded or suspended.) The Talks will resume for bilaterals on 13 January, with a plenary on 27 January. The Independent Chairmen may at that point present a compromise formulation on decommissioning. However this seems unlikely since no compromise guaranteed to attract sufficient consensus has yet been identified.

The UUP position

No progress can be made in the Talks without UUP support: sufficient consensus cannot be achieved without them. As David Trimble and John Taylor pointed out, the UUP have three times withstood attacks from the DUP and the UKUP in order to enable the process to move forward (on the installation of the Chairmen; on agreeing to Rules of Procedure and on the agreement on the Agenda for the Opening Plenary). It is not surprising that, as the Election approaches, they find it difficult to expose themselves once more to political risks, particularly on a subject as sensitive in the Unionist community as decommissioning.

As evidenced by the meeting with the Prime Minister, the UUP's position now is that the Talks process should be put on ice in late January until after the Election. They accept that the Forum will also need to be suspended. They see no prospect of resolving decommissioning because the Irish Government and the SDLP will not come sufficiently close to the UUP's own position. They believe that the Talks should be suspended before an expected IRA ceasefire

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arguing that, while Sinn Fein's entry would make progress in the Talks impossible, it would be difficult to suspend the Talks after a ceasefire. Some of this contrasts with more accommodating positions, articulated by Mr Ken Maginnis in particular a few weeks ago in the Talks, and, at least in Washington, by Mr David Trimble himself.

In short the UUP would like, preferably without political cost to themselves, to be spared the challenges which the Talks, and in particular an IRA ceasefire, present to them. (Mr Trimble is clearly signalling an expectation that the Talks will be suspended soon. But, as in his New Year's Day interview, he is linking this to the suggestion that it is the two Governments which are stalling the process to wait for Sinn Fein.) They appear to assume that the Talks process could be picked up after the Election. But this is far from certain, and might depend crucially on the basis on which it was brought to an end.

The position of the other participants

My Secretary of State believes the position of the other participants needs to be factored in:

- (i) Mr Robert McCartney's UKUP wishes to wreck the process, wrongly believing that it is an instrument designed to weaken the Union in order to appease Sinn Fein. It remains possible that he could become a constructive participant if he were persuaded of the falsity of this analysis: but that is highly improbable.

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- (ii) While for tactical reasons the DUP have kept closely alongside Mr McCartney, their political interests and analysis are in fact different. They have a strong interest in achieving devolution and, on the evidence of the 1991 and 1992 Talks, can be among the most constructive negotiators when their confidence is secured. But their firm position on decommissioning, and on the basis for Sinn Fein's entry, is unlikely to be modified significantly since what they see as a position of principle happily aligns with their political interests and the concerns of their constituents.
- (iii) The CLMC ceasefire is at best under strain and may even be over. The continued participation of the loyalist parties in the process will no doubt be challenged given recent terrorist attacks on Republicans in Northern Ireland. While they would like the process to continue, together with their participation in it, the crucial determinant will be the level of IRA terrorism. Paradoxically, on the substantive political issues, there are some signs that the Loyalist parties will be constructive, and will to some extent inhibit the extremism of some constitutional unionists.
- (iv) The SDLP faces a dilemma. While the process has some perceived viability, particularly as a means to address the substantive political issues, they wish to engage wholeheartedly in it, both to demonstrate their capacity to represent Northern nationalism and to provide a means of bringing

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about an IRA ceasefire and co-opting their Sinn Fein electoral rivals to the process. But if the process is seen conclusively as sterile - stuck on decommissioning, unable even to reach the substantive political issues and hostage to what they see as Unionist intransigence - they have little to gain by continued participation. Indeed they have been conscious of the political risks they incur by continuing in a process in which the Nationalists and Republican community has little confidence - particularly while Sinn Fein remain outside it. The UUP's present position, if firmly maintained, is likely to resolve the SDLP's dilemma negatively; while an IRA ceasefire and Sinn Fein's admission to the process would resolve it positively.

- (v) The Irish Government will be influenced by, and influence, the SDLP attitude. Its focus also is closely linked to its concern to co-opt Sinn Fein to the process and thereby to constitutional politics. While at times impatient with Unionist concerns, and with what it regards as the misplaced focus on decommissioning, it will not wish to be seen as instigating the end of the Talks process. It remains a political imperative in Dublin for the Government to be seen to play a constructive part in the "peace process", of which the Talks are an integral part.
- (vi) The Alliance Party, the Labour Party and the Women's Coalition are supporting players. But, in any end-game, they may have some importance in testifying where responsibility lies. The

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Alliance Party, while they have become profoundly sceptical of Sinn Fein's intentions and therefore of constitutional nationalism's preoccupation with recruiting them, are likely to be vehemently dismissive of the Unionists, and in particular of the UUP's recent confused negotiating style.

(vii)

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HMG's approach

My Secretary of State believes that, against that background, we should keep the following points in mind in determining our approach:

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- As Ministers made clear to David Trimble and John Taylor, suspending the Talks at the end of January may be premature;
- but we have always envisaged that we would need to suspend the talks at some point before the election. The key point is that when this occurs it should be on the basis of agreement to resume after the election;
- it remains an important fact that none of the main players wants to take the blame for ending the process;
- suspension on the basis of a deadlock, which may be no easier to resolve after the Election, has serious dangers, though it may be inevitable;
- though the prospects are bad, a compromise on handling decommissioning may still be secured.
(Even in the Prime Minister's meeting, the UUP suggested that the problem was not that the SDLP would not accept their position, but wanted the UUP to abandon theirs. There may be the seeds of a formula whereby the process could move on, despite continuing distinctions between the positions of the parties on decommissioning.)
- alternatively it may be possible to park decommissioning, if Sinn Fein stay out. There is recognised incongruity in the process being baulked on what, in Sinn Fein's absence, is regrettably a largely academic issue, and which may become more so if the Loyalists depart;

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- even if decommissioning is not formally parked, and the Talks remain stuck in the Opening Plenary, it may be possible to begin some preliminary exchanges on the substantive political issues. This could whet appetites all round. The Irish side have shown interest in this, though the Strand 3 architecture they prefer would be offensive to Unionists.
- HMG's position is considerably constrained by the approach of other participants. In pursuing our strategic objectives we must be ready to make fast tactical adjustments.

My Secretary of State believes that we need not, and should not, signal any significant shift in our position in advance of the scheduled resumption of the Talks later this month.

HMG's own position in respect of Sinn Fein's possible entry, and on the Talks process as a whole, is well established and reflects a consistent policy approach. Our approach to the Talks on their resumption, should, in his view, be based on these components:

- We should continue to press for a resolution on handling of decommissioning. This will mean working with all the participants, including the Chairmen, but especially with the UUP whose confidence needs to be secured. Although the 28 November Statement on Sinn Fein's entry terms does not appear to have freed up the UUP we should continue to work for that.

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- Failing that, we should explore means of sidestepping differences on decommissioning, or parking the issue altogether until it is needed, and begin the substantive political negotiations.
- In general, and provided we do not discredit the process (see paragraph 4 above), we should play the process long and make haste slowly.
- But at the same time we should canvass views on the scope for a non-recriminatory agreement to adjourn the talks early on the basis that they would be resumed after the election. Such an agreement would preserve the process in being and would provide the cover for some constructive political activity, for example bilateral consultations, in the period before the election was called. Much will turn on the perceived proximity of the Election.

I am sending a copy of this to William Ehrman (Foreign and Commonwealth Office) and Jan Polley (Cabinet Office).

Signed

W K LINDSAY

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