

FROM : JONATHAN MARGETTS  
INTERNATIONAL UNIT  
2 DECEMBER 1994

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SEC - 5 DEC 1994  
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cc PS/Mr Bell  
Mr Thomas  
Mr Bell  
Mr Stephens

5 DEC 1994  
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*in Mr Wallace's hands*

HRH THE PRINCE OF WALES' LUNCH WITH SENATOR EDWARD KENNEDY

Thank you for your minute of 28 November. As requested, I attach some general lines to take and a background note on Senator Kennedy for you to send to Stephen Lamport.

(signed JM)

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- 2 DEC 1994

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2 DECEMBER 1994

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NORTHERN IRELAND BULL POINTS

JOINT DECLARATION/CEASEFIRE

- The Joint Declaration made by the Prime Minister and the Irish Prime Minister Mr Reynolds is a statement of fundamental principle agreed between the British and Irish Government and has peace democracy and consent as its foundation; it is against violence and coercion. It charts the way forward for those democratically mandated organisations which are prepared to commit themselves exclusively to the democratic process and turn their backs on violence in line with the wishes of the vast majority of the people of Ireland North and South.
- The Government wants all the main constitutional parties to take part in the process which will lead to a future settlement in Northern Ireland, and wants Sinn Fein to be part of that process once it has demonstrated that it is committed exclusively to democratic methods.
- The IRA's announcement of a complete cessation of military operations on 31 August is welcome. The people of Northern Ireland need to know from their words and actions that this is for good. The Government has taken a cautious approach and believes that it has been right in so doing - it owes no less to the people of Northern Ireland who have suffered 25 years of violence.
- In the time which has elapsed since the IRA ceasefire Sinn Fein and the IRA have sought to convey the impression that the ceasefire is permanent, though they have not stated this unambiguously. Because there was scope for doubt the Prime Minister resisted pressure to set a date for exploratory talks with Sinn Fein.

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- therefore how guns and explosives can best be
- Instead the Government have reviewed actions and these have been more compelling than their words. As a result, the Prime Minister announced in a speech in Belfast on 21 October that he was prepared to make a working assumption that the ceasefire is intended to be permanent. This meant that the Government could move carefully towards the beginning of dialogue with Sinn Fein. Governments are working on a framework document which when finalised will
  - Sinn Fein have now been contacted by letter proposing an opening meeting on Wednesday, 7 December in Belfast. The basis for this dialogue is that there must be a genuine commitment by Sinn Fein to use and support only peaceful methods in a democratic political arena. The Government will not be able to proceed if Sinn Fein's commitment is called into question.
  - The purposes of such dialogue is:-
    - i) to explore the basis upon which Sinn Fein would come to be admitted to an inclusive political talks process to which the British Government is committed but without anticipating the negotiations within that process;
    - ii) to exchange views on how Sinn Fein would be able over a period to play the same part as the current constitutional parties in the public life of Northern Ireland;
    - iii) to examine the practical consequences of the ending of violence.

#### REFERENDUM IN NORTHERN IRELAND

Peace cannot finally be assured until the paramilitaries on both sides hand in their weapons. We must consider the people. To put this beyond doubt Prime Minister announced

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therefore how guns and explosives can best be decommissioned. These weapons are both north and south of the border. The Prime Minister and the Taoiseach have given a remit to officials to examine the logistics and mechanics of arranging for the weapons to be handed over.

- Political progress cannot and will not wait for Sinn Fein. Officials from both British and Irish Governments are working on a framework document which when finalised will represent a shared understanding of both the British and Irish Governments of an outcome to political talks that might prove acceptable. We hope that it can be presented to the constitutional parties before too long.
- There have been no secret deals for peace. The criminal law will continue to be applied vigorously with the intention of bringing those responsible for terrorist crime before the Courts. Those convicted of crimes must expect to serve their sentences in accordance with the law.

#### **LOYALIST CEASEFIRE**

- The Government welcomes the loyalist ceasefire. There are no circumstances whatsoever that would justify a resumption of their violence. The route to democratic politics is open to all who renounce violence and the Government wants loyalists to be able to express their views democratically.
- Intention to hold exploratory dialogue with Loyalist representatives and the leaders of the PUP and the UDP [have been] invited to separate talks also before Christmas.

#### **REFERENDUM IN NORTHERN IRELAND**

- Everyone agreed Talks outcome must be acceptable to the people. To put this beyond doubt Prime Minister announced

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on 16 September that final outcome will be submitted to the electorate in Northern Ireland for widespread approval in a referendum.

- Reassures the people of Northern Ireland that outcome will not be imposed without their consent.
- Details of referendum (eg question, winning post etc) are for discussion with parties in Talks process.

#### POLITICAL DEVELOPMENT

- HMG remains firmly committed to seeking a widely acceptable political accommodation which would take account of the three main relationships; those within Northern Ireland, those within the island of Ireland and those between the British and Irish Governments.
- HMG believes that the best way forward lies in the Talks process involving all the four main constitutional political parties in NI and the British and Irish Governments. This commitment to dialogue is shared by the Irish Government.
- Talks began in 1991 and ended in November 1992. Strand I involved discussion of the relationships within Northern Ireland. Strand II began in London on 6 July 1992 involving HMG, the four main NI constitutional parties (as in Strand I) and the Irish Government, under the independent chairmanship of Sir Ninian Stephen, a former Governor General of Australia.
- Since September 1993 private bilateral discussions have been taking place with three of the four main

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constitutional parties to explore the basis upon which they might come together for further dialogue. (DUP have declined to participate.)

- The two Governments have also been engaged in intensive discussions on a Joint Framework document to carry the Talks process forward. The aim is to achieve a shared understanding of the elements of a settlement which, in the view of the two Governments, is likely to have the best prospect of attracting broad support right across the community.
- On 21 October, the Prime Minister announced that when the Joint Framework Document is finished, it will be published. This deals with relations between the two Governments and their views on the possible development of relations between Northern Ireland and the Republic of Ireland.
- Intention is that framework will facilitate the resumption of multilateral talks with a view to securing an overall settlement, addressing all the relevant relationships and agreed between the main Northern Ireland parties and the two Governments.
- Also on 21 October the Prime Minister announced that at the same time as the Joint Framework Document the Government would publish details of a possible way forward within Northern Ireland.
- This will draw on the work done in the 1992 Talks and subsequent discussions with the Northern Ireland parties. It will represent the Government's understanding of the elements which would comprise new arrangements within Northern Ireland and which, as part of an overall

settlement, we believe is likely to have the best prospect of attracting broad support right across the community in Northern Ireland.

- This is primarily a matter for discussion between the British Government and the Northern Ireland Parties, and will, like the Joint Framework Document, be a guide for discussion and negotiation aimed at securing widespread acceptance of a political accommodation.
- At Chequers on 24 October the Prime Minister and the Taoiseach noted that steady progress is being made on the Joint Framework Document, but some important issues remain to be resolved. They also agreed that no final date could be set for completion of the Document but remain determined to conclude this exercise successfully and at the earliest possible time.
- There is no question of coercing the parties or imposing an outcome. HMG has no hidden agenda; ruled out no options or possibilities for a final outcome; there are two basic tests - would it be workable and crucially would it attract widespread support throughout the community.
- HMG has a rational hope that the Talks process will lead to succeed. There is an unanimous acceptance that the status quo is not a viable option - everyone wants a settlement.  
Forum for peace and reconciliation
- Forum was announced by the Taoiseach in the Joint Declaration. The Government wish it well, but this is entirely a matter for the Irish Government.

### ANGLO-IRISH AGREEMENT

- Good relations between UK and Republic of Ireland are in the interests of both sides. Agreement has provided a valuable forum both to discuss co-operation and to resolve differences.
- Security cannot be considered in isolation. Complementary
- Both countries threatened by violence. Must work together to ensure terrorism can never win. Could not have reached this present hopeful stage in Northern Ireland without unprecedented cooperation between the two Governments.

### EMERGENCY LEGISLATION

- While the British and Irish Governments remain fully committed to the Anglo-Irish Agreement, they have made it clear that they would be prepared to consider a new and more broadly based agreement or structure if this could be arrived at through direct discussion and negotiation between all of the parties concerned.

### SECURITY SITUATION IN NORTHERN IRELAND

- Cross border security co-operation with the Irish Government remains determined to secure a permanent end to terrorism. to continue their close co-operation on security matters, to ensure that violence from whichever quarter it
- After 25 years of violence the Government - who are after all responsible for the security of the people of Northern Ireland - must remain cautious.
- Terrorism continues to be dealt with under the rule of law. all 88 remaining border road closure orders.
- The police (RUC) remain in the lead but continue to need support from the Army in parts of Northern Ireland.

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- Building and maintaining the confidence of the community (both sides) in the effectiveness, integrity and impartiality of the security forces is a vital part of the Government's security policy. Both the RUC and Army fully endorse this principle.
- Security cannot be considered in isolation. Complementary political, social and economic measures continue to be pursued, to bring about the goal of a peaceful, prosperous and harmonious society.

#### EMERGENCY LEGISLATION

- The need for the Emergency Provisions Act has always been kept under review and we have said that its provision will remain in force no longer than necessary. But it is obviously too soon to speculate about the future of the Act, which protects the law-abiding public from terrorists of all persuasion.

#### BORDER ROADS AND SECURITY CO-OPERATION

- Cross border security co-operation with the Irish Government remains essential. Both Governments are determined to continue their close co-operation on security matters, to ensure that violence from whichever quarter it comes is brought to an end.

#### BORDER ROADS

- The Secretary of State announced in October the lifting of all 88 remaining border road closure orders.

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- No border crossing is now subject to a closure order, and a phased programme of reopenings has already begun; BCP 197, Dooard Bridge near garrison has already been reopened.. Because of the scale of the operation, this will take some time to implement. Roads will, however, be reopened as soon as possible.
- As in other parts of Northern Ireland, the RUC, supported as necessary by the Army, will continue to provide appropriate levels of security in border areas, to ensure the protection and reassurance of local communities. Patrolling will continue to be carried out from the existing network of Patrol Bases and from other security force locations.
- Should the security situation require at any stage the reclosure of any border crossing in order to protect life or property, this will be done without hesitation.

#### FORCE LEVELS

- HMG's desire is for RUC to be able to carry out their duties without the need for Army support.
- It is too early yet to consider whether any changes are necessary to the strength of the RUC or the Army. But, as the Chief Constable said, in the absence of terrorist violence from any quarter, the current high level of daily activity could be tactically reduced.

#### SECURITY FORCE RESPONSE

- Security forces have been able to take steps to reflect diminished terrorist threat following the IRA's

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announcement eg berets instead of helmets, no helicopter flying below 500'; no carrying of General Purpose Machine Guns (GPMG) by foot patrols; no deployment of SAXON except in ambulance role; general reduction in the numbers of army patrols; fewer police personnel wearing flak jackets.

These and other changes do not constitute any change in security policy.

- Patrol bases remain a necessary part of our border security policy. Like other patrol bases in the border area, those close to Londonderry are still being used to mount patrols in the surrounding area. As with other Patrol Bases and Permanent Vehicle Checkpoints in the border areas, there are no longer any routine checks of vehicles.

#### DEMILITARISATION

- Clearly decisions on operational deployments, and the nature and level of security force activity to prevent crime and protect the community, are influenced by the prevailing threat. The security forces will, under the Chief Constable's direction, continue to act against those responsible for crimes with full vigor, and with the Government's full support.
- Firm objective to return to exclusively civilian policing. Need for soldiers to patrol the streets will be reviewed as circumstances permit, but there will be a peace-time role for some members of the armed forces in Northern Ireland as in other parts of the United Kingdom.

#### EXCLUSION ORDERS

- Home Secretary lifted the exclusion orders on Mr Adams and Mr McGuinness on 21 October 1994. The possibility of Sir John Wheeler soon to visit Italy and Germany to see how other countries combat not only terrorism but also organised crime.

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reviewing further individual orders exists but it is too early yet to embark on a general review of orders. The Government's hope remains that the day is coming when no orders will be needed.

[Defensive]

When will the Army leave Northern Ireland?

- There will continue to be a peacetime role for the army in Northern Ireland just as there is in other parts of the United Kingdom. We all - including the police and the army - want to reduce the security presence on the streets of Northern Ireland, but we will do so only when we judge it safe to do so based on the advice of the Chief Constable.

Will watchtowers and other fortifications be dismantled?

- The police and the army will continue to provide appropriate levels of security throughout Northern Ireland. Security force commanders continue to review the need for all security measures in particular areas and should the level of threat be judged to continue to diminish further measures will follow.

**MURDER OF MR KERR** (Newry Post Office worker)

- Utterly condemn the murder of Mr Kerr. Shows danger of illegally held weapons. The swift response by the police in charging two men with murder and armed robbery is evidence, if evidence were needed, that the security forces must remain alert.

**SECURITY RELATED MINISTERIAL VISITS**

- Sir John Wheeler soon to visit Italy and Germany to see how 'other countries combat not only terrorism but also organised crime.

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Biographical Note

SENATOR EDWARD KENNEDY

Ted Kennedy was born in Brookline, Massachusetts, in 1932 - the ninth child of the late Joseph P Kennedy, entrepreneur - financier and World War II Ambassador to England. After three years in the US Infantry, he attained a BA at Harvard in 1956, then attended the International Law School in The Hague and the University of Virginia Law School (LLB 1959). A lawyer, Kennedy was appointed Assistant District Attorney in Suffolk County, Massachusetts, in 1961 and the following year was elected to the seat left vacant by his brother's election to the Presidency. In 1964 he was in a near fatal air crash and suffered a broken back - his wife successfully campaigned for his re-election while he was in hospital.

In 1968, following the death of his brother Robert, Ted Kennedy seemed to take solace in drink and women. The Chappaquiddick incident, in which 28 year old Mary Jo Kopechne died, raised questions about his judgement which still come back to haunt him as a potential presidential candidate. In November 1973 Kennedy's 12 year old son had a leg removed because of cancer. A few years later his daughter ran away from home, and he and his wife separated. They came together again briefly in the 1980 presidential campaign but subsequently divorced.

In 1979 Kennedy successfully challenged President Carter for the Democratic nomination. He announced in December 1982 that he would not run in 1984 - ostensibly for family reasons, though his own vulnerability was probably a major factor.

Having spent over half his life shouldering the title of Senator, it is perhaps appropriate that Kennedy is showing signs of

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adopting the role of elder political statesman and comporting himself personally in a more age appropriate manner. The combination of Kennedy's liberal political agenda and his rather libertine personal life along ago killed his prospects to be President, but it did so without diminishing his influence in the Senate. Within that club, colleagues respect power, which Kennedy has, and they revere history, which Kennedy embodies.

Yet as recently as 1991, Kennedy's apparent difficulty in staying within the bounds of decorum had seriously compromised his legislative effectiveness, impaired his ability to serve as the personification of the liberal conscious and placed him in political peril as he headed towards the 1994 election.

But after being ensnared in the investigation and subsequent trial of his nephew William Kennedy Smith on rape charges, Kennedy grabbed control of his life in an effort to undo whatever damage had been done. In July 1992, six months after Smith was acquitted, Kennedy married a Washington Attorney, Victoria Reggie, the daughter of old family friends. It has been for Kennedy, a new beginning. He was again successful in the 1994 Senate election, gaining 55% of the vote.

He takes a deep interest in Northern Ireland and is a leading member of the Friends of Ireland. He supports all the standard Friends of Ireland positions, but sometimes tends to be impatient at the slow pace of political progress. At the time of the 1981 hunger strikes he described British policy as being a dead-end, and called for a radical new approach. He is a close friend of John Hume. He played a major role in persuading President Clinton to grant Gerry Adams a visa to visit the US. His sister, Jean Kennedy Smith, is US Ambassador to Dublin.

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