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FROM: D J R HILL
CPL DIVISION
22 NOVEMBER 1996

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cc: PS/Secretary of State (L&B) - B
PS/Michael Ancram (L&B) - B
PS/Sir John Wheeler (L&B) - B
PS/PUS (L&B) - B
PS/Sir David Fell - B
Mr Thomas - B
Mr Steele - B
Mr Watkins - B
Mr Leach - B
Mr Bell - B
Mr Stephens - B
Mr Wood (L&B) - B
Mr Lavery - B
Mr Perry - B
Mr Maccabe - B
Mr Beeton - B
Mr Priestly - B
Mr Cornick - B
Mr Whysall (L&B) - B
Mr Campbell-Bannerman - B
Ms Mapstone - B
Ms Bharucha - B
Mr Lamont, RID - B
HMA Dublin - B
Mr Clarke, Dublin - B
Mr Oakden, No 10 - B
Ms Collins, Cab Office (via IPL) - B

Mr Fisher - B

IGC, 20 NOVEMBER - RESTRICTED POLITICAL SESSION

Being both closer to the issues and physically closer than you were to Wednesday evening's discussion of political matters, I thought it might be helpful if I prepared the attached record. Please feel free to draw on it in producing the official minutes of the IGC.

(signed)

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IGC, 20 NOVEMBER - RESTRICTED POLITICAL SESSION

Summary

- a ritual exchange with no movement from either side. Some fundamental differences of analysis and approach were aired, but without rancour;
- on "Hume/Adams" the Secretary of State's tactic of harping on the failure of the Irish side to deliver on the Taoiseach's undertaking to seek "words of comfort" from Sinn Fein - on permanence, consent and parallel decommissioning - worked well and left the Irish on the back foot. They manfully affirmed that a ceasefire was there for the taking; that Sinn Fein seemed to have "no huge concerns about the text" (ie the Irish text of 5 November); and that the need for any P O'Neill statement to address the points made by the Prime Minister had been "clearly signalled" to and "noted" by Sinn Fein;
- Irish reservations about our proposed alternative exit strategy from the decommissioning debate were still apparent, though expressed less stridently and more rationally than formerly. Mrs Owen opined that if the "decommissioning hurdle" was set at the level envisaged in our paper of 14 November there would be no ceasefire;

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- the Irish advised that while the benefits of an official level meeting between HMG and Sinn Fein were doubtful, the fact of a meeting would play positively in Republican circles and there would be a serious downside in rejecting the current request: that would be seen as a deliberate snub;

- pressed on the key question of whether, given the choice it would be better to go for a ceasefire or to preserve the talks, the Irish side opted for the former, clearly operating on the analysis that the process could continue in the (temporary) absence of the Unionist parties and could, at the latest, be resumed after the General Election. They had no satisfactory answer to the question of whether any ceasefire could be sustained in the absence of a talks process;

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- the press "doorsteps" on the way out avoided airing any differences and, without putting any false gloss on the situation, reflected a determination to work to overcome difficulties.

Detail

2. In his opening remarks Mr Spring said the two Governments' "suggested conclusions" of 1 October were "realistic and achievable". The Irish Government was open to the idea of pursuing an alternative exit strategy so long as it avoided "Washington three" and got us into the three strands. The omens

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were not good, given that the UUP seemed to have hardened their position since September/October. In any event the Irish Government had a number of reservations about our paper of 14 November:

- how could a verification Commission be established before the necessary preparatory work had been done?
- they were very sceptical that any credible candidates would be willing to take the job on given all the uncertainties;
- they did not accept that any external agency could (or should) "make the call" on decommissioning;
- if the idea was that the Commission should "take the call" from the talks participants, whose line would they follow - the loudest and most persistent? Any Commission would be vulnerable to concerted Unionist pressure;
- overall, the 14 November paper was a "reversal" of the "suggested conclusions" of 1 October;
- the Irish Government remained keen to see decommissioning and the three strands pursued in parallel.

3. The Secretary of State, in reply, made the point that the Unionists believed the decommissioning issue could be resolved if the terms of entry for Sinn Fein were clarified and pressed (as he had in his opening remarks) for feedback on the Irish Government's efforts to secure "words of comfort".

4. Mr Spring said there was still the potential for a restoration of the ceasefire, but also a risk of a full scale return to violence if there was no political progress. On the basis of current expectations of the talks process a negative decision might be in

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prospect. However, he felt the gaps were bridgable: would it be possible to explore the possibilities in direct HMG/Sinn Fein exchanges?

5. Having skirted the first of Mrs Owen's interjections, the Secretary of State noted that Commissioner Byrne (in the restricted security session) had only said that an IRA ceasefire was available "on their terms". He noted that the passage sent to Mr Teahon on 5 November represented HMG's bottom line: the Taoiseach had told the Prime Minister that that would be unacceptable but had then offered to establish whether the Republican Movement would be prepared to use "clearer words" in a number of areas which might change the picture. He again asked how the discussion with Sinn Fein had gone.

6. Mr Dalton referred to the meeting between Irish officials and Sinn Fein on 15 November. It seemed Sinn Fein did not have huge concerns about "the text" (subsequently established to be the Irish text of 5 November) and had "noted" what needed to be in any statement from their side. They were realistic about the need for decommissioning during the talks but did not want to have to commit themselves in advance as a condition of entry. Mr O'hUiginn observed that both HMG and the Republican Movement needed reciprocal assurances that the next ceasefire would not be like the previous one. Irish officials had "signalled" the need for language in any P O'Neill statement to take account of HMG's concerns: Sinn Fein had noted the need for any statement to contain an unambiguous restoration of the previous ceasefire; but it was less certain that they had absorbed the need for surrounding words of comfort. He subsequently made the point that shifts which were deemed highly significant in the Republican psyche often turned out to be pretty small beer in everyone else's eyes.

7. The Secretary of State observed, more in sorrow than in anger, that there was no evidence here of anything capable of bridging the gap to which Mr Spring had referred. In any event, words would not be enough. Injecting a note of urgency, he emphasised that time was terribly short and the risk of a further IRA atrocity high.

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8. Mrs Owen launched another sideways missile by commenting, perhaps revealingly, that nothing should be done in relation to decommissioning [on lines proposed by HMG in the paper of 14 November?] which would allow Sinn Fein to say another hurdle had been raised. Nothing had been done yet to establish the proposed Committee and she could not see any UUP/SDLP/Alliance Party trilateral reaching agreement on an inchoate Commission. Where did we go from here?

9. Michael Ancram confirmed that the UUP position had hardened up. We needed to establish whether that was tactical or represented their bottom line. HMG had told the UUP that it was outside the terms of the International Body's report and would not be acceptable. The UUP/SDLP/Alliance Party trilateral was constructive but could only be a limited exercise because it was not tackling the crunch issue of the terms of entry for Sinn Fein. The UUP feared that the "Committee" approach would at best lead to delay on decommissioning. They wanted to see a clear path towards actual decommissioning, in terms which came close to being a precondition and which were therefore unacceptable. British Ministers had taken them through the bones of the proposals set out in the paper of 14 November. It was interesting that they also disliked the idea of the Independent Commission making the call on when decommissioning should start, because they wanted the decision taken in advance: if both the Irish Government and the UUP disliked the proposal for different reasons it could still be viewed as a reasonable compromise.

10. Mrs Owen moved the debate on to the possibility of Senator Mitchell departing the scene. Michael Ancram wrenched it back to the matter in hand by saying that Senator Mitchell would be back next week but the UUP had signalled that they did not want any decisions on decommissioning next week because of the risk that that could be exploited at the DUP conference the following weekend.

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11. Mr Spring sought to sum up. The talks were in difficulty and we had no ceasefire. We wanted both but might get neither if matters continued as at present. He pressed the Secretary of State to confirm that Sinn Fein would be treated equally. The Secretary of State confirmed that "once they were in" he was determined that they should be treated equally. Sinn Fein should also understand that HMG wanted them in the talks. But, going back to the reciprocal suspicions which Sean O'hUiginn had mentioned, HMG could not go beyond the draft sent to the Irish on 5 November, unless of course the Irish had anything further to report on their efforts to secure adequate words of comfort on permanence, consent and parallel decommissioning Mr Spring said it seemed a classic chicken and egg situation. The Secretary of State asserted that HMG had taken risks and was trying to find a way to break into the circle, but time was short

12. Mr Dalton returned to the question of direct contact between British officials and Sinn Fein. If Sinn Fein's request were rejected it would send a very negative signal. The Secretary of State enquired what purpose would be served by such a meeting. Mr O'hUiginn said the rubric would clearly be to contribute to the achievement of an unequivocal restoration of the ceasefire. A meeting would boost confidence (in the peace process?) in Republican circles. He confirmed to PUS that the very fact of a meeting, irrespective of the outcome, would be seen as a positive development, but that rejection of the request would have a very negative impact. The Secretary of State commented that the request was being considered but that acceding to it would feed all the Unionist suspicions that the two Governments were only interested in getting Sinn Fein into the talks at all costs.

13. Mr Spring intervened with some vehemence to say that the Irish Government wanted Sinn Fein in the talks in order to end the violence and commit them to the democratic path. Sinn Fein's entry should make no difference to the strength of the Unionist position in the talks; but

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the Unionists lacked confidence. Michael Ancram pointed out that Unionists feared that the price which would be paid to get Sinn Fein in would be too high. Mr O'hUiginn said the opportunity should be grasped. The drawing up of organograms by the UUP and SDLP was all very well but the Unionists had made clear that this was without prejudice to their position on terms of entry for Sinn Fein. The SDLP remained very concerned that the UUP simply wanted to remain in desultory talks, without commitment, keeping their options open until the issue of Sinn Fein's entry had been resolved. The two Governments should grasp the nettle and bring Sinn Fein in: the downside risk to the "hollow" talks process was no risk at all. It was not worth losing a restoration of the ceasefire to protect such a process. The two Governments' objective should be to bed down a ceasefire and Sinn Fein's incorporation in an inclusive talks process before the [UK] General Election.

14. That of course led to the most heated exchange of the evening. Michael Ancram immediately made the point that the ceasefire had always been presented as being dependent on Sinn Fein joining a talks process: if there were no talks, how long could the ceasefire last? Mrs Owen, on target for once, said the prize of securing a ceasefire was the bigger one: if we abandoned the prospect of a ceasefire to protect the talks it would be a pyrrhic victory. Michael Ancram responded that we needed to get a ceasefire but on acceptable terms which would be sufficient to keep the talks going. Mr Spring said the objective should be to get Sinn Fein in and keep "the two groups" together until they reached agreement. PUS pressed him on whether a ceasefire followed by no talks process could be held: he muttered something about "a new talks process" (although that was not picked up or developed).

15. Mr Dalton had a go. Sinn Fein knew that their entry to the talks would cause problems, but it was better to tie them into the talks process than leave them outside causing mayhem. Michael Ancram again asked how they could be tied in if there were no talks process. Mr Dalton confessed that we were indeed between

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the devil and the deep blue sea, but in his view it was better to avoid the certainty of violence which would flow if the Republican Movement were not brought to declare a ceasefire soon. PUS said it would be impossible to convince HMG that a ceasefire without a talks process would hold. The Secretary of State commented that a ceasefire on the wrong terms would threaten the Loyalist ceasefire, which would put further pressure on any IRA ceasefire.

16. Mrs Owen voiced all the Irish suspicions in one go by asking (perhaps rhetorically) whether even if the Unionists got everything they wanted on terms of entry for Sinn Fein they would ever sit down and negotiate constructively with Sinn Fein. The Secretary of State was cautious: he did not know, but he thought Mr Trimble wanted the talks to proceed. The essential point was that if we set out reasonable terms of entry for Sinn Fein the Unionists would find it very difficult to walk away.

17. Mr O'hUiginn challenged the view that if there were no talks process any ceasefire would necessarily collapse: there was no certain answer. The Unionists might secede "for the lifetime of this Parliament" which would prevent the talks from being able to reach decisions (because there would not be "sufficient consensus") but he felt the other participants would want to continue in negotiation, acknowledging their inability to reach conclusions. Michael Ancram said he doubted whether the Loyalists would be able to stay in those circumstances and that Lord Alderdice had said the Alliance Party would not remain.

18. In the uncomfortable pause which followed, Mr Thomas registered the point that if there were a generally unequivocal restoration of the ceasefire, HMG, in the person of the Secretary of State, was required to invite Sinn Fein to join the talks and once in they would be treated like everyone else. The ball, he clearly implied, was in their court.

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19. In a final flurry Mrs Owen said explicitly that Sinn Fein would not come in if "the decommissioning hurdle" was set at the level proposed in HMG's paper of 14 November. The Secretary of State referred once again to the paragraphs for the Hume/Adams text sent to the Irish on 5 November: if the Republican Movement was not prepared to offer any reassurances in response to Irish questioning, how could we take matters further? Mr Spring said that the two sides had at least shared their problems, but there had been no blinding flashes of inspiration.

(signed)

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