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POSSIBLE TEXT

(30 May 1997)

1. In the meetings between officials and Sinn Féin , the Government has been asked to set out clearly its approach to four issues.

Fundamental approach

2. These issues should be seen in the context of the Government's fundamental approach to Northern Ireland, including:

- endorsement of the Anglo-Irish Agreement, Downing Street Declaration, Framework Documents and the 28 February 1996 communiqué;
- determination to uphold the principle of consent by respecting, as set out in the Downing Street Declaration, "the democratic wish of a greater number of the people of Northern Ireland on the issue of whether they prefer to support the Union or a sovereign united Ireland";
- commitment to reconciliation and an overall political settlement which commands the support of both unionists and nationalists and is endorsed by the people of Northern Ireland in a referendum;
- rejection of violence, or the threat of violence, for political ends and determination to take effective measures to end paramilitary violence;
- undertaking to govern Northern Ireland with rigorous impartiality and with full respect for the rights of all citizens, reflecting the principles of parity of esteem and just and equal treatment for the identity, ethos and aspirations of both communities.

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3. The Government believes the current talks process offers the best prospect for achieving an overall political settlement and a lasting peace. It will work to secure early substantive progress in political negotiations. It wants Sinn Féin to join the other participants in these negotiations. But that is only possible on the basis of the Northern Ireland (Entry to Negotiations, Etc) Act 1996 and paragraphs 8 and 9 of the "Ground Rules for Substantive All-Party Negotiations" (Cm 3232):

"Negotiations will involve the participation, in the appropriate strands, of representatives of both Governments and all those political parties operating in Northern Ireland (hereafter referred to as "the political parties") which achieve representation through an elective process and which, as set out in the Communiqué of 28 February 1996, establish a commitment to exclusively peaceful methods and which have shown that they abide by the democratic process.

In the Communiqué of 28 February, both Governments expressed the hope that all political parties with an electoral mandate will be able to participate in all-party negotiations. However, both Governments are also agreed that the resumption of Ministerial dialogue with Sinn Féin, and their participation in negotiations, requires the unequivocal restoration of the ceasefire of August 1994."

4. If these requirements continue not to be met by Sinn Féin, the Government is nonetheless determined to carry forward the process with the current participants.

5. Against this background, the Government's approach to the four issues identified by Sinn Féin is set out.

Confidence building

6. The Government is committed to a continuing programme to build trust and confidence among both unionists and nationalists. Its approach is based on the principles of equality of opportunity, equity of treatment and parity of esteem

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irrespective of political, cultural or religious affiliation or gender. It supports, with equal respect, the varied cultural traditions of both communities including the Irish language. This approach is intended to secure just and equal treatment for the identity, ethos and aspirations of both communities.

7. The Government has already announced its commitment, in the Queen's Speech and elsewhere, to:

- protecting human rights, including by incorporation of the ECHR into the domestic law of the UK as a whole;
- combating discrimination in the labour market by taking forward the Employment Equality Review in the light of SACHR's report due in June this year;
- a major review of training so as to enhance employment opportunities, especially for young people;
- easing tensions over parades by upholding the rule of law and bringing forward legislation in the autumn to implement the North report recommendations, with care and sensitivity for the right to march and the responsibility to take account of the concerns of those who live in areas through which marches pass;
- increasing confidence across the community in the police, including progress on reform of the structure and style of policing by implementing Labour's May 1996 proposals and the recommendations in the Hayes Report on police complaints;
- reviewing legislation against terrorism.

8. Confidence building is a two-way street. A genuine and lasting IRA ceasefire is the single most pressing step required to rebuild confidence across the community. This would enable the Government, as the threat reduced, to respond imaginatively by

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addressing the issues identified for the Government in Chapter VII of the International Body's Report.

9. On the other side, as the Report notes, "The early termination of paramilitary activities, including surveillance and targeting, would demonstrate a commitment to peaceful methods and so build trust among other parties and alleviate the fears and anxieties of the general population. So, too, would the provision of information on the status of missing persons, and the return of those who have been forced to leave their communities under threat."

Entry to negotiations

10. The Government's objective is inclusive negotiations in a peaceful environment, involving all those parties with an electoral mandate which establish a commitment to exclusively peaceful methods and which have shown that they abide by the democratic process. As agreed with the Irish Government in the communiqué of 28 February 1996, Sinn Féin's participation requires an unequivocal restoration of the IRA ceasefire of August 1994.

11. As soon as the Secretary of State considers these requirements are met, then under the legislation she must and will invite Sinn Féin to participate. Any ceasefire must be reflected in both word and deed. She will reach a view on whether or not the statutory requirements are met on merits, in the light of all the relevant information and making a political judgement of all the relevant circumstances in the round.

12. Following a ceasefire declaration, some time would be required to establish that this was reflected in both word and deed. During this period the Government would progressively, and subject to words and deeds continuing to be consistent:

- ask Senator Mitchell to adjourn the talks process for a period to allow consideration of the ceasefire and its consequences for the negotiations;

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- have Ministerial meetings with Sinn Féin to explore with them what assurances could be given and what confidence-building measures established;
- consult the Irish Government as to whether it considers the agreed requirements for entry to negotiations are met;
- convene bilateral and other meetings in Castle Buildings, Stormont, among the two Governments, all the parties, including Sinn Féin, and the Independent Chairmen to consider the implications for the negotiations and how they could most constructively be advanced once they resume;
- make available to Sinn Féin its delegation room in Castle Buildings so as to prepare for the resumed negotiations.

13. The Government seeks no unnecessary delay. The period needed will be affected by the extent of terrorist activities prior to any declaration. But if an unequivocal restoration of the IRA ceasefire were declared by [23] June and was reflected in both word and deed so that the statutory requirements were met, then Sinn Féin would be invited to join a plenary session of the negotiations [before the end of July].

14. Sinn Féin would first be expected to affirm, as all the other participants have already done, their total and absolute commitment to the Mitchell principles of democracy and non-violence. From their entry into the negotiations onwards, Sinn Féin would, in common with all the other participants, be subject to all the agreed provisions and rules of procedure. These include those governing the contingency where any participant is no longer entitled to participate on the grounds that they have demonstrably dishonoured the Mitchell principles of democracy and non-violence.

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15. Beyond the unequivocal restoration of the IRA ceasefire, these negotiations are without preconditions. Each participant will be able to raise any significant issue of concern to them, and to receive a fair hearing for those concerns, without this being subject to the veto of any party. Any aspect can be raised, including constitutional issues and any other matter which any party considers relevant. No negotiated outcome is either predetermined or excluded in advance or limited by anything other than the need for agreement.

16. Among the crucial issues is decommissioning. This must be resolved to the satisfaction of the participants, without blocking the negotiations. In their report, the International Body said the parties should consider an approach under which some decommissioning would take place during the process of all-party negotiations. Both the British and Irish Governments support the International Body's compromise approach. Agreement needs to be reached on how to take it forward, so that the process of decommissioning is not a block to progress in the negotiations, but can be used to build confidence one step at a time during them. The British and Irish Governments will bring forward proposals to implement all aspects of the report and on the basis of these proposals, which will require sufficient consensus for adoption, work to secure the launch of the three strands of political negotiations in September.

17. The proposals they envisage will reflect common ground already established in the discussions so far and will include:

- the commitment of each participant to work constructively during the negotiations to implement all aspects of the International Body's report;
- the establishment, in parallel with the launch of the three strands, of an Independent Commission as recommended in the International Body's report;

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- a dedicate Committee of the plenary, possibly with sub-committees on specific issues, to advance the implementation of all aspects of the International Body's report;
- a mechanism to enable all the participants regularly to review developments across the whole spectrum of the negotiations.

18. The aim of the two Governments in these proposals will be to secure agreement to structural mechanisms to give effect to the International Body's compromise approach which envisaged mutual progress on political issues and decommissioning as helping to create a progressive pattern of mutual trust and confidence.

Timeframe for the negotiations

19. The Government does not expect the current process to continue beyond the end of May 1998, the date set by law when the Northern Ireland Forum ceases to exist. The Government will encourage and facilitate agreement but cannot guarantee it: agreement depends upon a sufficient consensus among the participants. In the absence of agreement by the time these negotiations end, the Government would continue to work, in co-operation with the Irish Government and with the political parties of Northern Ireland, to secure an overall political settlement based on consent and which commands the support of both unionists and nationalists and is endorsed by the people of Northern Ireland in a referendum.

20. If it is helpful, the Government will bring forward proposals for adoption by the participants of an agreed indicative timeframe and calendar for the conduct of the negotiations until the end of May 1998. In any event, the British and Irish Governments expect to review their approach to the negotiations at regular intervals. The two Prime Ministers expect to do so in a Summit before the [end of this year].

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Conclusion

21. The Government has set out its clear position on the issues identified by Sinn Féin. But there is an equal need for absolute clarity on other issues. It is now for the IRA to restore its cessation of August 1994 so that it is genuinely unequivocal and reflected in words and deeds, offering a clear and unambiguous commitment to peaceful and democratic means which provides confidence that it is genuine and irreversible.

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