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SECRET**Meeting between Tánaiste and Secretary of State****Belfast, 6 November 1996**

1. The Tanaiste met the Secretary of State over a working breakfast at Stormont House this morning. He was accompanied by the Minister for Justice, the Attorney General, Sean O hUiginn, Tim Dalton and the undersigned. The Secretary of State was accompanied by David Fell, Quentin Thomas, Peter Bell, David Hill and Ken Lindsay.
2. The Secretary of State began by saying that the Prime Minister had looked at the latest draft overnight. The British Government's position continued to be that set out in the critical paragraph. In the aftermath of Lisburn, the Secretary of State could not rely on words alone to satisfy himself under the terms of paras 8-9 of the ground-rules. In accordance with what the Prime Minister had said (and what the Taoiseach had also indicated in the Dail on a number of occasions), there had to be a means by which the necessary commitment could be established or demonstrated. This was why the paragraph in question had been drafted as it had been.

The British Government wished to see Sinn Fein enter, however, and recognised the need to formulate the requirements in this respect in the minimum terms possible (in deference to Republican sensitivities). If there were to be a "cataclysmic" development such as a General Army Convention announcing that the war was over, that would put things in a different light. Short of that, however, there would have to be a lapse of time sufficient to permit corroboration of the IRA's words.

The Secretary of State said that, if the Irish Government shared this judgment, more work could be done on drafting. His problem with a scenario involving an invitation to Sinn Fein to attend the talks for the purpose of signing up to the Mitchell Principles was that he could only issue an invitation in circumstances where he judged that paras 8-9 had been fulfilled. Once Sinn Fein were in, there could be no question of according them thereafter a status inferior to that of the other participants.

3. The Tánaiste mentioned some encouraging prospects which suggested that positive developments might be in the offing. It was important that the two Governments coordinate closely to bring these to fruition. The Irish Government hoped that the text under discussion would do the trick. There was, of course, a chicken-and-egg situation as between the two texts. Neither Government knew what the terms of a renewed IRA ceasefire would be and some fine-tuning might be necessary up to the last minute.

The Tánaiste believed that Gerry Adams would not attempt to deliver anything until he knew that Sinn Fein would be in the process. He asked for clarification of suggestions that the British Government intended to stipulate a three-month period before entry.

4. The Secretary of State replied that they envisaged a particular period (though he did not confirm three months). They could not agree to issuing an invitation immediately after the declaration of a ceasefire.
5. The Tánaiste said that our judgment was that it simply would not work if the British were to respond to a ceasefire by insisting on the need for a process of actions (or non-actions). The formula we were proposing was the best possible means we saw of achieving a ceasefire. If Sinn Fein were admitted to the talks in order to sign up to the Mitchell Principles, they would recognise that a new scenario now obtained and punishment beatings etc could be expected to stop.
6. The Minister for Justice noted that a mechanism already existed for participants to challenge retrospectively statements of adherence to the Principles (if there were any doubts on this score). While the Governments would need to be satisfied about the commitment to non-violence, it would be very difficult to draft a formulation for this, which was essentially a matter for political judgement at the time. Moreover, even if a particular period were stipulated, those concerned could always behave in the required fashion for that period (and then relapse).
7. The Secretary of State agreed with this. He would be under considerable pressure, however, if he tried to allow Sinn Fein in without a prior demonstration of commitment. The scenario proposed by the Irish side was a non-starter for the British Government. While they did not suggest that the character of the language used would have no influence, negative factors such as punishment beatings would

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have to be absent.

8. Asked by the Tánaiste about the Prime Minister's reaction to the latest draft, the Secretary of State said that they could not accept the text as it now stood. The question of further drafting would depend on whether there was agreement between us on the need for a lapse of time.
9. O hUiginn commented that no deal would be possible on that basis. The Tánaiste said that the stipulation of a sanitising period would rule out any prospect of a ceasefire. Given that the IRA could switch violence on or off at will, it was in any event not a very credible position to take. Reiterating the importance of words, he recalled a helpful reference in an earlier draft to "incontrovertible evidence".
10. Fell asked whether a ceasefire would be ruled out by the stipulation of a particular period or even by an indication that the Secretary of State's judgement could not be made instantaneously. Dalton and the Tánaiste made clear that the latter would be no more saleable from Adams' point of view.
11. O hUiginn pointed out that, once the British Government said that they would be monitoring IRA actions over a given period, they would be assuming a heavy responsibility in terms of judging IRA intentions at the end of that period and would find themselves on "a slippery slope". It would be easier to stand on the ground that "unequivocal" related to the language of a statement but that the Government would be vigilant in terms of Sinn Fein respecting the rules thereafter.
12. The Secretary of State acknowledged the logic of this but repeated that he had a statutory duty to form a judgement and that it would be a non-starter for him to say that, notwithstanding Lisburn, he judged para 8 to be fulfilled (leaving aside para 9) on the basis merely of what the IRA had said. He again said that he did not rule out the quality of the language as a factor (which could help to reduce the period required). He would also not be stipulating a particular period and, indeed, was open to an indication that Sinn Fein entry might not be achieved prior to, for example, the resumption of the talks in the New Year. Such an approach would subject him to considerable political pressure but he was prepared to contemplate this. He could not, however, dispense with stating the need for the commitment to non-violence to be shown or established (as the Prime Minister and the Taoiseach had both indicated).

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13. The Attorney General suggested that a judgement formed in relation to a particular period might be no more reliable than one based on language used, particularly if the latter was sufficiently powerful. The Secretary of State recognised that nothing could ever be guaranteed but felt that outward signs of negative or positive intent could be looked for.
14. Thomas suggested that Irish Government statements, including a recent reference by the Tanaiste to a period of "some weeks", had also conditioned expectations. The Governments had not previously described it in terms of a "sanitising" period but understood it as an efflux of time during which words and actions would have to be consistent.
15. Dalton explained that our earlier use of the word "sanitising" simply reflected the Sinn Fein interpretation of the concept. He went on to point out that there was, on the one hand, a real prospect of an IRA ceasefire but, on the other, a no less real prospect of renewed IRA bombings. The best we could hope for in the latter respect could be a limited bombing campaign; the worst would be a total breakdown of the ceasefire. On this scenario, the two Governments had to take a chance.
16. The Tanaiste added that there was a very serious risk of a major collapse if the Governments did not take this chance. As democratic politicians, we could look with equanimity on a delay of several weeks (to which the present talks had conditioned all of us). However, this would create enormous problems for Adams in his efforts to bring his own people, who had an entirely different mind-set, into talks.
17. The Secretary of State recognised that the balance mentioned by Dalton had to be judged but said that this would have to be done against a background of post-Lisburn indignation. If Sinn Fein were to be invited, the Unionists would absent themselves from the talks ("and so would the Conservative Party").
18. The Tanaiste replied that, with due respect to the back-benchers, Governments had the responsibility to reach judgements in such situations. The Secretary of State indicated that he was more worried about his Cabinet colleagues.
19. The Tanaiste put it to him that words from the IRA would be significant. Accepting this, the Secretary of State asked about our understanding of the likely IRA response. John Hume had told him this week that Adams would "recommend" the proposed text

to the IRA but could not commit himself in terms of their response. The Tánaiste said that we had no further indications but that he thought Adams would ultimately be able to deliver in this regard.

20. The Secretary of State said that the British Government envisaged contact with Sinn Fein at official and Ministerial level during the period concerned. The Tánaiste emphasised that, in our view, Adams would only deliver if he was given the opportunity to be present in a process immediately after a ceasefire declaration. Thereafter, there would in practice be a period when Sinn Fein were meeting the Governments, the Chairmen etc and nothing was happening on the ground.
21. The Attorney General drew attention to David Trimble's comment on a radio interview this week that words were critical and periods of time were not. Thomas anticipated sceptical media reaction to any renewed ceasefire declaration if it were recalled that the phrase "definitive commitment" had been used on the last occasion.
22. Dalton suggested, in turn, that there could be very adverse media reaction if it were to emerge in six months' time that so little had separated us from agreement now on terms which would facilitate a new ceasefire. The Secretary of State responded that he would have no qualms about publishing the present draft, which he believed people would consider reasonable.
23. O hUiginn warned that there could be a "free-fall" back to violence if the two Governments did not manage to salvage the situation. If peace could be restored now, there could be a change of public mood (particularly after a peaceful Christmas) and even David Trimble might find it possible to agree to Sinn Fein participation reasonably soon. He suggested that the Mitchell Principles could be adduced as meeting the requirements of paras 8-9.
24. The Secretary of State accepted this but added that it was a question of judgement as to whether this should be done. He reiterated that words alone would not suffice and that this was the view of his colleagues in Government. If it was the case that Sinn Fein would regard any lapse of time as an unacceptable "sanitising" period, then that would have to be the break-point. He hoped that this would not be so but "we are, after all, dealing with violent people with a violent record".
25. The Minister for Justice asked whether, given that the British Government were ready

to have contact with Sinn Fein during the period, the IRA's words would matter from the outset or only at the end of the period. Could there be a situation, for example, in which British Ministers would talk to Sinn Fein but profess themselves still unhappy with the IRA's words at the end of the period?

The Secretary of State said that he had offered British Government availability as a sign of good faith. The outcome of such contacts would play a part in his judgement as to whether paras 8-9 were fulfilled.

26. The Tánaiste said that the British side were seriously underestimating the difficulties facing Adams at present. O hUiginn observed that the emphasis on a probationary period of some kind had only emerged since Lisburn and that the two Governments would be accused of having moved the goal-posts compared with the beginning of talks last June (which was still post-Canary Wharf). A probationary period was a new element to which the Irish Government had not signed up.
27. The Secretary of State replied that, in the British perspective, it was not new in that the concept of an "unequivocal" restoration was always going to be a matter for judgement in the prevailing circumstances. He reiterated that the British Government would, if necessary, publish what they had been prepared to settle for and present this as a reasonable position.
28. Dalton again warned of the acute risk of a return to IRA bombings and suggested that calculations about political difficulties for the British Government should not obscure the reality that a lot of people would die if this were to happen.
29. The Secretary of State said that everything would turn on the reliability of IRA intentions and that it would be important for the Governments to know the terms of the likely IRA response (as the Prime Minister had indicated to John Hume).
30. The Minister for Justice remarked that no thought had yet been given to the positive actions which might be expected of Sinn Fein during the proposed period (apart from their signing up to the Mitchell Principles). As regards the negative actions (no more punishment beatings etc), she again expressed concern at the possibility of the British Government refusing to admit Sinn Fein to substantive talks even after a period in which all of these hurdles had been cleared.

31. The Tanaiste emphasised that "a month of best behaviour" would be no guarantee of anything in terms of IRA intentions. Dalton wondered whether it might be sufficient if language as strong as the Prime Minister had suggested were to be promised in advance. The Secretary of State reiterated that, short of the "cataclysmic" kind of development to which he had earlier referred, words would not be enough in themselves.
32. O hUiginn pointed out a form of stand-off existed at present, with Adams (by Hume's account) refusing to commit himself further on language until he had evidence that his two key concerns (on text and time-frame) were being addressed by the Prime Minister. He reiterated that, if it remained the British Government's position that words would not be enough, no deal would be possible and there would be no ceasefire. Dalton endorsed this from recent contacts which he and O hUiginn had had.
33. The Secretary of State said that he had not received the impression from Hume, at their meeting yesterday, that any lapse of time would be fatal.

O hUiginn said that, in contrast, Hume had been categorical with us that a probationary period, whether open-ended or not, would be a deal-breaker. O hUiginn went on to suggest that in reality it would take years to confirm whether a ceasefire was permanent or not. There was no possibility that the IRA would switch magically from one mode to another over night. This was a historic process and would have to be respected as such. The fact that Sinn Fein were coming back towards peace at all, and willing to do so for almost nothing, was positive in itself. They wanted to end the war and "get off the tiger's back". To fail to provide them with the minimum assistance to do so would be criminal.

34. The Secretary of State agreed that permanence could never be established but said he needed to know if a ceasefire was intended to be permanent. If he were to allow Sinn Fein in on the basis of everything that had happened since the last ceasefire, he would be exposed to charges of criminal gullibility.
35. O hUiginn emphasised that Sinn Fein would be coming in to sign up to the Mitchell Principles, a scenario which would have been a pipe-dream a mere two years ago. He asked the British Government what they would do if, irrespective of any position taken by the Governments, Sinn Fein were to arrive at the gates of Castle Buildings

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after a ceasefire and present themselves for admission to the talks. In such a situation, the British Government would have no allies anywhere if they were to refuse admission.

36. Dalton added that all Sinn Fein were demanding was dialogue and that this could not be viewed as anything other than a very reasonable deal (~~whatever~~ about the political difficulties it might pose, which in any event could be resolved within a few weeks).
37. Thomas suggested that it might be productive to work on language relating to IRA intentions. If the British were being asked to accept that a historic shift was taking place, Sinn Fein would have to explain why a short period requiring consistency between words and actions would be such an enormous problem. OhUiginn replied that they would regard this as a humiliating test and their "dignity" was a hyper-sensitive point.
38. Summing up, the Tánaiste recognised that the British Government had Parliamentary problems but emphasised the overriding need to get Sinn Fein into the talks in order to secure a ceasefire. Adams would not sign off on this initiative unless he knew exactly where he was going with it. Trimble's recent comments had been surprisingly constructive and should be built on. The Tánaiste thought that some further textual work could be done and he underlined the need for day-to-day consultation between the two Governments on this.
39. The Secretary of State suggested that the matter might now be considered by the Taoiseach and the Prime Minister. It might also be helpful to talk further to John Hume (who appeared to have left both Governments with slightly different impressions).
40. In conclusion, the Tánaiste thanked the Secretary of State for the meeting and suggested that the two Governments were not very far apart.

David Donoghue

David Donoghue
6 November 1996