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ASSISTANT SECRETARY
SECURITY POLICY & OPERATIONS 1

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FROM: D A LAVERY
CENT SEC
1 NOVEMBER 1996

PS/Secretary of State (B&L)
PS/Michael Ancram (B&L)
PS/PUS (B&L)
Sir David Fell o/r
Mr Thomas
Mr Steele
Mr Bell
Mr Watkins o/r
Mr Hill
Mr Perry
Mr Maccabe
Mr Beeton
Mr Jagelman

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Mr Stephens - B

HUME/ADAMS INITIATIVE

1. This is to offer some further thoughts on a possible entry process to the Talks for Sinn Fein if there is a renewed ceasefire.

Background

2. John Holmes' account of last night's telephone conversation with Paddy Teahon suggests that:

- a renewed ceasefire is looking increasingly likely; and
- if it comes, the Irish (and, presumably, the US) will be pushing hard for Sinn Fein's immediate entry - to Castle Buildings if not to the Talks proper in the first instance.

3. The pace is clearly quickening. The outcome could, if all goes well, bind Sinn Fein into the democratic process for good (at least so far as the current leadership is concerned). If it does not go well, it could destroy the Talks process by losing most if not all of the Unionist parties.

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4. The volatility of the current situation is further emphasised by the penultimate sentence of John Holmes' letter. It would indeed be regrettable if we were to secure an IRA ceasefire and, at the same time, have a public disagreement with the Irish about what happens next. We should try to avoid this.

The need for a managed entry process

5. We have now accepted that an explicit delay period of three months (or thereabouts) between a ceasefire and Sinn Fein's entry to the Talks will not work. Indeed, announcing such a policy would almost certainly guarantee there would be no ceasefire. We have, therefore, convinced NI that it would be better to be non-specific about the time involved, and to emphasise the steps that will have to be taken to satisfy ourselves regarding SF/IRA's bona fides. This seems acceptable to the UUP - Trimble has pointed to the arbitrary and artificial nature of a delay period and would prefer to see greater emphasis placed on the conditions of entry.

6. It seems to me that we may have a better chance of avoiding an unnecessary clash with the Irish if we repackage some of our current ideas as a managed 'entry process'. While the basic building-blocks will be the same, presentationally it would be better to emphasise the process through which Sinn Fein might enter the Talks. After all, the time this process takes will be a function of a range of variables including the nature of SF/IRA's ceasefire announcement, and our ability to be satisfied that events on the ground do in fact point toward a genuine commitment to peace.

7. What will be important, I think, will be to achieve a convergence between the entry process for Sinn Fein and the establishment of satisfactory arrangements on decommissioning which would provide the necessary reassurance for the UUP. We cannot afford to have Sinn Fein emerge from the entry process without at least the potential for decommissioning being in place. Without this, it would be a case of Sinn Fein coming in one door (the

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Unionists would say the 'back door') while the Unionist parties would be leaving the Talks by another door.

A managed 'entry process' for Sinn Fein

8. We might be able to secure agreement with the Irish, while remaining consistent with our own objectives (as outlined to NI Committee) if we were to suggest a managed 'entry process' for Sinn Fein comprising the following sequence of events:

(a) an initial verification period:

- this would commence with the IRA announcement of a ceasefire - the more promising the language used by them, the less difficulty we should have,
- HMG (and possibly the Irish Government) would enter into exploratory dialogue with Sinn Fein (including monitoring events on the ground) in order to be satisfied regarding the statutory entry conditions -
 - (i) that there has been an unequivocal restoration of the ceasefire of August 1994 [as required by paragraph 9 of Ground Rules], and
 - (ii) that Sinn Fein have established "a commitment to exclusively peaceful methods and ... have shown that they abide by the democratic process" [as required by paragraph 8 of the Ground Rules];

(b) invitation to Sinn Fein:

- in accordance with his statutory duty, the Secretary of State would invite the nominating representative of Sinn Fein to nominate a team to participate in the negotiations,

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- this statutory duty must be discharged "as soon as practicable" provided the Secretary of State considers that the requirements set out in paragraphs 8 and 9 of Ground Rules (ie conditions (i) and (ii) above) are met in relation to Sinn Fein [see section 2(2), (3) of the Northern Ireland (Entry to Negotiations, etc) Act 1996];

Sinn Fein's admission, including:

- (c) a preparatory stage (prior to Sinn Fein's full participation in the Talks):

- on Sinn Fein first attending at Castle Buildings arrangements would be made for their representatives to appear before the Independent Chairmen (together with representatives of the Governments and any other parties willing to meet them) to deal with admission requirements, including -

- (i) Sinn Fein's total and absolute commitment to the Mitchell principles,
- (ii) Sinn Fein's acceptance of the rules of procedure for the negotiations; and
- (iii) Sinn Fein's address to decommissioning,

- the Governments (and any other parties willing to do so) could hold bilateral meetings with Sinn Fein, including

- (i) discussion of confidence-building measures, including arrangements to monitor Sinn Fein's honouring of the Mitchell principles, and discussion of other confidence-building measures, eg prisons issues,

- (ii) a catching-up process to allow Sinn Fein to familiarise themselves with papers already

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presented in the Talks and to present corresponding papers,

- the Independent Chairmen would hold bilateral meetings with all of the parties (including Sinn Fein) to agree arrangements for the management on the Talks following Sinn Fein's admission, including:

(i) agreement on a comprehensive agenda,

(ii) attempt to agree an indicative timetable for the next stage of the Talks, and

(iii) agreement on use of 'variable geometry' in the Talks;

(d) a resumed Plenary meeting:

- at the conclusion of the preparatory stage (which is likely to take until in or around the beginning of January), a Plenary session would be convened to ratify the agreements reached during the bilateral discussions on the management of the next stage of the Talks, and

- to receive a report on decommissioning arrangements from the Independent Commission (see next paragraph).

9. In parallel with the entry process outlined above, work will have continued on the arrangements for decommissioning which we now envisage being handled by an Independent Commission. The Commission will develop a decommissioning scheme to supplement the Bills which the Governments will introduce for enactment before the end of this year. The Commission would report to the Governments on progress in order to allow the Governments to report, in turn, to the Plenary session which could take place early in January. This would allow an important (and for the UUP essential) degree of convergence between the commencement (in early January) of

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substantive negotiations involving Sinn Fein and the availability of arrangements which would at least allow for the possibility of parallel decommissioning taking place as envisaged by paragraphs 34 and 35 of the International Body's report.

Conclusion

10. The ideas set out above could, I think, come reasonably close to what would be acceptable to the Irish. They provide for a managed entry process for Sinn Fein to the Talks. That process would be managed in such a way as to ensure that Sinn Fein would not be invited to the Talks until the Secretary of State could be satisfied regarding the unequivocal nature of the ceasefire announcement. The process would also provide meaningful involvement for Sinn Fein in the Talks without requiring a face-to-face engagement with the Unionist parties before the Plenary session envisaged for January.

11. If we secure an early ceasefire, this whole process could take approximately eight weeks to complete. In the meantime, the UUP would have the reassurance that decommissioning legislation will be enacted and that the independent Commission will put in place arrangements for the handling of decommissioning.

12. All of this would, at least, bring matters to a head. Either the UUP will settle (as they have previously suggested) for the potential for decommissioning taking place, or they will adhere to their recent suggestion that there will have to be some decommissioning by Sinn Fein as a condition of entry. The latter is almost certainly unachievable. Nor am I entirely convinced that the Unionist population really requires this - I would have thought that there is still a reasonable possibility that they would settle for a convincing ceasefire and a proper substantive engagement among all political parties with a view to reaching a negotiated settlement. After all, if a comprehensive negotiated settlement is not achievable on this occasion, it would be much preferable that this was seen to be due to Sinn Fein's inability to accept the

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principle of consent, and not as a result of an insistence that the Republican movement should 'surrender' their weapons ahead of a negotiated settlement.

[Signed DAL]

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SC 28196

Mr Michael Anderson (Lab)
Mr Sir John Wheeler (Lab)
Mr PMS (Lab)
Mr Sir David Pail
Mr Steele
Mr Bell
Mr Leach
Mr Ray
Mr Watkins
Mr Stephens
Mr Wood (Lab)
Mr Beaton
Mr Hill
Mr Lavery
Mr McCabe
Mr Perry
Mr Sharkey
Mrs Napleton
Mr Todd Club Office
Ms Dublin
Mr Lamont RID/SCC
Mr D Campbell Bannerman

REPUBLICAN INITIATIVE: ACTION PLAN

I attach a draft action plan. It is of course highly contingent because our response at each point depends on external events.

2. I also attach, equally contingently, a draft statement in response to a putative declaration of a ceasefire, which might of course occur whether or not we deploy the Wise/Adams text.

3. I believe Mr. 10 would like to receive something for the weekend. (Mr Stephens, with IFB, has in hand draft letters to Yacine and the US President).

[Signed]

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