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ANALYSIS OF BRITISH GOVERNMENT/IRA DOCUMENTATION

SUMMARY

1. Attached is a detailed analysis of the British Government/IRA documentation which sets these exchanges in the context of (a) major events in the political and security arenas over the period in question (Feb-Nov 1993); and (b) relevant public statements by Sinn Fein during and prior to that period.
2. Points of particular note include the following:
 - According to the British, the Provisionals initiated the exchanges on 22 February with a message declaring that the conflict was over but that they needed advice on how to bring it to a close. This contrasts with a level of IRA activity at the time (and indeed since) which showed no diminution vis-à-vis earlier periods.
 - Furthermore, there is some documentary evidence to suggest that it may have been the British who sought the "advice" rather than the IRA.
 - The British Government pursued its exchanges with the Provisionals in spite of the following factors:
 - (i) the Warrington, Bishopsgate and Shankill bombs (20 March, 24 April and 24 October respectively);
 - (ii) its own very public efforts over this period, via a series of pro-Unionist speeches and statements, to court UUP support at Westminster.
 - During these months, Gerry Adams and Martin

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McGuinness occasionally dropped hints in public statements that "opportunities for peace" existed and that Sinn Fein was working on a peace process.

- On 11 July the Provisionals complained about unspecified British media reports. This may have been a reference to media speculation about contacts between the RUC and paramilitaries which arose from a Belfast incident and which reflected police briefing.

- The Provisionals were also irritated by a Sunday Times article (22 August) which claimed that the British Government had drawn up a secret 60-point peace plan based on an IRA ceasefire and a linked relaxation of security activity.

- Discrepancies between the published documentation and versions of two of the documents which Sinn Fein released may have a casual explanation (typing errors). It is also possible, however, that changes were deliberately introduced in order to reinforce the position taken by either side. As of now, there is more evidence to support the hypothesis that there may have been an attempt to embellish the British position in this correspondence.

- The balance of probability is that the leaked document published by the Observer reached Willie McCrea MP (its acknowledged source) from someone on the British side (possibly a police or security service source).

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ANALYSIS OF BRITISH GOVERNMENT/IRA DOCUMENTATION

The following is an analysis of the documentation relating to British Government/IRA contacts which was published by the Secretary of State for Northern Ireland on 29 November. Slightly different versions of two of the documents have also been published by Sinn Fein.

The analysis places the correspondence in the context of (a) the events which accompanied it in the political and security arenas over the period February-November 1993; and (b) of relevant public pronouncements by Sinn Fein during and prior to that period.

KEY DEVELOPMENTS IN PROVISIONAL ATTITUDES PRIOR TO FEBRUARY 1993

In January 1992, Mitchel McLaughlin (SF Chairman in NI) publicly urged Republicans to abandon any idea of coercing Protestants into a united Ireland and declared that an "equitable agreement" would have to be reached between Unionists and nationalists.

On 17 February 1992, Sinn Fein published a policy document, Towards a Lasting Peace, which accepted that British withdrawal could only come about by agreement between the Irish and British Governments. This was effectively Sinn Fein's first public recognition of the legitimacy of the Irish Government as the instrument for the achievement of nationalist objectives.

In June 1992, Jim Gibney (a leading SF figure) said at Bodenstown that "we know and accept that the British Government's departure must be preceded by a sustained period of peace and will arise out of negotiations".

In July 1992, a statement on talks between Bishop Edward Daly and Sinn Fein said that "both sides accepted that the Irish people cannot be united by the use of force".

In a speech in Coleraine on 16 December 1992, Sir Patrick Mayhew reiterated the Brooke formula of November 1990; noted that leading Sinn Fein members were voicing their desire to follow a constitutional path; and highlighted the range of responses which would be given to a genuine and established cessation of violence. Gerry Adams reacted five days later in generally positive terms, looking ahead to a peace process involving comprehensive negotiations between all parties to the conflict.

In a speech on 12 January 1993, the Secretary of State claimed that Provisional IRA leaders were realizing increasingly that there was "no way out" and "many of them wisely want to stop".

FEBRUARY 1993

During February 1993 (i. e., in the run-up to what the British have presented as a Provisional approach declaring that the conflict was over), the level of IRA activity showed no appreciable reduction vis-a-vis previous months. In NI, the IRA killed five people; in Britain, they shot a policeman in Warrington and exploded two bombs in London (no injuries).

It may be noted, furthermore, that throughout the period of contact between the British Government and the Provisional

movement IRA violence remained at familiar levels. The only periods showing a marked reduction were the week of 4-11 September (when a US delegation visited NI) and the period immediately after the Shankill bomb in October.

On 20 February 1993, speaking at the Sinn Fein Ard-Fheis in Dundalk, Gerry Adams called on the Irish Government to invite the British Government "to explore in discussions with all interested parties the steps that would be made to get Northern majority consent to Irish reunification and the guarantees and assurances that would be needed to safeguard Protestant rights and interests in such a situation".

Adams said that talks between the British Government and Sinn Fein were "inevitable and long overdue". He added that "it is the British Government which is causing the delay - it has already conceded the principle and is currently setting down its conditions".

Two days later (according to the British version of events), the "leadership of the Provisional movement" sent a message to the British Government saying that the conflict was over but that they needed advice on how to bring it to a close. They wished to have an unannounced ceasefire in order to hold dialogue leading to peace. Copies of the Ard-Fheis speeches by Adams and McGuinness were attached.

On 26 February, the British sent an interim message which promised a substantive reply shortly (though their attitude would be influenced by "events on the ground over the coming days and weeks").

MARCH 1993

Sir Patrick Mayhew delivered speeches on 2 and 14 March which were noticeably tilted towards Unionist concerns (and were

generally perceived as an effort to "compensate" for his Coleraine speech).

At the same time (in a message on 5 March), the Provisional leadership were welcoming "the possibility of a meeting". They said that they would like Martin McGuinness and Gerry Kelly to have an exploratory meeting with the British side as soon as possible.

The British sent a further message on 11 March which again promised a substantive response but, mentioning recent violence, linked their ability to furnish a substantive response to "events on the ground". The recent violence referred to no doubt included IRA bombs in Bangor and Lurgan (6 and 8 March) and an IRA attack on Keady barracks (8 March) which resulted in a number of casualties.

In an interview on 13 March, Martin McGuinness said that the IRA were determined to carry on and that the British Government recognized that this was the reality. The Republican movement would not make the first "unilateral move" towards talks with the British Government. An opportunity did exist, however. Instead of the British Government asking the IRA to move unilaterally, both sides should move forward at the same time. McGuinness warned that, unless there was recognition on the part of the British Government that things must change, the IRA campaign would continue.

Six days later (19 March), the British sent their substantive response to the Provisionals' purported initial approach. In a nine-paragraph note, they said that "we note that what is being sought at this stage is advice, and that any dialogue would follow an unannounced halt to violent activity".

There are some discrepancies at this point between the versions of this document which were published respectively by

the British and Sinn Fein. In the Sinn Fein version, the words "we note" are missing and the second clause is rendered as follows: "The position of the British Government is that any dialogue could only follow a halt to violent activity".

According to the British version, the document continued: "We confirm that if violence had genuinely been brought to an end, whether or not that fact had been announced, then dialogue could take place". According to the Sinn Fein version, it continued: "It is understood that in the first instance this would have to be unannounced. If violence had genuinely been brought to an end, whether or not that fact had been announced, then progressive entry into dialogue could take place". (The fact that, in a message of 10 May which the British released, the Provisionals sought clarification of the phrase "progressive entry into dialogue" would point towards the Sinn Fein version of this document as the authentic one).

In both versions, the document went on to say that, once a halt to violent activity became public, the British Government would have to "acknowledge and defend its entry into dialogue" on the basis of a private assurance that organized violence had ended.

The document then emphasized the British Government's willingness to include in the political process "all parties which have sufficiently shown they genuinely do not espouse violence". However, it also made clear that the British Government "does not have, and will not adopt, any prior objective of 'ending partition'".

It promised that evidence on the ground that any group had ceased violent activity would induce a resulting reduction of security force activity.

The document was accompanied by a "speaking note" - the

document leaked to Willie McCrea MP, who passed it subsequently to Eamonn Mallie - which gave instructions to the British Government's interlocutor for oral use with the Provisionals. It was indicated that these instructions had been very largely drafted by the Secretary of State. They warned that "all acts of violence hereafter" would increase the difficulties already posed for the British Government, conceivably to the point where the "process" would be destroyed.

On the following day, Saturday 20 March, an IRA bomb in Warrington killed two children and injured many others.

In a message on Monday 22 March, the Provisionals said that "it is with total sadness that we have to accept responsibility for the recent action...the last thing we needed at this sensitive time was what has happened".

In an article in the Irish News on 29 March, Gerry Adams called on the Dublin Government to undertake immediately "a process of dialogue which seeks to end this conflict". He mentioned that Sinn Fein had been engaged in developing a peace process "for some time now".

Around the same time, Senator Gordon Wilson had a private meeting with members of the IRA's Army Council which, by his own account, was fruitless.

During the month of March (as revealed several months later), Gerry Adams had two private meetings with Michael Lillis.

APRIL 1993

On 10 April (Easter Saturday), the first of a series of meetings between Gerry Adams and John Hume took place in Derry. It came to attention inadvertently.

On Friday 23 April, the Secretary of State delivered a speech in Liverpool whose strong support for Unionist positions and concerns marked a continuing effort to "compensate" for the Coleraine speech and to secure the Government's position at Westminster.

On Saturday 24 April an enormous IRA bomb exploded in London (Bishopsgate), killing one person.

Following a second meeting, John Hume and Gerry Adams issued on 25 April a joint statement in which they agreed that "the Irish people as a whole have a right to national self-determination"; that the exercise of self-determination was a matter for agreement between the people of Ireland; and that they would be concentrating on the search for that agreement and the means of achieving it.

MAY 1993

In an article in the Irish Times on 2 May, Gerry Adams described the establishment of a peace process as a personal and political priority. This meant London adopting a policy aimed at ending partition and "which seeks, with Dublin, to achieve this in the shortest possible time consistent with obtaining maximum consent to the process". The main responsibility for putting the central issue of national self-determination on the agendas of the EC and the UN rested with the Dublin Government. "Dublin's consistent refusal to take up that responsibility is a key element in the prolongation of the conflict".

Later that week, the Taoiseach met PM Major for a short bilateral at the European Council in Madrid.

In a message on 5 May, the British told the Provisionals that,

having given the advice which had been sought and taken at face value what they had been told, "it is difficult to reconcile that with recent events". This was a reference to the Bishopsgate bombing and other recent IRA attacks. They went on, however, to confirm their adherence to the nine-paragraph document (19 March) and their hope that the "necessary private assurance that organized violence has been brought to an end" would shortly be forthcoming.

On the following day, the British confirmed to the Provisionals that they had problems with the "order of events" (i.e., they intended that dialogue would follow, not precede, a halt to violent activity and receipt of the required private assurance).

A day later, they again confirmed their adherence to the nine-paragraph document. They invited the other side to avail of the opportunity afforded by the Secretary of State's absence the following week (an apparent reference to the latter's U.S. visit) to consider further questions which they might wish to "put to us" or to seek "further explanation".

Three days later (10 May), the Provisionals replied with a lengthy message which revealed that a "face-to-face exchange" had taken place with "your representative" and that they welcomed such exchanges and trusted that they would continue. The British have represented this as an unauthorised meeting between Martin McGuinness and "a British official". (The Secretary of State has conceded that MI6 have been involved in unauthorised contacts).

The note of 10 May went on to "respond directly to your request for advice". This is, of course, at variance with the British Government's contention that contact with the IRA was precipitated by an IRA request for "advice".

The note brushed aside the British demand for a private assurance and made clear the Provisionals' desire to "proceed without delay to the delegation meetings". They suggested that a number of organizational points could be agreed "directly with Mr McGuinness" ; if this was not possible, the British side should proceed "through the usual channel" as soon as possible.

JUNE 1993

In a message on 1 June, the Provisionals complained that they had not yet received a "formal reply" to their note of 11 May, particularly as it had placed on the table the offer of "a total cessation". (The British do not accept that such an offer was made). "Various incidents" which had taken place were the result of this vacuum. (This refers presumably to IRA violence over the intervening period, which included bombs in Belfast, Portadown and Magherafelt).

On 19 June Gerry Adams shook hands with President Robinson during the latter's visit to West Belfast.

Speaking at Bodenstown on 21 June, Martin McGuinness said that "we are all going to have to make the first move" and that "now is the time to begin". The British Government must "end their dithering and all of us - Irish and British - must wait no longer". He called on the SDLP and the Irish Government to join with Republicans in urging the British to indicate clearly and unambiguously that "it accepts the right of the Irish people to national self-determination and that it intends to make an enthusiastic contribution towards the unification of the Irish people".

JULY 1993

In a message on 11 July, the Provisionals complained at

British briefing which had resulted in unspecified press reports.

While it is not entirely clear what reports they were referring to, it is possible that they meant media reports of a brief contact between a RUC officer and a UDA member in Belfast. In the Independent on 6 July, David McKittrick highlighted the multiplicity of contacts between police and both Loyalist and Republican activists. On the following day, he mentioned that a "security service member" had supported suggestions that the Belfast contact had been more substantive than claimed. Such reports, which clearly reflected police briefings, led to some mild speculation in the media and elsewhere about contact between the RUC and the IRA.

The Provisionals' complaint that the RUC were "clearly well informed of whatever the situation was" is of interest in the context of speculation on how the leaked document may have reached Willie McCrea MP.

In a message on 17 July, the British finally replied to the Provisionals' note of 10 May. They explained that, "as you know, consideration was being given at the highest level to a far-reaching response". They denied that there had been any ulterior motive for the delay and told the Provisionals that they would have had the response as soon as it was cleared. (This may have been designed to preempt Provisional suspicions relating to the Prime Minister's all too apparent dependence on Unionists in the Maastricht votes at Westminster).

However, "events on the ground" after the local elections (19 May) had made it impossible to proceed with the "far-reaching response" originally envisaged. IRA attacks in the period since the elections had had an "inevitable result".

The message confirmed the British Government's adherence to the nine-paragraph document. However, the British found unacceptable what they considered to be an indication by Martin McGuinness in his Bodinstown speech that the halt in violence would only be temporary unless Sinn Fein's analysis of the way forward was accepted within a set time.

On 22 July, the Provisionals responded with a lengthy message which welcomed "this contact". The British have represented this, however, as a response not to their message of 17 July but to their nine-paragraph document of 19 March, which the Provisionals passed "belatedly" to the intermediaries. This might explain why, in the version of it which Sinn Fein published, it is dated "April 1993".

In this message, the Provisionals emphasized the right of the Irish people to national self-determination as well as their own desire to "assist the establishment of, and to support, a process which, with due regard for the real difficulties involved, culminates in the exercise of that right and the end of your jurisdiction". Highlighting the "potentially historic opportunity" for peace which now existed, they said that it was time to "move on" beyond statements of position and they told the British that "you should arrange for us to do so as speedily as possible".

A striking difference between the two versions of this document which have been published is that a sentence which opens para. 11 in the Sinn Fein version ("We found our preliminary meeting with your representative valuable") is missing from the British version. Media speculation has linked this discrepancy to a British attempt to preserve the significance of the 22 February contact.

In an interview in the Sunday Tribune in July, Gerry Adams said that interim arrangements short of Irish unity could be

put in place in the event of a British declaration of intent to withdraw and these could include joint sovereignty.

AUGUST 1993

In a speech in Dublin on 12 August, Gerry Adams spoke of "new opportunities for peace" which existed. He called on the Irish Government to take the initiative in seeking a new agreement with London which would have as its main objective the exercise by the Irish people of their right to national self-determination.

In a message on 14 August, the Provisionals complained at the "inflexibility" of the British message of 17 July. This, coupled with "recent political statements" (no doubt a reference to the Liverpool speech, Commons remarks by the Prime Minister and other explicitly pro-Unionist statements designed to secure UUP support for the British Government in the Maastricht votes in late July), raised questions in the Provisionals' minds about the British commitment to a peace process.

They attributed a British failure to "move forward on the outlined basis" to "expedient, internal and domestic party political reasons". They attributed also to the British a suggestion (which the British deny having made) that a two-week "suspension to accommodate talks" would result in Republicans being persuaded that there was no further need for armed struggle.

On 22 August, the Sunday Times claimed that, towards the end of 1992, the British Government and the British Army had drawn up a secret 60-point peace plan based on an IRA ceasefire which would be matched by a gradual relaxation of security measures in NI. (James Molyneaux recalled this report in his Commons intervention on 29 November). The report claimed

that Army chiefs had prepared the plan on foot of information from a "highly placed IRA mole" to the effect that the IRA were prepared to scale down their activities.

Public reaction by Republican spokesmen was dismissive.

On 24 August the Cook Report claimed that Martin McGuinness was Chief of Staff of the IRA. McGuinness denied this allegation.

In a message to the British Government on 30 August, the Provisionals complained about the Sunday Times article, about an earlier (unidentified) Sunday Times piece and about "informed references" in public statements by a number of Unionist spokesmen. They also linked these leaks to the Cook Report programme.

SEPTEMBER 1993

In a message on 3 September, the British took issue with a number of points made in the Provisionals' message of 14 August and sought confirmation that a lasting end to violence did not depend on the IRA's analysis being endorsed as the only way forward. They reiterated that a private reassurance would be required and that progress would have to be subject to "events on the ground".

In another message on the same day, they denied responsibility for "recent media reports and speculation" (no doubt a reference to the Sunday Times article etc.) and said that such reports were most unwelcome to the British Government.

The Irish Times of 11 September attributed an apparent "lull" in IRA activity over the previous week to the visit to Northern Ireland by a group of prominent Irish-Americans led by Bruce Morrison, during which the group met Sinn Fein

representatives and discussed with the latter the proposal for a "peace envoy". Sinn Fein sources were subsequently reported to have confirmed the substance of the Irish Times story.

On 16 September John Hume had a meeting with PM Major, at which his initiative with Gerry Adams is believed to have been discussed.

On Saturday 25 September, John Hume and Gerry Adams issued a joint statement in which they said that they had agreed to forward to Dublin a report on the position reached to date in their talks. They had suspended detailed discussions for the time being in order to facilitate "wider consideration between the two Governments". They believed that a process could be designed to lead to agreement among the divided people of Ireland. Such a process would obviously have to ensure that "any new agreement that might emerge respects the diversity of our different traditions and earns their allegiance and agreement".

OCTOBER 1993

On 7 October, John Hume briefed the Taoiseach and the Tanaiste on the outcome of his discussions. A joint statement by all three was issued.

On Saturday 23 October, an IRA bomb exploded in a fishmonger's shop on the Shankill Road killing ten and injuring forty others.

On Wednesday 27 October, in the course of an emergency debate on NI on Dail Eireann, the Tanaiste proposed six principles which might underpin a peace process.

On Friday 29 October, the Taoiseach met PM Major en marge of

the European Council in Brussels. A joint statement was issued.

It is striking that during most of September, and throughout the month of October, the British/IRA "chain of communication" appears to have been inactive (at least in the sense of written communications). Both the British and Sinn Fein may have been adopting a "wait-and-see" policy pending developments arising from the Hume/Adams joint statement of 25 September.

Gerry Adams' reaction to the Brussels communique was hostile, claiming that the British Government had no real interest in developing a peace process and complaining that, while both Heads of Government had rejected Hume/Adams, they had offered no alternative in its place.

NOVEMBER 1993

Four days later (on 2 November), the Provisionals told the British Government (by the latter's account) that "this problem cannot be solved by the Reynolds/Spring situation, although they're part of it". It could not be solved "singularly". They complained that the British side had rejected the Provisionals' offer of 10 May and that "now we can't even have dialogue to work out how a total end to all violence can come about". They believed that "all the documents" - including the British nine-paragraph note of 19 March and their own note of 10 May - would provide the basis of an understanding.

The British responded on 5 November, enclosing the Brussels communique and offering "a first meeting for exploratory dialogue" within a week of Parliament returning in January, in exchange for (i) a private assurance on the ending of violence, to be confirmed promptly following a public

statement; and (ii) events on the ground being fully consistent with this. A "Procedural Annex" summarised in greater detail the sequence of events and the levels of representation and other arrangements envisaged by the British for the "exploratory dialogue".

Disclosure of the documentation

The reasons why the British Government decided to disclose the full correspondence (as they claim) in response to a single leak must be a matter for conjecture. It may be that they feared that the other documents would emerge piecemeal from the same, or another, source and that they saw merit in coming clean on the whole issue at this stage.

However, the contentious manner in which the British and Sinn Fein have revealed the documentation (with each accusing the other of dishonesty and rushing to get their respective accounts into the public domain) suggests that an issue may have arisen between them in the period since 5 November which was so problematic that it was clear to both that agreement would not be reached in the short term and that there was consequently little to be gained from protecting these exchanges.

It is possible, for example, that the "private reassurance" proved a stumbling-block or that the British and the Provisionals fell out over the length of the "sufficient interval" for sceptical minds on which the Secretary of State has been insisting.

Source of leak

The British have been hinting in private that they suspect that Sinn Fein are behind the leak of the "Speaking Note" document. Apart from the fact that Willie McCrea (Eamonn

Mallie's acknowledged source) is a highly improbable conduit for a leak from Sinn Fein, the correspondence reveals that it was the Provisional interlocutors who had cause to complain on several occasions about British breaches of confidentiality, not the other way round. Gerry Adams, furthermore, has denied that Sinn Fein ever abused this process.

Bearing in mind that (a) the document in question would have been potentially available to a range of people in the British system (politicians, officials, police, security services etc), that (b) it was not intended that it should be handed over to the IRA (merely conveyed orally), that (c) police/intelligence sources were clearly talking freely about contacts with paramilitaries at the time of the Belfast incident and that (d) Willie McCrea is known to have good RUC contacts, the balance of probability would suggest that the document was leaked by someone on the British side.

It seems that the document reached McCrea at some stage at the end of October or in early November, as he claims to have had it in his possession for several weeks before passing it to Eamonn Mallie. On 17 November Mallie indicated in a TV interview that he had been told by a Northern Ireland MP of contacts between the British Government and the IRA. McCrea had it in his possession, by his own account, when he and his party colleagues met the Prime Minister in Downing Street recently. The document was finally published on Sunday 28 November.

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1 December 1993