

An Chartlann Náisiúnta
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To: HQ **From: Belfast**
To: Second Secretary **From: Joint Secretary**

Subj: Conversation with the Chief Constable

1. The Chief Constable, Ronnie Flanagan, and his senior assistant, Chief Supt Gerry Sillery, hosted a private dinner for the Irish side of the Secretariat last night.

2. While the occasion was mainly social, Flanagan made a number of points of interest in a conversation I had with him which are worth recording.

Markethill bomb

3. Flanagan has no doubt that the Continuity Army Council were responsible. He could "hazard a guess", furthermore, as to the individuals involved. Acting on intelligence received about CAC plans to mark Sinn Féin's entry to the talks with an attack of this kind, the RUC mounted a security operation last Monday in a number of towns and villages in border areas, including Markethill. In the event, the attack came on Tuesday - possibly, Flanagan speculated, because the perpetrators were deterred by the RUC presence in the village on Monday (which was lighter on the following day).

4. The locals told him sourly, when he visited the scene, that they blamed the Provisionals for the attack and would not accept any suggestions that a Republican "splinter group" had been responsible.

5. Flanagan is quite satisfied, however, that there is no collaboration or cross-membership between the IRA and the CAC/ RSF. While individual families might have one member in the IRA and one in the CAC, there is a clear dividing-line between them. The goals of the two groups are diametrically opposed and the split

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between them, going back to 1986, is as deep as ever. The CAC are strongly opposed to the peace process and are out to wreck it. They hope to provoke the LVF into retaliatory attacks and to cause the Loyalist ceasefire to collapse. They also hope to be a magnet for disaffected Provisionals.

6. Flanagan does not regard the CAC as a major threat as of now, however, as they do not have access to significant weaponry or explosives. Indeed, they are constantly "struggling for kit" and are only able to operate because of materiel supplied to them on an ad hoc and unauthorised basis by individual Provisionals. They are also not particularly intelligent in the use of their resources (e.g., they used a 400lb bomb in Markethill when they could have achieved the same impact with less explosive and saved the remainder for another occasion).

7. They are, however, capable of causing considerable mayhem, as evidenced in the various Fermanagh attacks. They are also active across a wider area than is supposed, from Fermanagh along the entire length of the border and including East Tyrone and Belfast.

8. Flanagan considers it possible that, as with a number of recent CAC operations, there will be no claim of responsibility for Markethill - in order to fuel Unionist suspicions of IRA involvement and to undermine Sinn Féin in the talks. Further CAC attacks are also likely. While there may well be pressure within the IRA for preemptive action to be taken against the CAC, this will probably be resisted by the leadership. In certain areas such as South Armagh and East Tyrone, there would be lingering sympathies with the CAC and the unity of the movement might be better served by a "blind eye" approach rather than by militant action against the CAC.

9. I understand, incidentally, that the Secretary of State expressed concern at a meeting this morning about the tendency on the part of certain media to refer to the CAC as the "CIRA". She is worried that this may assist the UUP in claiming an overlap between the two organisations and asked her press people to try to discourage the use of this term. It is a point we might also bear in mind.

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"An Phoblacht" interview

10. Flanagan was not surprised by either the content or the timing of the recent An Phoblacht interview. The intelligence he had suggested that a number of senior Provisionals such as Brian Keenan became increasingly uneasy in the run-up to the ceasefire, and Sinn Féin's entry to the talks, and needed to be won over with a series of hard-line pronouncements about Sinn Féin's pursuit of an end to British rule in Ireland etc. He understood that, to reassure such people, a restatement of the standard Republican line on decommissioning would be given shortly before Sinn Féin's entry to sign up to the Mitchell Principles. In the event, this signal came two days afterwards. (Note: For what it is worth, I understand from a Sinn Féin source that the original intention was to publish the interview in the edition of 4 September, but that it was delayed because of a concern that it would get no publicity that week in view of the media concentration on Princess Diana's death and its aftermath).

11. Flanagan sees the interview as a calculated move, for internal reasons, on the part of the IRA leadership. While the timing would have made life uncomfortable for Adams and McGuinness at the talks, it is probably on balance a tactical asset for them (because of its reminder of the interests they have to appease). NIO sources have commented to Flanagan that Adams has seemed more self-confident in his bearing at the talks than he was prior to the interview.

Parades

12. Flanagan gave me his perspective on this year's Garvaghy Road decision, the subsequent developments in relation to the Twelfth parades and the proposed additional powers for the Parades Commission.

13. His explanation for Drumcree was predictably self-serving, the Secretary of State being blamed for an over-zealous approach to mediation which narrowed Flanagan's own room for manoeuvre to the point where he had no option but to take the decision he did.

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14. Flanagan was content for the Secretary of State and her officials to do whatever they could to promote a local accommodation over the months preceding Drumcree. However, he would have preferred this process to be wound up a fortnight or so in advance, when it was clearly getting nowhere, so that he himself could have been given a free hand. He would have at that point put a proposal to the Orange Order for a parade limited to 100 marchers which would have been routed up the Garvaghy Road early on the Sunday morning (i.e., before the envisaged "street party"). If this had been rejected, he would have gone public, regretting the Order's obduracy in the face of a reasonable compromise. He would have hoped in this way to enlist the support of "middle Ulster" (middle-of-the-road Unionist opinion across Northern Ireland) for a tougher response to the Portadown District - in the form of a recommendation to the Secretary of State that the parade be banned.

15. As it was, however, the Secretary of State continued with her mediation efforts up to the last minute (Flanagan was particularly scathing about the "proximity talks" and John Steele's involvement generally). As a result, he was left with no time in which to try his own approach. He could not have launched an initiative of his own while the Secretary of State was still talking to the various interests. He also could not have implemented his compromise proposal by force.

16. I rehearsed the Government's key concerns about the decision and its wider implications.

Flanagan replied that, on the day, he had to "strike a balance between the various evils". He was convinced that the LVF would respond to a ban or re-routing by kidnapping Catholics at random in order to "do another few McGoldricks" (a reference to the LVF's killing of a Catholic taxi driver in July 1996). Across Northern Ireland, individual UDA and UVF members would "go on the rampage" in similar fashion. He saw a decision to allow the Orangemen down as the safest in all the circumstances. He recognised, however, that it was "wrong in principle" and asked us to accept that it was not the one he had intended taking. He had hoped all along that the Orangemen would opt for the "McCartney solution" (walking away with honour intact). Failing this, and failing acceptance of his own compromise proposal, he would have recommended a ban.

17. As for the Orange decisions a few days later in respect of the Ormeau Road, Derry

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etc., Flanagan claimed a large measure of personal credit. With feelings running very high in the nationalist community following Drumcree, he told the Belfast Orangemen that he could not allow the Ormeau Road parade. To his consternation, the Ballynafeigh Lodge ignored this and arranged for the entire Belfast parade to descend on the Ormeau Road (rather than the usual Edenderry venue). Judging that this scenario would lead to widespread violence and place Northern Ireland "on the brink of civil war", Flanagan contacted the Orange Order leadership early on the Thursday and asked for a meeting. Addressing them later in the House of Orange, he described the situation in graphic terms and said that he was not prepared to "put the Army on every street corner" in order to protect an Orange march down the Ormeau Road. He was also unwilling to allow the parades in Newry, Armagh and Derry. The Orangemen eventually acquiesced.

18. On Lord Molyneaux's role, Flanagan suggested that it had not been as pivotal as subsequently portrayed. Arriving late at the meeting from London, Molyneaux had immediately - before being briefed on Flanagan's presentation - urged the assembled Orangemen to demand of the Secretary of State that she secure a "gagging order" in relation to remarks by the Irish Government on the parades. Flanagan took him aside, pointed out that it was not within the Secretary of State's power to dictate what was said by Irish Ministers and repeated his own bleak analysis of the situation. Molyneaux then backed Flanagan's efforts to secure a climbdown.

19. Flanagan commented that, while the remarks by our Government prior to Drumcree had in his view been unhelpful, those made by the Taoiseach after a Downing Street meeting with the Prime Minister in the subsequent week had been of particular value in assuaging Orange sensitivities. They had, he said, made a direct contribution to the decisions taken on the Thursday in relation to the Twelfth parades.

20. As regards the prospects for next year, Flanagan speculated that there might well be a more positive climate (even without the hoped-for political settlement). The Orangemen have been buoyed by the praise which they earned for their Twelfth decisions this year and are generally in a more self-confident frame of mind. Flanagan's hope is that this will translate into a withdrawal of support on the part of "middle Ulster" for the kind of intransigence shown by the Portadown District this year. A sense that the latter had no support elsewhere in Northern Ireland would make it easier for him to recommend a ban in relation to marching down the Garvaghy

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Road next year. (He mentioned, incidentally, that he sought legal advice a year ago on whether he should take into account the province-wide implications of particular parade decisions and was given the view that he must do so).

21. Finally, Flanagan voiced predictable criticism of the powers of determination envisaged for the Parades Commission under the forthcoming legislation. He favours a purely advisory role for the Commission and fears a usurpation of the RUC's public order responsibilities under the new arrangements. He also fears that any use he might make of the powers available to him to override the Commission's judgements would expose the RUC to even more accusations of politicisation than it already faces.

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