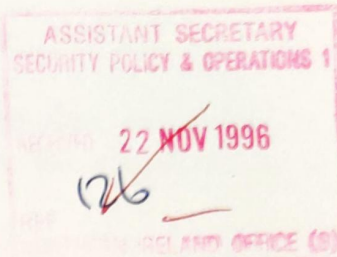


CONFIDENTIAL

FROM: JONATHAN STEPHENS
ASSOCIATE POLITICAL DIRECTOR (L)
21 November 1996



PS/Secretary of State (L&B)

cc PS/Michael Ancram (L&B)
PS/Sir John Wheeler (L&B)
PS/PUS (L&B)
PS/Sir David Fell
Mr Steele
Mr Thomas
Mr Bell
Mr Leach
Mr Ray
Mr Watkins
Mr Wood (L&B)
Mr Beeton
Mr Hill
Mr Lavery
Mr Maccabe
Mr Perry
Ms Bharucha
Ms Mapstone
Mr Budd, Cabinet Office
HMA, Dublin
Mr Westmacott, Washington
Mr Lamont, RID

42/60

File

HUME/ADAMS: NEXT STEPS

I attach a draft letter to No 10 setting out the action plan for moving towards publication of the latest text. To this is attached a draft letter for the Prime Minister to send to the Taoiseach tomorrow with the text attached.

You are separately writing tonight to NI colleagues with the latest version of the text.

(Signed JAS)

JONATHAN STEPHENS
APD (L)
OAB 6469

CONFIDENTIAL

CONFIDENTIAL

DRAFT LETTER

John Holmes Esq
Private Secretary to
the Prime Minister
10 Downing Street
LONDON SW1A 2AA

November 1996

HUME/ADAMS: NEXT STEPS

Action Plan

The action plan outlined by Michael Ancram when he spoke to you this afternoon was:

- take Mr Trimble through the key elements of the conditions of entry at today's meeting;
- check that NI colleagues are content with the revised text overnight;
- send this text to the Irish and US Governments tomorrow making it clear that, in the light of Sinn Fein's refusal to come forward with terms of the ceasefire declaration, this text has to represent our final position;
- give it to John Hume as well on the same basis on Saturday;
- we also retain the option of considering next week a possible meeting between Sinn Fein and officials, if Sinn Fein still want one after they have seen the text;
- we show Trimble the final text on Monday, using it to secure support for our decommissioning approach;

CONFIDENTIAL

- 2 -

SMJ/APDL/52757

CONFIDENTIAL

- publication would then follow at the end of next week (or, if we wanted to publish it in a talks context, possibly at the beginning of the following week).

A couple of points on this action plan:

- we must allow a serious interval of some days between giving the text to the Irish Government and to Hume, and publishing it. The shorter the interval, the more open we are to the criticism that we failed to respond to Sinn Fein's text for six weeks and then peremptorily demanded a response to our own within a matter of hours. Unless we allow enough time for the IRA plausibly to have considered it and reached a decision, others will conclude our only purpose was to wrong-foot them;
- as you pointed out, we need to be clear as to whether there are any circumstances in which we would be prepared to reconsider the text. If the Irish Government or Sinn Fein said, having seen the text, that they could now obtain the terms of a ceasefire declaration then we think we could not refuse to consider this given that this is the position we have already taken with the Taoiseach. It would be wise therefore not to show the text to Trimble until late Monday at the earliest. But, short of that, we cannot think of other circumstances in which we would reconsider the text.

Letter to the Taoiseach

Assuming NI members are content, the plan is for the Prime Minister to write to the Taoiseach tomorrow.

We suggest this channel because we want to convey the clear political message that this is our firm position, and because we want to take maximum advantage of the Taoiseach having failed to deliver any language from Sinn Fein.

CONFIDENTIAL

CONFIDENTIAL

I attach a draft letter (slightly amended from versions you saw earlier this week). This letter has to achieve several purposes:

- set out, against the possibility that we might have to publish the full exchanges at some point, a strong defensible account of how we have handled the initiative and reached the current position;
- in particular, we should set out - again, with an eye to the public record - that the Taoiseach volunteered to obtain the language of an IRA ceasefire declaration and that Sinn Fein has failed to come forward with any. This also sets us in a strong position for explaining why we must now come forward with this firm text;
- we also want to show the Irish Government that we have made some attempt to take serious account of their own ideas, while making it clear that Sinn Fein's immediate entry is simply not politically credible;
- we must also set out the planned timing for publication;
- and, finally, there is the request, conveyed through the Irish Government, for a meeting between Sinn Fein and British Government officials to which we owe the Irish Government some response.

The attached draft attempts to do all these things. On the subject of a meeting with Sinn Fein, there are two points to bear in mind:

- at yesterday's IGC, the Irish side thought the fact of a meeting would be taken by Sinn Fein as a sign of seriousness and good faith. They could not promise other significant benefits to a meeting. But they did warn of a significant downside if the request was refused. They consider that, having sounded out the Secretary of State in advance and been given some encouragement (but no commitment), Sinn Fein would

CONFIDENTIAL

- 4 -

CONFIDENTIAL

view the rejection of their request as a deliberate humiliation and sign of bad faith;

- there is a widespread assumption in Northern Ireland that contacts of some description are in any case going on. The direct contacts which the Irish Government and John Hume have acknowledged have not caused any other party to refuse to have dealings with them.

The Irish Government advised that some response should be given to Sinn Fein's request before the weekend when they think an important Sinn Fein meeting will be taking place. (We know of such a meeting, but its purpose is unclear.) The suggested response says that we are giving the request serious consideration; sets out the terms upon which any meeting would have to be based; and says that a firm decision will be reached next week. So any meeting would take place after Sinn Fein had the fresh text - which may, of course, cause them to give up on the whole initiative.

Letter to Hume

We also need to write to John Hume in similar terms to the Taoiseach, if only to show that we have kept him informed and want to secure his support. A similar draft, with a few adaptations, is also attached.

CONFIDENTIAL

CONFIDENTIAL

DRAFT LETTER FROM THE PRIME MINISTER

John Bruton TD

November 1996

I have been reflecting carefully on the position we have reached following our phone conversation on 6 November.

Since the summer when I first discussed this matter with John Hume and in my recent discussions with you, I have had two concerns. First, the IRA's murderous actions on the ground, and what we know of their future plans, are wholly incompatible with what we have been told is Mr Adams' readiness to guarantee a permanent ceasefire immediately following a Government statement which, as I have said throughout, can only repeat existing policy positions. But, secondly, I am determined that the peace process should continue because that is what the people of Northern Ireland want and deserve. So Sinn Fein can still join the negotiations if there is a genuinely unequivocal restoration of the IRA ceasefire, but each atrocity the IRA commits means the credibility gap to be bridged is that much wider.

As I have repeatedly made clear, I cannot - and will not - negotiate Government policy in exchange for a ceasefire. All along, I have said I will stick strictly to what is existing Government policy as set out on the public record. The text I was given by John Hume on 10 October departs from existing Government policy in places, so I cannot accept it as it stands.

When we spoke following the text we showed you on 5 November, we agreed that any ceasefire declaration needed to offer more credible guarantees than the last one. You agreed to ask Sinn Fein for the terms of an IRA ceasefire declaration. I said that if these were sufficiently clear and dependable, we would be prepared to reconsider the language used in our text of 5 November.

CONFIDENTIAL

- 6 -

SMJ/APDL/52757

CONFIDENTIAL

I am very grateful for your determined efforts but, as I understand it, Sinn Fein failed to respond at their meeting with your officials last Friday. I am told Sinn Fein said they were not prepared to spell out the bottom line of their language until they were sure what we would say in our statement.

Let there be no doubt I want progress and not stalemate, if that is achievable. So, since Sinn Fein failed to respond to your efforts, we have now reached the point where it is right for me to set out our firm position so that Sinn Fein are in no doubt of it and can respond accordingly. The attached text does this.

I believe it is a reasonable and fair position, consistent with our existing policy and with our obligations under the law. It does what John Hume originally told us would deliver an IRA ceasefire - a ceasefire which would be for good this time. It sets out key reassurances on the basis of our existing policy which is a matter of public record. It takes careful account of the suggested approach you put to us on 5 November and sets out a process of entry to the negotiations which seeks to take account of the political realities on all sides. I know you understand the political realities - created by the IRA's own actions. It is neither credible nor deliverable to ignore them.

What this text cannot, of course, do - because Sinn Fein have refused to tell you - is take account of what the IRA will say if they declare a ceasefire and how that will be reflected on the ground. Only when we know that, can we take a final view on the credibility of any ceasefire.

We need urgently now to establish, clearly and honestly, whether a genuine and dependable ceasefire will be delivered if the British Government sets out its existing policy position on the negotiations and how Sinn Fein may join them in the terms attached. It should lead straightaway to an unequivocal restoration of the IRA ceasefire, which should never have been abandoned. That would greatly enhance the prospects for lasting peace and an overall political settlement.

CONFIDENTIAL

- 7 -

SMJ/APDL/52757

CONFIDENTIAL

But if the IRA chooses deliberately to spurn the route to inclusive negotiations, it should be under no illusions of the consequences. The IRA will not bomb Sinn Fein to the negotiating table, now or in the future - further violence will simply expose Sinn Fein's words about peace as a meaningless and cynical ploy which commands no credibility. As you and I have both stated, the talks will go forward without Sinn Fein.

As you know, we have received an indication through the Irish Government that Sinn Fein would welcome a meeting with British Government officials to consider further the basis of an unequivocal restoration of the IRA ceasefire. The Secretary of State is giving this request serious consideration.

It is important that the terms of any such meeting should be clearly understood. It would be subject, crucially, to events on the ground. It would have to be acknowledged in public afterwards, and that it was at Sinn Fein's request. It would need to be understood as exploratory and explanatory in nature and could not involve negotiation. There could in any event be no question of changing Government policy in exchange for a ceasefire. We assume that these terms would be the agreed basis for any such meeting if one were to happen. Officials will contact Sinn Fein next week with the Secretary of State's response to the request.

If Mr Adams is serious, then the clear and firm position set out in the attached text offers the basis on which Sinn Fein can set out the terms of an IRA ceasefire, in which case I hope we can quickly bring this to the conclusion which we all desire. Christmas then offers a natural break over which all can reflect on the new situation. But if not, then to end the current uncertainty I believe I must set out our position in public at the end of this month.

I shall be writing shortly in similar terms to John Hume.

CONFIDENTIAL

CONFIDENTIAL

DRAFT LETTER FROM THE PRIME MINISTER

John Hume MP MEP

November 1996

I have been reflecting carefully on the position we have reached following our various discussions.

Since the summer when I first discussed this matter with you, I have had two concerns. First, the IRA's murderous actions on the ground, and what we know of their future plans, are wholly incompatible with what you have told me is Mr Adams' readiness to guarantee a permanent ceasefire immediately following a Government statement which, as I have said throughout, can only repeat existing policy positions. But, secondly, I am determined that the peace process should continue because that is what the people of Northern Ireland want and deserve. So Sinn Fein can still join the negotiations if there is a genuinely unequivocal restoration of the IRA ceasefire, but each atrocity the IRA commits means the credibility gap to be bridged is that much wider.

As I have repeatedly made clear, I cannot - and will not - negotiate Government policy in exchange for a ceasefire. All along, I have said I will stick strictly to what is existing Government policy as set out on the public record. The text you gave me on 10 October departs from existing Government policy in places, so I cannot accept it as it stands.

When we last spoke we agreed that any ceasefire declaration needed to offer more credible guarantees than the last one. I suggested, off-the-cuff, some language that might be helpful. You agreed to explore with Sinn Fein the terms of an IRA ceasefire declaration. The Irish Government have done so also.

CONFIDENTIAL

- 9 -

SMJ/APDL/52757

CONFIDENTIAL

I am very grateful for your determined efforts but, as I understand it, Sinn Fein have failed to respond with clear language which meets our concerns.

Let there be no doubt I want progress and not stalemate, if that is achievable. So, since Sinn Fein failed to respond to your efforts, we have now reached the point where it is right for me to set out our firm position so that Sinn Fein are in no doubt of it and can respond accordingly. The attached text does this.

I believe it is a reasonable and fair position, consistent with our existing policy and with our obligations under the law. It does what you originally told us would deliver an IRA ceasefire - a ceasefire which would be for good this time. It sets out key reassurances on the basis of our existing policy which is a matter of public record. It sets out a process of entry to the negotiations which seeks to take account of the political realities on all sides. I know you understand the political realities - created by the IRA's own actions. It is neither credible nor deliverable to ignore them.

What this text cannot, of course, do - because Sinn Fein have refused to tell us - is take account of what the IRA will say if they declare a ceasefire and how that will be reflected on the ground. Only when we know that, can we take a final view on the credibility of any ceasefire.

We need urgently now to establish, clearly and honestly, whether a genuine and dependable ceasefire will be delivered if the British Government sets out its existing policy position on the negotiations and how Sinn Fein may join them in the terms attached. It should lead straightaway to an unequivocal restoration of the IRA ceasefire, which should never have been abandoned. That would greatly enhance the prospects for lasting peace and an overall political settlement.

But if the IRA chooses deliberately to spurn the route to inclusive negotiations, it should be under no illusions of the consequences. The IRA will not bomb Sinn Fein to the negotiating table, now or in the future - further violence will simply expose Sinn Fein's words

CONFIDENTIAL

- 10 -

CONFIDENTIAL

about peace as a meaningless and cynical ploy which commands no credibility. As you and I have both stated, the talks will go forward without Sinn Fein.

If Mr Adams is serious, then the clear and firm position set out in the attached text offers the basis on which Sinn Fein can set out the terms of an IRA ceasefire, in which case I hope we can quickly bring this to the conclusion which we all desire. Christmas then offers a natural break over which all can reflect on the new situation. But if not, then to end the current uncertainty I believe I must set out our position in public at the end of this month.

I have written in similar terms to the Taoiseach.

2. The purpose of the negotiations is to achieve a new beginning for relations within Northern Ireland, within the island of Ireland and between the peoples of these islands. The negotiations have one overriding aim: to reach an overall political settlement, achieved through agreement and founded on consent.

3. They will therefore address all the issues relevant to a settlement. Inclusive in nature, they involve both the British and Irish Governments and all the relevant political parties with the necessary democratic mandate and commitment to exclusively peaceful methods.

4. It is important to emphasize that all parties are treated equally in the negotiations, in accordance with the scale of their democratic mandate and the need for sufficient consensus. But no one party can prevent the negotiations continuing by withdrawing from them. No party has an undemocratic advantage. Both Governments intend that the outcome of these negotiations will be submitted for democratic ratification through referenda, North and South.

5. The prospects for success in these negotiations will only be enhanced if they take place in a peaceful environment. The loyalist ceasefire has made an important contribution. It made it

CONFIDENTIAL

- 11 -

CONFIDENTIAL

(21 November)

Possible text in response to Hume text of 10 October

1. This Government has made clear its approach to the search for peace in Northern Ireland on many occasions. But we continue to be asked about this or that aspect, particularly about the multi-party negotiations which started on 10 June in Belfast. There has been continued speculation about a new IRA ceasefire, despite the no-warning attack on Thiepval barracks, Lisburn and various arms finds, including the huge find in London. This has renewed questions about what effect this would have on the negotiations, and our approach to these negotiations. It may therefore be helpful to spell out our position again.
2. The purpose of the negotiations is to achieve a new beginning for relationships within Northern Ireland, within the island of Ireland and between the peoples of these islands. The negotiations have one overriding aim: to reach an overall political settlement, achieved through agreement and founded on consent.
3. They will therefore address all the issues relevant to a settlement. Inclusive in nature, they involve both the British and Irish Governments and all the relevant political parties with the necessary democratic mandate and commitment to exclusively peaceful methods.
4. It is important to emphasise that all parties are treated equally in the negotiations, in accordance with the scale of their democratic mandate and the need for sufficient consensus. But no one party can prevent the negotiations continuing by withdrawing from them. No party has an undemocratic advantage. Both Governments intend that the outcome of these negotiations will be submitted for democratic ratification through referendums, North and South.
5. The prospects for success in these negotiations will obviously be much greater if they take place in a peaceful environment. The loyalist ceasefire has made an important contribution. It made it

CONFIDENTIAL

- 12 -

CONFIDENTIAL

possible for the loyalist parties to join the negotiations. They are now playing their part in shaping Northern Ireland's future, as I have acknowledged by meeting their leaders.

6. The British and Irish Governments agree that, beyond the unequivocal restoration of the IRA ceasefire, these negotiations are without preconditions. But in the light of the breaking of the ceasefire and the events since then, assurances are obviously needed that any new ceasefire would be intended to be genuinely unequivocal, ie lasting and not simply a tactical device. Consistent with this, the process set out below would follow the declaration by the IRA of an unequivocal restoration of the ceasefire with the stated purposes of the conflict being permanently ended.

7. The successful conclusion of this process would depend on whether words, actions and all the circumstances were consistent with a lasting ceasefire. For example, how far the declaration of a new ceasefire was convincingly unequivocal and intended to be lasting would be an important indicator. Whether or not any paramilitary activity, including surveillance, targeting and weapons preparation, continued would also be directly relevant. Developments which were inconsistent with an unequivocal restoration of the ceasefire or Sinn Fein's commitment to the Mitchell principles of democracy and non-violence would affect consideration adversely. Sufficient time would have to be taken to ensure the requirements of paragraphs 8 and 9 of Command Paper 3232 were accordingly met before Sinn Fein were invited to participate in negotiations.

8. We envisage that the process would involve:

- meetings with Sinn Fein at various levels to explore with them what assurances could be given and what confidence-building measures established;
- the British and Irish Governments would invite Sinn Fein to meet them together for the purpose of making an early total and absolute commitment to the Mitchell principles of democracy and non-violence;

CONFIDENTIAL

- 13 -

CONFIDENTIAL

- the two Governments would then propose bilateral and other consultations with all the parties to seek to determine how, if this process were successfully concluded, the negotiations could most constructively be advanced, including the issue of the participants adopting an agreed indicative timeframe for taking stock of their progress;
- following a successful conclusion of the process set out above, including due time for consideration, the two Governments would expect the independent chairmen to convene a plenary session for all participants, with Sinn Fein invited formally to participate, to consider the outcome of these consultations and the future programme of work.

9. From their entry into negotiations onwards, Sinn Fein 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 principles of democracy and non-violence.

10. The range of issues on which an overall agreement will depend means that the negotiations will be on the basis of a comprehensive agenda. This will be adopted by agreement. 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 other 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.

11. Among the crucial issues is decommissioning. So the opening plenary is addressing the International Body's proposals on decommissioning of illegal arms. 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. We and the Irish Government support this compromise

CONFIDENTIAL

CONFIDENTIAL

approach. Agreement needs to be reached on how to take it forward, so that the process of decommissioning is not seen as a block to progress in the negotiations, but can be used to build confidence one step at a time during them. So both Governments have already said they will be looking for the commitment of all participants to work constructively during the negotiations to implement all aspects of the International Body's report.

12. It is essential that all participants negotiate in good faith, seriously address all areas of the agreed agenda and make every effort to reach a comprehensive agreement. For their part, the two Governments are committed to ensure that all items on the comprehensive agenda are fully addressed. They will do so themselves with a view to overcoming any obstacles which may arise.

13. For our part, we are wholly committed to upholding our responsibility to encourage, facilitate and enable agreement over a period through the negotiations. This must be based on full respect for the rights and identities of both traditions. We want to see peace, stability and reconciliation established by agreement.

14. We are also determined to see these negotiations through successfully, as speedily as possible. This is in line with the hopes and aspirations of people in both the United Kingdom and the Irish Republic. These have already given momentum to a process which will always have difficulties. We will encourage the adoption by the participants of an agreed indicative timeframe for the conduct of the negotiations and, if it would be helpful, will bring forward proposals for this. We have already proposed that a plenary meeting should be held in December to take stock of progress in the negotiations as a whole. The two Governments will also review progress at regular intervals. I will be meeting the Taoiseach on 9 December and the Secretary of State regularly meets the Tanaiste. Progress will be reviewed again by the end of May 1997, a date set in the legislation.

15. Meanwhile we are committed to raising confidence, both through the talks and through a range of other measures alongside them. The

CONFIDENTIAL

- 15 -

CONFIDENTIAL

International Body's report itself proposes a process of mutual confidence-building.

16. So we will continue to pursue social and economic policies based on the principles of equality of opportunity, equity of treatment and parity of esteem irrespective of political, cultural or religious affiliation or gender. We support, with equal respect, the varied cultural traditions of both communities. We are also committed to developing policing arrangements so that the police service should enjoy the support of the entire community.

17. It is worth recalling that, in response to the ceasefires of Autumn 1994 and the changed level of threat, we undertook a series of confidence-building measures. These included changed arrangements for release of prisoners in Northern Ireland under the Northern Ireland (Remission of Sentences) Act 1995, security force redeployments, a review of emergency legislation and others. If the threat reduces again, the opportunity for further confidence-building measures returns.

18. But confidence-building is a two-way street. Support for the use of violence is incompatible with participation in the democratic process. An end to punishment beatings and other paramilitary activities, including surveillance and targeting, would demonstrate real commitment to peaceful methods and help build trust.

19. The opportunity for progress has never been greater. The process of peace and reconciliation has received valuable economic support from the United States, the European Union and through the International Fund. The negotiations are widely supported internationally and benefit from independent chairmen from the USA, Canada and Finland. They also have the overwhelming support of the people throughout these islands. They want them to take place in a peaceful environment, free of all violence. That is our aim too.

CONFIDENTIAL

- 16 -

SMJ/APDL/52757