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SINN FEIN: ENTRY CONDITIONS

- John / where is there in the reply to them?*
- the Secretary of State must be satisfied that the terms of the legislation are met: there must be an unequivocal restoration of
 - ① the ceasefire of August 1994 and Sinn Fein must establish a
 - ② commitment to exclusively peaceful means and show that they
 - abide by the democratic process;
 - ③ words, actions and circumstances would need to be consistent
 - with any purported restoration of the ceasefire. We would have
 - to look at the words of any ceasefire declaration: was it
 - ④ clearly unequivocal and intended to be lasting?
 - it would also be necessary to have regard to whether any
 - ⑤ paramilitary activity (including surveillance, targeting and
 - weapons preparation) was continuing;
 - developments which were incompatible with an unequivocal
 - ⑥ restoration of the ceasefire or which would constitute a breach
 - of the Mitchell principles would obviously affect the conclusion
 - reached. Sufficient time would be needed to ensure that the
 - ⑦ requirements of paragraphs 8 and 9 of Command Paper 3232 were
 - met before Sinn Fein were invited to participate in the
 - negotiations;
 - are not convinced that a ceasefire is likely at present. In
 - many ways, the indications are to the contrary - eg find of
 - command wire in Londonderry;
 - however, if a ceasefire were to be declared, would be
 - advantageous for us to have considered how we would respond.
 - Perhaps more important, must avoid being wrong-footed by Sinn
 - Fein or the Irish Government who want us to say Sinn Fein would
 - formally join negotiations at once;
 - this would be wrong: does not give us sufficient time to assess
 - ceasefire carefully. Know it would cause you problems;

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- as a contingency, therefore, we have been giving some preliminary thought as to how to manage the time after a ceasefire declaration in such a way that we can resist the pressure for immediate entry to negotiations;
 - at an early stage in our thinking on this, but the intention would be to set out a process, to take place over a period of time, which would test Sinn Fein's intentions and give time to see if the credibility of any ceasefire can be demonstrated to our satisfaction;
 - such a process might involve, for example, meetings with Sinn Fein at official level, followed by Ministerial contact, to test what assurances they could give us about the ceasefire. They would also deny Sinn Fein the easy propaganda claim that even after a ceasefire we refused to talk to them;
 - we would want an early commitment, not part of the formal negotiations, to the Mitchell principles;
- Quotes from the Mitchell principles.
- this would mean Sinn Fein were tied down to giving a commitment, for example, to exclusively peaceful means, to total disarmament of all paramilitaries and to oppose the use or threat of force to influence the outcome of negotiations;
- meanwhile of course we would have bilateral or other consultations with the parties to determine how negotiations could be advanced most constructively;

Not explicitly in the text but implicit in all of it.

there would, therefore, be a significant period of testing. The IRA would have to show consistency of words and actions over a period. No question of Sinn Fein sitting down with other parties in negotiations until they have met the criteria and sufficient time has passed;

- interested to hear your initial thoughts?

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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

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important contribution. It made it 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, i.e. 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 purpose 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 the Mitchell principles 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:

9 - meetings with Sinn Fein at various levels to explore with them what assurances could be given and what confidence-building measures established;

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- 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;

(10)

- 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;

(11)

- 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.

(8)

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

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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 will address 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 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.

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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 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

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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.

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