

P. Kyle 110

AIDE MEMOIRE

The purpose of the meetings on 21 and 28 May was to ensure there was no misunderstanding of the Government's position or of Sinn Fein's. This note sets out the Government's position, in particular on the points raised by Sinn Fein.

First, Sinn Fein's participation in talks. The entry of Sinn Fein into the talks requires an unequivocal restoration of the IRA ceasefire. Negotiating while violence continues, or under the threat of violence, is unacceptable.

The British Government wants to see the talks proceed on an inclusive basis, and move on to the substantive political issues as soon as possible, and in any case by September. It wants to see Sinn Fein participating in these talks. Sinn Fein's entry is governed by the legal requirements set out in paragraphs 8 and 9 of the "Ground Rules for Substantive All-Party Negotiations". The Secretary of State is legally obliged to issue an invitation to Sinn Fein when she considers those requirements are met, having made a political judgement of all the circumstances in the round.

Some time will be needed to assess a ceasefire to see that words and deeds are matching before such a judgement can be made. This period should be used constructively to take account of the needs of all parties. We understand that an open-ended time period gives rise to accusations of bad faith. We are prepared therefore to remove any misunderstanding by saying the period of time for such a judgement is some 6 weeks. If an unequivocal ceasefire is in place by mid-June, and is satisfactory in word and deed, Sinn Fein would be invited to a plenary session of the negotiations by the end of July. That would be the occasion for Sinn Fein to make clear its commitment to the Mitchell 6 principles.

In the period immediately following a ceasefire, we expect participants might wish to consider adjourning the talks. As was said by the previous Government and this Government, Ministerial meetings with Sinn Fein would be possible, as well as bilateral and other meetings in Castle Buildings, including between the Independent Chairmen and Sinn Fein. Sinn Fein would also have access to an office in Castle Buildings.

Second, timeframe. Because of its concern to get this process moving, the Government believes the talks should not continue beyond May 1998, the date envisaged by current legislation, and that a settlement should be achieved by then. There will be regular reviews of progress.

Third, decommissioning. The talks' participants are currently addressing the issue of decommissioning. The Government has always made it clear that it wants to resolve this rapidly to the satisfaction of the participants so that it does not block the substantive political negotiations. Realistically, this can only be on the basis of implementing all aspects of the Mitchell report. It is working with the Irish Government to secure agreement among the participants to move forward rapidly on this basis. As mutual progress is made on political issues and decommissioning, this can create growing mutual trust and confidence on all sides.

Any agreement on decommissioning seems likely to include a commitment by each participant to work constructively and in good faith to implement all aspects of the Mitchell report; an independent commission, to be established in parallel with the launch of substantive political negotiations; a dedicated committee of the plenary to advance all aspects of the Mitchell report; and a review mechanism for progress across the spectrum of the negotiations.

Fourth, confidence-building. The Government wants to build confidence on all sides of the community, based on principles of equality of opportunity, equity of treatment and parity of esteem. Measures already announced include the incorporation of the ECHR into domestic law; a review of training opportunities for young people; a commitment to equality of opportunity in the labour market; a commitment to legislate this year on the North Report; and a commitment to implement proposals to develop a policing service capable of securing the support of the whole community, including a more independent complaints system. In response to a further point of apparent concern, the Government has always made clear it has equal respect for the varied cultural traditions of both communities, including the Irish language and culture. It also recognises the particular sensitivities of prisoner issues on all sides.

Confidence-building is of course a two way street. A genuine and lasting abandonment of violence would do more to rebuild confidence across the community than any other step. Other paramilitary activity such as intimidation through so-called punishment attacks should also stop, on all sides. This would help the Government to respond imaginatively in areas such as security force deployments, and other consequences of the conflict.

Sinn Fein's concerns were set out in its paper of 10 October. This note answers those concerns fully. An immediate and unequivocal IRA ceasefire is now needed to enable Sinn Fein to enter the talks as set out above. If Sinn Fein do not enter the talks, the substantive negotiations will be taken forward in September in any event.