

An Chartlann Náisiúnta
National Archives

Reference Code:	2021/51/365
Creator(s):	Department of Foreign Affairs
Accession Conditions:	Open
Copyright:	National Archives, Ireland. May only be reproduced with the written permission of the Director of the National Archives.

A Labour Administration and Northern Ireland

Peace Process/ Multi-Party Negotiations

1. There is no reason to expect that a new Labour government will adopt a substantially different approach to the achievement of a political settlement in Northern Ireland. Mr Blair and Ms Mowlam are firmly on record as endorsing not just the thrust, but the detail, of the present Government's policy. Furthermore, Labour will wish to reserve the bulk of its political capital for the battles ahead over Europe and its plans for British constitutional change. The new government will be reluctant to take risks. At the same time, it will be anxious to be seen to do whatever is possible to encourage political agreement, and to promote progress in the negotiations, on an inclusive basis if possible, towards a settlement broadly along the lines of the Framework Document. Nevertheless, and even allowing for the various possible shifts within unionism and nationalism which the elections might reveal, the constellation of forces and interests facing a new Government is unlikely to be substantially changed.

2. Contrary to the benign assumptions allegedly prevalent within republican circles, the continuing activities of the IRA may well make it very difficult for Labour to take an uninhibited approach to the inclusion of Sinn Féin in the negotiations even if there were to be a ceasefire just before or shortly after the British election. They will insist on a careful examination of the compatibility of deeds and words, and will be most reluctant to open the way for Conservative attacks. It is also possible that they will be seeking to quell, by a display of cautious professionalism, any Civil Service or security service doubts about their capacity for office after eighteen years.

3. We first have to consider, therefore, whether, given the failure of the IRA to declare a ceasefire following the appeals by Senator Kennedy and Ms Mowlam's conditional offer of a place in the negotiations on 3 June, we can reasonably seek, perhaps in an overall restatement of British policy, a clearer advance commitment than presently exists to Sinn Féin entry to the negotiations within a given period after a restored ceasefire. The alternative would be to conclude that we for our part have done what is possible to

©DFA/2021/51/365

encourage a ceasefire; to await an actual declaration, and to make our own assessment of its terms and quality, mindful of the damage done to republican credibility by events since February 1996 and the stronger position of those who query even the possibility of good faith; and then, if satisfied, to press for a quick decision on Sinn Féin's admission. In either case, however, it becomes increasingly difficult to envisage the new government sanctioning the entry of Sinn Féin before a summer break in the negotiations.

4. It is clear that the credibility of the negotiations themselves will not survive a further indefinite prolongation of the decommissioning stalemate. It is essential that they move quickly into substantive mode. It would not seem adequate merely to wait and see. The two Governments will need to demonstrate that they are not prepared to contemplate an extended standoff on decommissioning after 3 June. Therefore, before the negotiations resume on that date, we might seek to agree with the British on a timetable which could set out (a) a firm date for movement into the three strands (b) an indicative date for the formal overall review of the progress in the strands and (c) a targeted end-date.

5. The later dates, while significant, could be adjusted in the light of the perceived quality of the political engagement achieved. The first is the most immediately critical. It is hard to determine what it should be. In normal circumstances, it might be reasonable to allow a further three/four weeks for consideration of decommissioning. But that timescale would place the point of decision at the end of June - just before the height of the marching season, which may well, depending on developments, add to the constraints upon the UUP. Moreover, the collapse of the talks at that time - which we would have to make clear would happen if the timetable were to have any credibility - would heighten instability.

6. One alternative would be to go for a very early deadline - say 17 June. This would concentrate minds and could appeal to a new Government as a way of demonstrating decisiveness. But it might equally seem unreasonably quick, after the lengthy hiatus from 5 March, and could also lead to a sense of vacuum during the talks season if agreement could not be met. Another, and possibly the most prudent, option would be to set a deadline of, say late July. The Governments could in no way seem unreasonable

©DFA/2021/51/365

in suspending the present process if a solution had not been found by then.

7. Whatever view is taken of the need for a date by which the decommissioning issue is resolved, the two Governments will need to consider a further joint initiative to break the logjam. A basis for discussion is provided by the British paper presented to the Liaison Group on 9 April. While aspects of it are problematic, it ought to be possible to agree on a set of new proposals aimed at providing the UUP with political cover while remaining within the parameters of the Mitchell Report.

8. Nevertheless, it is inevitable that mechanisms and procedures sufficiently concrete to boost unionist confidence will be seen by republicans as the stiffening of a precondition. Conversely, the declaration of an IRA ceasefire, and the engagement with Sinn Féin which would follow, might well make unionists still more inflexible in their assessment of a decommissioning package. There is a danger of falling between two stools, therefore, but this is an unavoidable risk. In an ideal world, it might almost be best if agreement on decommissioning were to be reached before an IRA ceasefire - so that all sides could feel they were operating in circumstances of reasonable certainty - but this is beyond our power to determine.

9. If the decommissioning hurdle is finally surmounted, the task facing the two Governments jointly will be to advance serious discussion of the options in each of the three Strands, and in particular to judge how and when to deploy the Framework Document. It is probable that the British will seek to encourage some revision downwards of those aspects most opposed by the unionists - we will be faced with a delicate task in determining how, tactically and substantively, to respond, but this is not an immediate difficulty.

10. If, on the other hand, the negotiations do finally break down over decommissioning, we will need to consider how best the two Governments can pursue their joint objectives of reconciliation and stability. There is an expectation - at official level within the British system as well as politically - that a new Government would not be prepared merely to "keep the lid" on the situation. One aspect of an alternative programme, as already

©DFA/2021/51/365

signalled to us, would be the continuation of a programme of reform through the machinery of the Anglo-Irish Agreement. The two Governments might also seek to continue consultations on a political/constitutional package, with a view to putting it to referendum in due course.

11. It would obviously be desirable to have in place at least the bones of an alternative programme should the negotiations break down. Two sets of issues arise, however. *Presentationally*, it is for consideration whether and in what detail the existence of such an alternative should be signalled to the parties. It is arguable that it might concentrate their minds. More probably, however, too elaborate an exposition might simply play into the hands of those who have argued that the talks process is a sham. The Governments might simply make clear, in general terms, as has already been done on our side, their determination to pursue the goals set out in the Joint Declaration. *Substantively,* we would have to consider, and explore with the British, what the terms of a new initiative would be. Would consultations be time-limited? Would they be explicitly intended to lead to referendums? Consultations without clear limits and objectives could degenerate into another round of inconclusive discussions: but we would equally wish to leave some room for manoeuvre should a referendum seem premature or likely to fail.

12. It is also clear that a new Government is likely to look for countervailing confidence-building measures aimed at unionists to balance the tilt in a nationalist direction they would see as implicit in action on the reform agenda and in a more pro-active role for the two Governments. We shall need to demonstrate both that many reforms should not be seen as necessarily favouring one community, and also that, given the starting point, the aggregate of change has to be in a nationalist direction.

13. However, we should also be prepared to look constructively at measures which could reassure unionists without delusions as to the magnitude of their overall effect. While both official and Labour party sources have floated the possibility of constitutional change as a stand-alone measure rather than as part of a final package, we can reasonably argue that the political risks, both in our jurisdiction and in respect of feeling within Northern nationalism, would greatly outweigh the possible benefits. On the other hand,

©DFA/2021/51/365

we might see if there are issues - such as the stability and durability of any agreed settlement, and the nuances of the consent principle and the concept of parity of esteem - on which we can more explicitly respond to unionist concerns.

14. In addition, the UUP's proposals for progress alongside the negotiations, as set out in *Pathways to Peace,* are quite modest: enhanced consultation between the parties and the British Government on socio-economic issues, a possible new umbrella organisation for local government, more public debate on a Bill of Rights, some exploration of North-South relationships. We want to keep Labour away from the temptation of a piecemeal approach which could have the effect of satisfying short-term unionist demands while not addressing nationalist needs, but at the same time neither we, nor the SDLP - which is more directly concerned than we are in some of these matters - should be seen as blocking serious consideration of these issues, not least if other developments are going in a satisfactory direction.

Anglo-Irish Agreement

15. The Government continue to make intensive use of the machinery of the Anglo-Irish Agreement to advance views and proposals on a very wide range of issues. However, it is arguable that in terms of public profile and symbolic impact the Agreement is somewhat less conspicuous than in its earlier years. This is, clearly, less important than the fact that effective work is continuing under it. It is no doubt also in part an inevitable result of the passage of time. It is also a reflection of the time and effort both Governments have devoted to the peace process and the multi-party negotiations, discussions on which have tended to dominate meetings of the Conference and have led to the use of other formats. However, meetings of the Conference have been somewhat less frequent in the recent past, and there has been relatively little time available for the discussion of socio-economic and identity issues.

16. The advent of a new Government, which should bring a relatively fresh perspective to issues of this kind, would offer a good opportunity for a lengthier and more thorough review than has recently been possible. The possibility of holding a longer than normal meeting of the Conference (½ days?), or one devoted exclusively to socio-economic

©DFA/2021/51/365

matters, could be looked at. Time might be allowed for informal "brainstorming" away from the rather rigid and arguably over-choreographed formal structure.

17. It would not be prudent to risk arousing the - presently drowsy - unionist dog by overplaying the significance of such an initiative, especially at what might be a sensitive time in the negotiations. Nor should we undersell the current level of activity under the Agreement. However, a special meeting, or meetings, of the Conference, if organised and run in a businesslike fashion, could be valuable in giving fresh momentum to the Agreement.

Rory Montgomery
21 April 1997

©DFA/2021/51/365