



# An Chartlann Náisiúnta National Archives

<b>Reference Code:</b>	2018/68/18
<b>Creation Dates:</b>	8 September 1988
<b>Extent and medium:</b>	6 pages
<b>Creator(s):</b>	Department of the Taoiseach
<b>Accession Conditions:</b>	Open
<b>Copyright:</b>	National Archives, Ireland. May only be reproduced with the written permission of the Director of the National Archives.

AGENDA ITEM 1

DEVELOPMENT OF POLITICAL DIALOGUE

Sinn Féin Talks

1. The Taoiseach might wish to ask John Hume for his assessment of the thinking within Sinn Féin on the ending of the talks. How real is the debate within the organisation on the issues raised? Will Adams actively try to move opinion forward within the movement? Is it possible at this stage to say if, and when, the talks might be resumed? (Both sides had consciously made the point that the talks had not succeeded "at this time"; the SDLP statement actually used these words, as did Gerry Adams in a comment on the talks, while the Sinn Féin statement spoke of the ending of the "present round" of talks.
  
2. The language of the Sinn Féin document is interesting, both for what it includes and omits. There is, for example, no mention of the IRA campaign. Interestingly, (on p. 2) there is, perhaps for the first time, a clear recognition of the "authority" of the Government - "the launching of a concerted political campaign internationally, using Dublin Government diplomatic resources to win international support for Irish demands". There is also throughout the statement a clear recognition of the rights of Unionists - "they must be assured of our full commitment to their civil and religious rights and be persuaded of the need for their participation in building an Irish society based on equality and national reconciliation. Finally, and most interestingly, there is a strong emphasis on "concerted political action" (p. 3) and a spelling out to some degree (pp. 2-3) of what this would involve.
  
3. While, therefore, there has undoubtedly been a development of Sinn Féin's thinking during the course of the talks, it is difficult to envisage Sinn Féin opting for the SDLP peace strategy in the foreseeable future. The most that could be

4

5

6

7

8

9

envisaged would be a "split" in the organisation but Adams would be unlikely to contemplate this. Indeed, all our information is to the effect that he would not be prepared to move without a united organisation behind him.

4. It would however be important, vis-a-vis his colleagues, to underline the Government's endorsement of Hume's efforts. There is a certain sensitivity in the party about the talks with McGrady having been consistently opposed to them and, as late as last Saturday's Assembly Representatives' meeting, voting (on his own) against them.
5. Hume was accompanied at the talks by Mallon, Currie and Farren.

Dialogue with Unionists/Devolution

6. At present, the Government and the British interpret political progress differently. We see it as involving a wider dialogue on this island whereas the British see it immediately in terms of cross-party discussions in the North, leading to devolution as envisaged in Article 4 of the Agreement.
7. We need to consider at some stage soon whether it is possible to move ahead by proposing a dialogue which will exclude neither interpretation and, indeed, whether it is necessary to embrace both interpretations if we are to achieve some movement in the relatively near future.
8. It may be possible to find a formula of words which would meet the needs of the British and ourselves. This might, for instance, urge that dialogue and discussions should begin at an early date between all the parties involved (i.e., the parties in the North would talk to each other and also to both Governments). It would, in this regard, be difficult for the British to argue that the Unionists should not talk to us, though they will inevitably try to do so on

the grounds that such talks would hinder rather than help their devolution initiative.

9. It is particularly important in this context that the SDLP keep emphasising that there is no possibility of movement within the North unless the Unionists work out their relationship in advance with Dublin and that any purely internal Northern settlement would, as in the past, be inherently unstable.
10. The approach outlined above is something of a "fudge" but at least it would have the effect of isolating the Unionists and putting them under pressure to respond positively, while (hopefully) avoiding a (public) disagreement with the British over devolution and Article 4 of the Agreement.
11. Hume strongly shares our view that the Unionists are the key to early political progress and that any dialogue with them could be particularly helpful in advancing the on-going discussions within Sinn Fein. He might be asked for his assessment of how we might best move forward at this stage. He has some feelers out to Molyneaux at present (through a third party) and has also had discussions recently with Peter Robinson, who hinted that Paisley was more forthcoming about a meeting with Dublin than Molyneaux.
12. The dialogue aspect of the Joint Statement will be particularly important; it should allow the interpretation of a united "nationalist" front in favour of dialogue as against the negative noises from the Unionist side - and, as a result, allow for an increase of pressure on Molyneaux and Paisley.

D. A. G.

8 September 1988

4  
5  
6  
7  
8  
9

Agenda Item 3

Proposed British security package (including oath against violence)

1. We have not been briefed by the British side on their intentions. The Prime Minister has held a number of meetings, the latest on Tuesday 6 September and we expect to have a briefing on their thinking at the forthcoming Conference. Passage of time, the Drumkilly shootings and the extradition of Russell and Harte (the first paramilitaries extradited since 1984) have taken off some of the pressure on the British Government.
2. It appears very unlikely that "selective internment" is a serious proposition. The measures under consideration are probably the following:

Improvement of Security for Troops

This could be largely a matter of more secure internal arrangements for transport of troops. A breakdown in security was probably the reason for the success of the IRA attack on the Ballygawley road. There is further work going on in South Armagh to service and protect the observation towers and to increase the number of smaller observation posts. We have not had complaints but Seamus Mallon may raise this.

Better Intelligence and more use of Covert Operations

There may be some increase in the numbers of SAS in the North. The present number is possibly 24 which was reported by the (London) Independent on 6 September 1988. There may also be some increase in the number of troops which currently stands at 10,200. We would obviously be very concerned by a resort to SAS ambushes. The progress of the inquest in Gibraltar will be important here.

7

8

9

### Limitation of the Right to Silence

The British have been considering limiting the right to silence in view of the ability of the Provisional IRA to remain silent for the full 7-day period of a detention and in view of declining detection rates. We do not yet know how far this might go. It may mean that if an accused maintains complete silence during the police investigation, the court will be entitled to draw inferences. Douglas Hurd has said that he has this proposal under consideration in Britain. Such a step was enacted here in the 1984 Criminal Justice Act but was restricted to certain specific circumstances, for example, silence about a blood spot on clothing.

### Lengthening of Detention Period

It has been rumoured that the detention period will be lengthened to more than 7 days, possibly even to 30 days. The purpose again would be to breakdown Provisional IRA suspects in interrogation. The British would have difficulty with such a step in the European Court which is already considering in the Brogan case whether the 7 day detention period is not too great, given that the European norm is 4 to 5 days.

### Action to deprive the Paramilitaries of financing.

There is already a concerted cross-border effort to tackle smuggling which is a considerable source of income to the IRA. The British have been considering for some time how best to bring in a measure which would enable them to confiscate funds obtained through extortion or other illegal means. We would welcome this in principle. Indeed we have a somewhat similar measure in the Offences Against the State Amendment Act of 1985.

### Oath Against Violence

We have already made very clear that we are completely opposed to this and that it could only be counterproductive. We believe Sinn Fein would take the Oath and, if subsequently thrown off councils for violation

of it, would fight by-elections on the issue to the detriment of the SDLP.

3. Extradition

The cases of Carron, Finucane and Kane come up in October in the High Court. Their actual return would not arise until some time later, probably next year.

Seamus Mallon may ask if the arrangement by which fugitives are handed over at a specific, publicly-known place could not be changed. The usual choice of Carrickarnon causes local political problems for him. We have already explained to him that the courts insist on specifying the point of departure and that if Baldonnel is turned down by the courts for any reason (as it was in the Kane case for alleged medical reasons) there is nothing we can do. The choice of any other land point of departure would also be known and would also bring problems. The problems which might be caused at one place rather than another are a matter for the Gardai to assess.

7

8

9