

The International Body

Meeting with Representatives of the Government of the Republic of Ireland
December 18, 1995
Dublin

Participants: Dick Spring, Minister for Foreign Affairs, Nora Owen, Minister for Justice, Sean O'hUiginn, Department for Foreign Affairs, Tim Dortland

Summary

The representatives of the Irish government said the IRA cannot deliver on decommissioning as a precondition to all-party talks; the International Body has a broad mandate on decommissioning which is essentially a political issue; a series of principles may be the best way to approach the issue; acceptance of such principles as phased decommissioning, consent, and the non-use of force to influence the outcome of negotiations would be new for Sinn Fein/IRA, and renunciation of IRA recruitment and punishment beatings would be useful small steps to build a climate of trust; decommissioning as necessary for participation in the political process was the policy of the government for the past fifteen years but new situations demand new policies; had decommissioning come up in the prelude to the ceasefires, arms would not have been put down; the Irish and British governments agree that the modalities of decommissioning would not be difficult once the political decision to engage had been taken; and the elected assembly idea as advanced by the UUP is not acceptable in its current although the government would accept any such idea agreed at the all-party negotiating table.

End Summary.

Account of Meeting

Spring said the creation of the International Body was the latest evidence of the close cooperation between the British and Irish governments on Northern Ireland. On the security front there is total cooperation against illegal paramilitary organizations. Commencement of decommissioning immediately would not guarantee permanent peace, which can only be the product of all-party negotiations. The two governments have pledged to convene such talks in February 1996.

The Irish government has always completely rejected the IRA's views on and use of physical force to achieve its goals. Despite our best efforts, the IRA has made clear that decommissioning cannot be accepted as a precondition to participation in all-party talks. Any connotation of surrender is anathema. We believe that the paramilitaries cannot deliver arms in advance of talks without severe internal debate that could produce destabilization within the organizations and potentially rock the peace process on its foundations.

Unchanging insistence on Washington Three could derail all-party talks and the prospects for arms decommissioning itself. Decommissioning has to be voluntary, achieved through the political process, not as a precondition to the start of that political process. Establishment of the International Body, with its wide-ranging mandate on one of the two tracks, could have a positive impact on the political track. It is important to hear all viewpoints and to consider practical approaches. A purely technical study would do little to advance the peace process. Advice is needed within and on the context of decommissioning. Decommissioning is essentially a political issue. A report taking into account the commitment of those with influence over those with illegal arms and offering reassurances from the International Body would enhance prospects for peace. The Irish government will be as flexible as possible, taking responsive measures as the threat is reduced.

The International Body may wish to look closely at the series of principles included in the written submission of the Irish government and make practical suggestions on the basis of these, or similar, principles.

Owen said the Irish government declared arms amnesties in 1962 and 1972. These recorded some success but one cannot assume that all, or even many, of the arms turned in came from IRA arsenals. She referred to the Dalton-Chilcot report, an agreed work on the modalities of decommissioning produced at the undersecretary level by the two governments and recently presented to ministers. A close reading of that report shows that the authors were careful not to make decommissioning a precondition. Only progress towards political settlement can guarantee the peace. This framework for decommissioning is not intended to represent hard and fast positions. Decommissioning can only be voluntary; if the security forces knew where the arms were stashed, they would already be decommissioned. The nature and extent of IRA stores of arms as well as its capacity to acquire and manufacture weapons are significant but not as great as some imagine.

Garda estimates of the IRA are likely to be consistent with those of the RUC. There is enormous cooperation between the two police forces. We all want to see these weapons put out of commission and do not want them to fall into the hands of criminal elements. There is no evidence that that has happened to date.

The Irish government recognizes the role of prisoners in bringing about the ceasefire. We have released 36 paramilitary prisoners and widened the boundaries of compassionate leave. The British government has not considered the role of prisoners in the way that we have. Twelve PIRA prisoners are left in Irish jails; in addition 21 INLA and other paramilitary prisoners remain.

Decommissioning is the wrong course at this time because the paramilitaries cannot deliver. The capacity of the paramilitaries to rearm has increased greatly. Decommissioning is an element of, not a substitute for, the political process. Decommissioning is achievable over the longer term and is indeed crucial to the peace process. An effective IB report would leave the reader with increased confidence that the violence has ended and generate trust among the parties as a result.

Spring said the two-track approach is the product of an enormous amount of work to end the violence, to extend far beyond the suspensions of violence in the past. Gerry Adams expended a lot of effort to convince the IRA that there is an alternative to violence. The British did not believe that a ceasefire was possible until it happened. Their first question upon hearing the news was, is it permanent? After three months they began to accept the reality of the ceasefires. If peace were just up to the governments, a solution would be found overnight, but the two governments are trying to overcome deep-seated mistrust in the communities of Northern Ireland. The Anglo-Irish Agreement of 1985 and the 1993 Downing Street Declaration are milestone achievements but did not stop the violence. Now a stage has been reached in which those with the arms say they want to be part of the democratic process. The cessation of violence should not be underestimated in the historical context of Ireland. Adherence to the principles in paragraph six of the Irish government submission would go a long way to copperfastening the peace.

Postponement of discussion of decommissioning until all-party talks could be seen to make all-party talks a pre-condition for decommissioning for those, like us, who engage in straight-line thinking, but in this context it is necessary to be creative, to cross lines. There will not be a final settlement unless the conviction prevails that the threat of violence is gone. If decommissioning could be done now, we would do it; we can only get there through an interlocking process. The Irish government actually spends more on security on a per capita basis than does the government of the UK.

Ultimately the modalities of decommissioning (provision of legal guarantees on forensic evidence, implementation which preserves dignity and saves face, etc.) are not a problem. The British have the

same view. O'hUiginn said we do not want more hurdles for those with the weapons to jump. There are a broad range of possibilities. Use of ideas from other conflicts, however, may not be helpful. IRA quartermastering is very sophisticated. Spring said the IRA will never surrender weapons to the British army. We would have no difficulty with the employment of third parties for such the purpose of turning in weapons.

In response to a question which, among the principles enumerated in the Irish government submission, would represent something that Sinn Fein/IRA has not pledged or done before, Spring said acceptance of phased decommissioning during talks would be one such step. O'hUiginn said Sinn Fein seems to be heading in the direction of acceptance of the principle of consent, but is not in the ballpark yet. A successful IB report must transcend the aims of both sides. Violence is rooted in Irish history. Its power comes from myth, not the possession of weapons. Myths make people do things they would not dream of doing otherwise. The frontiers of Sinn Fein doctrine are rolling back year by year. We have brought Sinn Fein very far on most frontiers. Spring said the power and effectiveness of a repetition of things already said, commitments already made, should not be underestimated. Such verification could be a powerful tool for the IB. Sinn Fein/IRA commitment to stop recruiting and punishment beatings would be new. They could stop the beatings if they wanted. O'hUiginn stressed the importance of small steps, thus reaffirmation of what was said in the past could be an important element in the IB report. Two years ago Sinn Fein leaders would not have been caught dead in a picture with the Tainiste. Spring said one should be careful not necessarily to take public statements at face value. UUP Leader Trimble reacted badly to our recent letter inviting him to talks, but we are arranging the next meeting as we speak. We understand that Trimble, like other politicians, has to keep his troops in line.

Spring said that had there been talk of decommissioning, the surrender of arms, the ceasefire would not have happened. The Morrison-O'Dowd intermediaries had proposed a 3-6 month cessation of violence. We said no, the cessation must be permanent. For the past fifteen years decommissioning of weapons as a condition to political participation has been Irish government policy, but we moved on. It was necessary to take a new position in the new political context.

The British will move on decommissioning once the unionists are ready to move. Trimble has to look over his right shoulder at Paisley. If he moves too quickly, Paisley will swoop in to grab hardline support. O'hUiginn said the November 28 communique gives Trimble a way to bring his elected assembly idea to the table. Ordinary unionists want peace, watch their leaders closely, and do not want missteps to give the IRA an excuse to resume violence. Trimble represents a community whose aspirations are satisfied. Almost any change would be seen as a loss; therefore reforms are bound to be unpopular. Dortland said the tragedy of the decommissioning issue is that it has made the political process and progress hostage to a military decision. It would be valuable to establish what the unionists actually hope to gain from decommissioning. The nationalist community fears that the unionists use decommissioning to avoid negotiations altogether. A clear definition of what the unionists want could forestall a rolling series of preconditions.

O'hUiginn pointed to the principle of non-use of force to influence the outcome of negotiations to underscore his point of the significance of acceptance of such principles.

Spring said that just because Trimble must watch his back with Paisley does not mean that he is in the DUP leader's pocket. If Trimble can carry the unionists, Paisley will not want to be left behind. Trimble's ideas on an elected assembly have seemed confused. At first he seemed to be talking about a return to Stormont. Sinn Fein and the SDLP worry about another plot, ploy to avoid doing business on the basis of equality and parity. As presently structured, an elected assembly is a red flag to nationalists. We could not subscribe. We would have no problem if he could sway interlocutors of the merits of his proposal in the course of all-party talks. O'hUiginn said 50%-60% of the people in Northern Ireland see the union as legitimate while 40% accept it only grudgingly. Sinn Fein completely rejects the union. The problem with the elected assembly is that it would accept that framework as assured. Politicians do represent their constituencies in NI, but, on another level, the intuition of the people is that things must

change. Dortland said a demand for decommissioning in advance of talks would send the IRA back to war. A lack of prior decommissioning would be tough for unionists to swallow. Acceptance of a set of principles is the best way to go.

Senator Mitchell asked for a list of practical measures as well as the Government's reaction to a possible recommendation for phased decommissioning to start sixty days after the beginning of all-party talks. The greater the degree of specificity of such proposals, the more likely acceptance would be of such proposals from those who would not get decommissioning as a precondition to talks. O' hUguinn said there would be a need for a political timetable to trigger a decommissioning timetable. He said a phased decommissioning could be worth a try, but the security people should be asked whether in their judgment the paramilitaries could deliver. Spring concluded with a word of caution that any resolution requires cross-community support from communities that have been historically polarized.