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DRAFT LETTER FROM QUENTIN THOMAS

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In our two meetings we have explained the Government's approach to the four issues raised for clarification by Sinn Féin.

At the last meeting you expressed disappointment with the Government's position. At the conclusion of the meeting, I said that I judged the Government had put forward positions on three of the four issues which were as advanced in substance, if not more so, than the positions suggested in your 10 October paper; and, on the fourth issue - Sinn Féin's entry to negotiations - the Government had indicated that it was willing in principle, unlike the previous Government, to indicate a date on which Sinn Féin would enter the negotiations following a satisfactory ceasefire reflected in both word and deed.

To avoid any misunderstanding, or any failure on either side to set out and understand each other's positions clearly, I thought I should record in writing my own account of what we have said, with Ministers' approval, on each of the four issues. I am writing with the knowledge and approval of the Secretary of State.

On confidence-building measures, we set out both the Government's broad approach to building confidence on all sides of the community, based on the principles of equality of opportunity, equity of treatment and parity of esteem, together with the specific programme of measures which the Government has already announced in its early weeks in office. These include:

- incorporation of the ECHR into domestic law;
- a review of training opportunities, especially for young people, so as to boost jobs;
- a commitment to equality of opportunity in the labour market, taking forward the employment equality review following SACHR's report due this month;
- the commitment to bring legislation to Parliament this year to implement the North Report on Parades;

It seems to me silly to say this. In other words, we are bending over so far backwards to meet you that we have even gone beyond your demands.

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- a commitment to implement proposals on the future structure and style of policing, so as to develop a policing service capable of securing the support of the whole community, together with a more independent system of investigating complaints against the police.

I also explained the Government's commitment, in the event of a genuine and unequivocal restoration of the IRA ceasefire, to respond imaginatively, as the threat reduced, on issues such as security force deployments and other consequences of the continuing conflict.

I note that the 10 October paper, while inviting the Government to set out its broad approach in terms similar to those I have described, did not include any specific list of measures such as I have outlined. As I said to you in our second meeting, if an agreed and detailed programme of measures is a precondition to an IRA ceasefire, then that could only be produced as the result of a much longer and slower process than either side, I believe, is prepared to contemplate.

2. This suggests we need be ready in principle to do this.

On the timeframe for the negotiations as a whole, I said that the Government did not expect these negotiations to continue beyond the end of May 1998. The Government regards that as the terminal date for the talks and the date we shall be working to for agreement on a settlement. It is the date set in law for the end of the elected Forum and a number of parties have made it clear that they have difficulties in continuing negotiations without the Forum in place. I also explained that the Government envisaged regular reviews of progress, and would review with the Irish Government their approaches to the negotiations, including in meetings between the two Heads of Government.

I note that, while 10 October invited the Government to commit itself to an agreed indicative timeframe, it contained no specifics as to what that timeframe might be.

On decommissioning, I noted that the Government was committed, in your own words in Tralee on 14 November 1996, to "resolve this issue to the satisfaction of all the participants". (I am confused therefore to see Mr Adams, as reported in the Irish Times of 5 June, criticising the Government for encouraging unionist intransigence by adopting the same position.) I explained that the Government was committed to finding a way to resolve the issue on this basis without blocking the negotiations. Realistically, this could only be on the basis of implementing all aspects of the Mitchell Report. In that context, I explained that the two Governments were working together to bring forward proposals to the participants to resolve the issue and that any agreement seemed likely to include:

- a commitment by each participant to work constructively and in good faith to implement all aspects of the Mitchell Report;

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- an independent commission as recommended in the Mitchell Report, to be established in parallel with the launch of the three strands;
- a dedicated committee of the plenary to advance implementation of all aspects of the Mitchell Report; and,
- a review mechanism to enable all participants regularly to review progress across the whole spectrum of the negotiations.

I made it clear that the Government wished to make progress on this issue within the next few weeks and that this required sufficient consensus to be achieved among the participants under the agreed rules of procedure. Again, this sets out the position in terms similar to that suggested in 10 October but with more specific detail as to the proposals and mechanisms the two Governments envisage as necessary to implement the Mitchell Report and resolve the issue of decommissioning without blocking the negotiations.

Finally, I set out the position on Sinn Féin's entry to negotiations. I explained that this was governed by the requirements established by law and set out in paragraphs 8 and 9 of the "Ground Rules for All-party Negotiations" (Cm 3232). This required the Secretary of State, as a legal obligation, to issue an invitation to Sinn Féin as soon as she considers those requirements to be met. I explained that this decision would be taken in the light of all the relevant information and making a political judgement of all the circumstances in the round.

I also explained that, while I understood and respected Sinn Féin's insistence on the integrity of its electoral mandate, it was unrealistic to expect immediate entry to negotiations following an IRA ceasefire declaration. Some time would be required to see that words and deeds were matching. I noted that Mr Adams, in an interview on "Inside Politics" on 8 February 1997, acknowledged this possibility when he said:

"... we can work out some formula or some very limited timeframe, which is sensitive to everybody's needs in this situation."

But I also made it clear that, unlike the last Government which had decided not to indicate a date for Sinn Féin's entry to negotiations, this Government was prepared, in principle, to indicate when, following an unequivocal restoration of the ceasefire which was reflected in both words and deeds so that the statutory requirements were met, Sinn Féin would participate in the negotiations.

I also set out the confidence-building activity which could take place in such a period including:

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- the Government's expectation that the talks participants would wish to consider adjourning the talks;
- Ministerial meetings with Sinn Féin;
- bilateral and other meetings in Castle Buildings involving both Governments and other parties, including Sinn Féin;
- meetings between the Independent Chairmen and Sinn Féin;
- access to an office in Castle Buildings for Sinn Féin to prepare for the resumed negotiations.

The 10 October paper was ambiguous as to the timing of Sinn Féin's entry to negotiations although clear that, following an unequivocal restoration of the ceasefire, Sinn Féin should enter negotiations "at that stage".

Ministers have now agreed that I should indicate that, in current circumstances and subject to events on the ground between now and any ceasefire, they have in mind a period of some six weeks to see that words and deeds are matching. So this means that, if an unequivocal restoration of the IRA ceasefire were declared in mid June and words and deeds were to match so that the legal requirements are met, Sinn Féin would be invited to participate in negotiations before the end of July beginning with a plenary session to make its commitment to the Mitchell principles before the talks are likely to adjourn for the summer until September.

The Government's aim, taking account of the likely conclusion of negotiations by the end of May 1998, is to see the three strands of political negotiations under way in September. Either Sinn Féin joins the negotiations by then, on the basis I have described, or those political negotiations will start without Sinn Féin.

In substance, the various positions I have set out with the Government's authority are as advanced, if not more so, on three of the four issues raised by Sinn Féin than the substantive positions suggested in the 10 October paper. On the fourth issue, where that paper was ambiguous, the Government has now set out a clear time period providing certainty as to when, once an unequivocal restoration of the IRA ceasefire is declared and matched in words and deeds so that the legal requirements are met, Sinn Féin would enter the negotiations.

Again, not sensible to say this in something which may be published.

The Government believes it has provided Sinn Féin with the clarity it sought and in terms which are fair and reasonable. The Government therefore plans to make its position public in the next few days in terms similar to those I have outlined.

We have no desire to engage in meetings for the sake of meetings. As we both agree, there is no question of negotiating an IRA ceasefire.

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But if there remains any lack of clarity as to the Government's approach, it is prepared to authorise one further meeting, subject to events on the ground, before making its position public. A meeting on Monday next week, for example, would be convenient for us. To ensure it is used effectively, it would be helpful to know in advance if there remain any areas on which Sinn Fein are still seeking clarification.

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