

→ Mr Holmes

cc / B

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FROM: DAVID BROOKER
IPL DIVISION
16 MAY 1997

DESK IMMEDIATE

- cc: PS/Mr Murphy (L&B)
PS/Mr Ingram (L&B)
PS/PUS (L&B)
PS/Sir D Fell
Mr Steele
Mr Stephens
Mr Leach
Mr Bell
Mr Watkins
Mr Hill
Mr Maccabe
Mr Beeton
— Mr Priestly
— Mr Budd, Cabinet Office
Mr Warner

File
John
20/5.

(1) cc me, WF
(2) NS
CRB 19/5

1. MR THOMAS (Signed QT 16/5/97)
2. PS/SECRETARY OF STATE (L&B)

SINN FEIN: MEETINGS WITH OFFICIALS

Now that the Prime Minister has announced the Government's willingness to authorise meetings with Sinn Fein, and this has been confirmed by the Secretary of State in a letter to Gerry Adams, we can expect an early request for a meeting from Sinn Fein. They could telephone through, on the established link, very quickly. This minute invites Ministers to agree the parameters within which officials should operate.

What do we want to get out of the meeting?

2. The Prime Minister's speech sets out the basis on which officials would approach the meetings. He said -

"I want to hear Sinn Fein's answer (to the choice between negotiations and violence). And to make sure there is no danger of misunderstanding, I am prepared to allow officials to meet Sinn Fein, provided events on the ground, here and elsewhere, do not make that impossible.

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This is not about negotiating the terms of a ceasefire. We simply want to explain our position and to assess whether the republican movement genuinely is ready to give up violence and to commit itself to politics alone. If they are, I will not be slow in my response. If they are not, they can expect no sympathy or understanding. I will be implacable in pursuit of terrorism".

3. Another part of the context is the Prime Minister's acceptance that, at the right point in these exchanges, a **date** for Sinn Fein's entry to the process could be given.
4. While the Prime Minister's speech gives officials their basic terms of reference there are other texts that are relevant -
 - The Entry to Negotiations Act 1996, which provides the statutory basis for parties' participation in talks. The Act states that the Secretary of State shall refrain from inviting parties to the talks unless they have met the requirements of paragraphs 8 and 9 of the Ground Rules (in Command 3232). Paragraphs 8 and 9 require the unequivocal restoration of the IRA ceasefire and a commitment to exclusively peaceful methods and the democratic process.
 - The communiqué issued by the two Governments on 28 February 1996. This confirmed the two Governments' agreement that the resumption of Ministerial dialogue with Sinn Fein, and their participation in negotiations, required a restoration of the ceasefire, and affirmed their joint determination to carry on working with the other parties if IRA violence was not brought to an end. It also made clear that all participants in the talks process would have to state their total and absolute commitment to the Mitchell principles at the beginning of the negotiations, and that they would also need to address the Mitchell proposals on decommissioning at that point.
5. In addition to these documents, the Government's other publicly stated positions are relevant. On "Inside Politics" on 29 March, for example, the Secretary of State said that if the republican movement "show by word and deed their commitment to the democratic process we think they ought to swiftly move into the talks process, but we need a period where that can be seen".

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6. The previous Prime Minister's statement of 28 November is also relevant. But the present Government is not - as we understand it - tied to every aspect of this.

7. Taking these various statements together, we might regard officials' primary objective as being to **explore the scope for securing a new IRA ceasefire on a basis compatible with the relevant statute, the communiqué of 28 February and the Government's other publicly stated commitments.**

8. Any such process of exploration may prove to be **wide-ranging** and, amongst other things, might cover -

- the republican movement's attitude to violence and whether it accepts, or can be persuaded to accept, that violence must now come to an end.
- how the movement would intend, through words and deeds, to persuade the community at large that any new ceasefire was for real, that is to say intended to be lasting, not tactical.
- the nature of the talks process and the opportunity it provides for a comprehensive agreement between the two Governments and the relevant parties.

9. Officials will want to probe the likely **terms of any ceasefire announcement** to see how far Sinn Fein are prepared to go towards a definitive statement on the ending of violence. In this context it is worth recalling that, in an article to the Irish Times on 22 February, Gerry Adams said that "Sinn Fein believes that any restoration by the IRA of its cessation of August 1994 will be genuinely unequivocal, containing a clear and unambiguous commitment to enhance a genuine peace process".

10. As to **deeds**, officials will need to convey the importance of the provisional movement, following a ceasefire, establishing by its actions as well as by words that it is for real. Relevant to that are issues such as targeting, surveillance and the movement of weapons.

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11. Officials can also probe the scope for assurances that, if the direction of the negotiations or the outcome of talks were not to Sinn Fein's liking, there would be no return to violence.

12. A further key objective for officials will be to make sure that Sinn Fein have a full understanding of the Government's position. Clearly Sinn Fein will want to know whether there are any changes of emphasis in the new Government's position from that of its predecessor. Officials will be able to use the Prime Minister's speech and the Secretary of State's letter to Adams as their authorised texts. Nevertheless, we can expect Sinn Fein to press specific issues with us.

13. The nature of these exchanges with Sinn Fein is, and is said to be, exploratory. The result we hope to achieve is clear: namely a formal and convincing declaration of a ceasefire, in persuasive terms, reflected in words and deeds. Officials will be ready to explain the Government's approach to this issue and to the talks process in general. It is in the nature of exchanges of this sort that tight instructions are neither needed nor likely to prove helpful. Officials will, of course, reserve their position on any substantive points, pending clearance with Ministers. Is the Secretary of State content for the official team to enter the exchanges on that basis?

14. Sinn Fein will no doubt come to the meetings wary that HMG will, as they would see it, attempt to string them along and prolong the exchanges artificially and unnecessarily. Officials will accordingly do what they can to convey a purposive approach and a workmanlike attitude.

What will Sinn Fein want?

15. It is likely that the first meeting, or conceivably meetings, will be devoted in effect to identifying the agenda. Accordingly, it is not necessary at this point to take up substantive positions on the issues that Sinn Fein are likely to raise. Some preliminary thinking would, however, be valuable.

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16. It is more than likely that Sinn Fein will return to the four key points which remained unresolved during their exchanges with the Government, via John Hume, between July 1996 and March this year. These points, which were referred to in the Analytical Paper *Giving Impetus to Peace*, which formed part of Ministers' initial briefing, are -

- Sinn Fein's demand for certainty about a **date for entry** into the political negotiations following a ceasefire
- their demand for reassurance that there will be **no preconditions** to the negotiations, and specifically that there is no requirement for prior decommissioning by the IRA before talks and that decommissioning will not be allowed to block progress in the negotiations
- their demand for an **agreed timetable** for talks, so as to prevent the Unionists stalling or erecting obstacles to progress
- their demand for the Government to take measures to **boost the confidence** of the nationalist community in areas such as prisoners, demilitarisation, and police reform.

17. Sinn Fein might also ask whether the new Government adheres to all aspects of the previous Prime Minister's statement of 28 November, especially the section which envisages Sinn Fein having to pass through a sequence of stages after a ceasefire has been declared, during which time the genuineness or otherwise of the ceasefire would be evaluated. (The steps include meetings with Sinn Fein at various levels, the two Governments meeting Sinn Fein to receive a commitment to the Mitchell principles, and the two Government proposing consultations with the other parties about bringing Sinn Fein into the process). These progressive steps may help both sides to fill the period between a ceasefire and Sinn Fein's entry into talks, but they are not necessary to fulfil any requirement of principle by HMG and may not be helpful to Sinn Fein as at one time was hoped.

18. It may be useful to consider the main points in order.

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Date for entry to talks

19. For a long time Sinn Fein demanded **immediate** entry to talks once the ceasefire was called. Over time, this has evolved to a situation where what they may really be after is **certainty** that they would gain admission to talks within a relatively short, defined period after a ceasefire. **This is the key issue for Sinn Fein**; if it can be resolved, the other outstanding differences should fall into place.

20. The outcome we seek, endorsed by the Prime Minister, is to resolve this by a formula along the lines of: "If an unequivocal restoration of the IRA ceasefire were declared now, and this was reflected in words and deeds so that the statutory requirements were met, then Sinn Fein would be invited to join the negotiations by X date". But given the crucial significance of this issue for both sides, we shall need to approach it carefully.

21. The line which officials would follow initially would be to take Sinn Fein carefully through the requirements of the Entry to Negotiations Act, the Ground Rules and the Government's other stated positions on Sinn Fein's entry to talks, then **seek to discover the terms in which the deployment of the date could be used to achieve maximum leverage with Sinn Fein.**

No preconditions

22. Officials would adhere to the line in the previous Prime Minister's statement of 28 November 1996 that "the British and Irish Government's agree that, beyond the unequivocal restoration of the IRA ceasefire, these negotiations are without preconditions". As mentioned above, however, Sinn Fein are likely to seek specific clarification about **decommissioning**. Officials will be ready to explain the Government's approach and to repeat the formula in the 28 November statement that decommissioning should be carried forward without blocking the negotiations.

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Timeframe

23. Sinn Fein will press for an agreed timeframe so that talks cannot be delayed or otherwise obstructed by the Unionists, whom they assess as standing to benefit the most from the status quo. In reality, any notion that the British Government or the two Governments together could impose a timetable, and expect participants to work it, is totally unrealistic. Nevertheless, there is nothing to prevent the two Governments **encouraging the adoption of an agreed indicative timeframe** if the other parties would find that helpful. This was the position of the previous Government, as set out in the 28 November statement. Ultimately we may find that what Sinn Fein really wants is not so much a detailed timetable for the talks process so much as a reassurance that the whole process will not last for more than, say, nine months to a year. For our part, officials will want to test what Sinn Fein's attitude would be if, by the indicative end point, agreement had not been secured.

Confidence building measures

24. Sinn Fein will look for assurances that the Government is committed to early positive action on prisoners, police reform, demilitarisation and other issues of importance to the nationalist community. These items are significant since Sinn Fein needs to be able to demonstrate to its supporters that dialogue with the Government produces results. The Prime Minister's speech and earlier articles by the Prime Minister and Secretary of State give a clear commitment to building confidence in **both** communities and explain what measures Ministers have in mind.

25. At the first meeting with Sinn Fein we can expect little more than a **generalised exchange about issues of interest to the two sides**. From the Government's side, officials will emphasise that confidence building is a **two way street**, that the biggest single development that would build confidence would be a **restoration of the ceasefire**, and that there is just as much **onus on Sinn Fein** as on others to build confidence in the community through the early termination of activities like targeting, surveillance, etc. Officials will also want to convey the important message that if and when there is an unequivocal ceasefire, reflected in words and deeds, the **Government will be ready to respond** as the threat diminishes (by reducing

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the army presence on the streets, increasing unaccompanied patrolling by the RUC, etc.)

Conclusion

26. I should be grateful to know if Ministers are content for officials to approach the meetings on the basis set out above.

27. The team on our side, as agreed with PUS, will be Mr Thomas, Mr Stephens and Mr Maccabe.

Press

28. Our approach will be that the meetings, though acknowledged, would be best left unadvertised in advance. We would look to Sinn Fein to respect this approach.

(Signed)

DAVID BROOKER

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